

U.S. Rebar Producers Request Investigation of Renewed Dumping by Turkish Rebar Producer ICDAS

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On behalf of Nucor Corp., Gerdau Ameristeel, Inc. and Commercial Metals Company, Wiley Rein filed a request yesterday with the U.S. Department of Commerce that it investigate whether ICDAS, a major producer of rebar in Turkey, has resumed dumping in the U.S. market.

An antidumping order applies to imports of rebar from Turkey, but ICDAS was excluded from the order after the Commerce Department determined that ICDAS had not engaged in dumping for three years. In a voluntary remand determination at the Court of International Trade, the Commerce Department subsequently reviewed the margin for ICDAS and found that ICDAS had dumped during this period, and therefore should not have been revoked from the order. Unfortunately, the Court of International Trade has not ruled on Commerce's revised determination. At the time ICDAS sought revocation at the Department, it agreed not to dump in the future and consented to be reinstated to the order should it resume dumping. The request provides the Commerce Department with new information showing that ICDAS has resumed selling rebar in the United States at dumped prices.

"The Commerce Department has emphasized that exclusion from an antidumping order does not give foreign manufacturers a license to resume dumping," said Alan Price of Wiley Rein LLP, counsel to the domestic producers. "We are asking the Department to follow through on that commitment."

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If the Commerce Department grants the request, it will conduct an investigation to determine whether ICDAS has resumed dumping. If it makes an affirmative determination, the antidumping order on rebar from Turkey would be reinstated for ICDAS, so that antidumping duties would again apply to its exports to the United States.