



American Wire Producers Association

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AD and CVD Investigations of Wire Rod – Critical Circumstances Allegations

The US industry has filed allegations of critical circumstances in the antidumping (AD) investigations of carbon and alloy steel wire rod from Russia, South Africa, Spain, Turkey, and the United Kingdom and the countervailing duty (CVD) investigation of carbon and alloy steel wire rod from Turkey. The allegations claim that post-petition imports of subject wire rod increased by 27.12% from Russia, 431.96% from South Africa, 24.56% from Spain, 51.28% from Turkey, and 99.99% from the United Kingdom.

By regulation, the US Department of Commerce (DOC) considers post-petition imports exceeding a 15% threshold as supporting a finding of critical circumstances.

Both the DOC and the U.S. International Trade Commission (ITC) must make affirmative findings of critical circumstances in order for AD/CVD duties to be applied retroactively. While the DOC usually makes affirmative determinations of critical circumstances if the 15% threshold is met or exceeded, the ITC applies a different standard.

Since the preliminary determination in the CVD investigation of Turkey is due by August 25, the effect of an affirmative critical circumstances determination regarding Turkey would be the application of CVD duties to imports entered on or after **May 28**.

The preliminary determinations in the AD investigations of all of the subject countries are currently due by September 5. If this date is not extended, then an affirmative determination of critical circumstances would mean that AD duties would be applied retroactively to **June 6**. However, with the exception of Russia, we expect that this preliminary AD date will be extended – probably to October 24. If the preliminary AD determination is made on October 24, then an affirmative determination of critical circumstances would mean that AD duties would be applied retroactively to **July 26**.

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