

**E. Description of the Merchandise and Requested Scope of Investigation (19 C.F.R. § 351.202(b)(5))**

**1. Requested Scope of Investigation**

The imported merchandise that Petitioners intend to cover in these investigations is described as follows:<sup>1</sup>

The merchandise covered by these investigations are certain hot-rolled products of carbon steel and alloy steel, in coils, of approximately round cross section, less than 19.00 mm in actual solid cross-sectional diameter. Specifically excluded are steel products possessing the above-noted physical characteristics and meeting the Harmonized Tariff Schedule of the United States (HTSUS) definitions for (a) stainless steel; (b) tool steel; (c) high-nickel steel; (d) ball bearing steel; or (e) concrete reinforcing bars and rods. Also excluded are free cutting steel (also known as free machining steel) products (i.e., products that contain by weight one

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<sup>1</sup> Note that the scope language of these investigations is the same as the scope of the antidumping and countervailing duty investigations and orders on CASWR from China, but differs from the scope of the orders on CASWR from Brazil, Indonesia, Mexico, Moldova, and Trinidad & Tobago. Compare Carbon and Certain Alloy Steel Wire Rod From the People's Republic of China: Antidumping Duty Order, 80 Fed. Reg. 1,015 (Jan. 8, 2015) with Carbon and Certain Alloy Steel Wire Rod From Brazil, Indonesia, Mexico, Moldova, and Trinidad and Tobago: Continuation of Antidumping and Countervailing Duty Orders, 79 Fed. Reg. 38,008 (July 3, 2014). First, the scope language in the Brazil, Indonesia, Mexico, Moldova, and Trinidad & Tobago investigations listed a lower diameter of 5.0 mm, reflecting the known commercial availability of hot-rolled CASWR products in the United States at the time that those investigations were initiated. In 2016, Commerce published notice of a final decision by the U.S. Court of Appeals for the Federal Circuit affirming Commerce's 2012 anti-circumvention determination that wire rod imports of 4.75mm to 5.00mm in diameter circumvented the antidumping duty order on wire rod from Mexico. See Carbon and Certain Alloy Steel Wire Rod From Mexico: Notice of Court Decision Not in Harmony With Amended Final Determination and Notice of Second Amended Final Determination, 81 Fed. Reg. 46,051 (July 15, 2016). Because technical advances in recent years have meant that CASWR with diameters less than 5 mm is now commercially available in the United States, the scope of the order on CASWR from China and the scope of these Petitions contains no specified lower diameter.

Second, like the scope language in the CASWR from China investigation, the scope of these Petitions does not contain an exclusion for grade 1080 tire cord quality wire rod or grade 1080 tire bead quality wire rod, which the Commission had found were included in its definition of the domestic CASWR like product. Carbon and Certain Alloy Steel Wire Rod from Brazil, et al., Inv. Nos. 701-TA-417 and 731-TA-953, 957-959, 961, and 962, USITC Pub. 4472 (Second Review) (June 2014) ("CASWR from Brazil 2nd Rev."), at 8. During the Commission's investigation of CASWR from China, no respondent challenged the Commission's definition of the domestic like product to be coextensive with the scope of the petition. CASWR from China, USITC Pub. 4509 at I-23.

or more of the following elements: 0.1 percent or more of lead, 0.05 percent or more of bismuth, 0.08 percent or more of sulfur, more than 0.04 percent of phosphorous, more than 0.05 percent of selenium, or more than 0.01 percent of tellurium). All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products under investigation are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3020, 7213.91.3093; 7213.91.4500, 7213.91.6000, 7213.99.0030, 7227.20.0030, 7227.20.0080, 7227.90.6010, 7227.90.6020, 7227.90.6030, and 7227.90.6035 of the HTSUS. Products entered under subheadings 7213.99.0090 and 7227.90.6090 of the HTSUS also may be included in this scope if they meet the physical description of subject merchandise above. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

## **2. Production Description**

The merchandise covered by these investigations is certain hot-rolled products of carbon and alloy steel, in irregularly wound coils, of approximately round cross section, in cross-sectional diameters of less than 19.00 mm.

## **3. Technical Characteristics, Production Process, and Uses**

Although CASWR is generally categorized by quality according to end use, the end use categories most common in the industry are broad and share overlapping metallurgical qualities, chemistries, and physical characteristics. For example, with respect to metallurgical qualities, carbon content affects the ductility, hardness, and tensile strength of the steel, but the addition of certain alloys during the melting stage can impart a range of mechanical characteristics including machinability and work hardenability.

CASWR in the United States is primarily sold to wire drawers who manufacture wire for a wide variety of applications. Industrial quality wire is used in the production of nails, reinforcing wire mesh, and chain link fence. Other wire rod is drawn into wire for upholstery and mechanical