

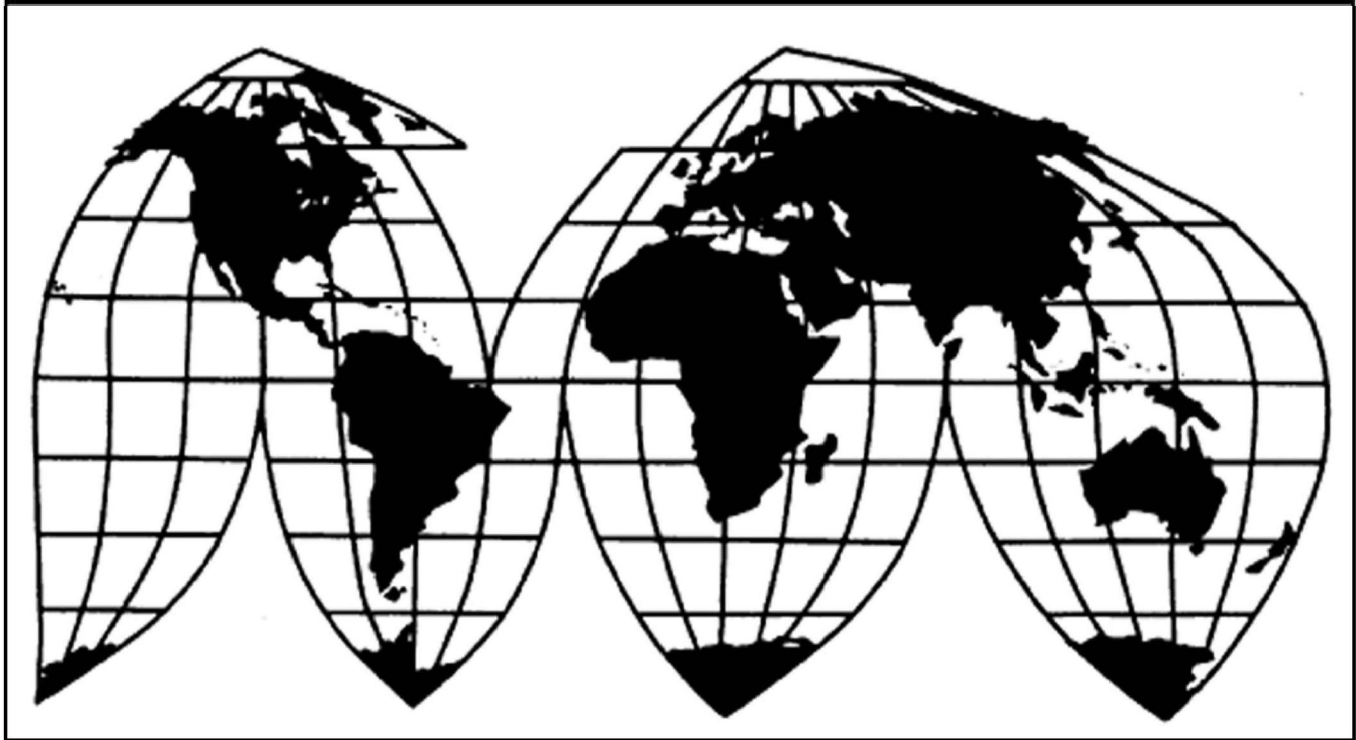
Brass Sheet and Strip from France, Germany, Italy and Japan

Investigation Nos. 731-TA-313-314, 317, and 379 (Fifth Review)

Publication 5414

March 2023

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 731-TA-313-314, 317, and 379 (Fifth Review)

Brass Sheet and Strip from France, Germany, Italy, and Japan

DETERMINATIONS

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping duty orders on brass sheet and strip from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission instituted these reviews on September 1, 2022 (87 FR 53785) and determined on December 6, 2022 that it would conduct expedited reviews (88 FR 10380).

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Tariff Act”), that revocation of the antidumping duty orders on brass sheet and strip (“BSS”) from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

Original Investigations. The original investigations resulted from two sets of petitions: those filed on March 10, 1986, concerning BSS from Brazil, Canada, France, Germany, Italy, Korea, and Sweden,¹ and those petitions filed on July 20, 1987, concerning BSS imports from Japan and the Netherlands.² In December 1986, the Commission determined that an industry in the United States was materially injured by reason of subsidized imports of BSS from Brazil and less than fair value (“LTFV”) imports of BSS from Brazil, Canada, and Korea.³ In February 1987, the Commission reached affirmative determinations with respect to subsidized imports of BSS from France and LTFV imports of BSS from France, Germany, Italy, and Sweden.⁴ The Department of Commerce (“Commerce”) subsequently issued antidumping duty orders on BSS from Brazil, Canada, and Korea in January 1987, and antidumping duty orders on BSS from France, Germany, Italy, and Sweden in March 1987.⁵ Commerce issued countervailing duty orders on BSS from Brazil and France in January and March 1987, respectively.⁶ In June 1988, the Commission reached final affirmative determinations with respect to LTFV imports of BSS

¹ *Certain Brass Sheet and Strip from Brazil, Canada, and the Republic of Korea*, Inv. Nos. 701-TA-269, 731-TA-311, 312, 315 (Final), USITC Pub. 1930, (Dec. 1986) (“*Brazil, Canada, and Korea Original Determinations*”) at A-1; *Certain Brass Sheet and Strip from France, Italy, Sweden, and West Germany*, Inv. Nos. 701-TA-270 and 731-TA-313, 314, 316, 317 (Final), USITC Pub. 1951 (Feb. 1987) (“*France, Germany, and Italy Original Determinations*”) at A-1.

² *Certain Brass Sheet and Strip from Japan and the Netherlands*, Inv. Nos. 731-TA-379 and 380 (Final), USITC Pub. 2099 (July 1988) (“*Japan Original Determinations*”).

³ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 1-2.

⁴ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 1-2. The Commission’s affirmative determination with respect to BSS from Sweden was affirmed in *Granges Metallverken AB v. United States*, 716 F. Supp. 17 (Ct. Int’l Trade 1989).

⁵ *Countervailing Duty Order: Brass Sheet and Strip from Brazil*, 52 Fed. Reg. 1,214 (Jan. 12, 1987); *Countervailing Duty Order: Brass Sheet and Strip from Canada*, 52 Fed. Reg. 1,217 (Jan. 12, 1987); *Countervailing Duty Order: Brass Sheet and Strip from Korea*, 52 Fed. Reg. 1,215 (Jan. 12, 1987); *Antidumping Duty Order: Brass Sheet and Strip from France*, 52 Fed. Reg. 6,995 (Mar. 6, 1987); *Antidumping Duty Order: Brass Sheet and Strip from Germany*, 52 Fed. Reg. 6,997 (Mar. 6, 1987); *Antidumping Duty Order: Brass Sheet and Strip from Italy*, 52 Fed. Reg. 6,997, amended 52 Fed. Reg. 11299 (Apr. 9, 1987); *Antidumping Duty Order: Brass Sheet and Strip from Sweden*, 52 Fed. Reg. 6,998 (Mar. 6, 1987).

⁶ *Countervailing Duty Order: Brass Sheet and Strip from Brazil*, 52 Fed. Reg. 698 (Jan. 8, 1987); *Countervailing Duty Order: Brass Sheet and Strip from France*, 52 Fed. Reg. 6,995 (Mar. 6, 1987).

from Japan and the Netherlands, and in August 1988, Commerce issued antidumping duty orders on BSS imports from Japan and the Netherlands.⁷

First Five-Year Reviews. After conducting full reviews, in April 2000, the Commission determined that revocation of the countervailing duty orders on BSS from Brazil and France and antidumping duty orders on BSS from Brazil, Canada, France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry within a reasonably foreseeable time.⁸ Consequently, in May 2000, Commerce issued a notice of continuation of these orders.⁹ In contrast, the Commission made negative determinations with respect to BSS from Korea, the Netherlands, and Sweden and, therefore, Commerce revoked those orders.¹⁰

Second Five-Year Reviews. In March 2006, the Commission terminated the five-year review of the countervailing duty order concerning BSS from France after Commerce made a negative determination.¹¹ With respect to the antidumping duty orders on BSS from France, Germany, Italy, and Japan, after full reviews, the Commission determined that revocation of these orders would be likely to lead to the continuation or recurrence of material injury to a domestic industry within a reasonably foreseeable time, and Commerce subsequently issued a notice of continuation of these antidumping duty orders in April 2006.¹² In contrast, the

⁷ *Japan Original Determinations*, USITC Pub. 2099 at 1; *Antidumping Duty Orders: Brass Sheet and Strip from Japan and the Netherlands*, 53 Fed. Reg. 30,454 (Aug. 12, 1988). The Commission's affirmative determination with respect to BSS from Japan was affirmed by the U.S. Court of International Trade ("CIT") in *Cambridge Lee Industries v. United States*, 728 F. Supp. 748 (Ct. Int'l Trade 1989). The Commission's affirmative determination with respect to BSS from the Netherlands was affirmed in large part in *Metallwerken Nederland B.V. and Outokumpu Metallwerken, Inc. v. United States*, 728 F. Supp. 730 (Ct. Int'l Trade 1989), and was remanded with respect to certain aspects of the determination of one Commissioner. The Commission determined on remand that an industry in the United States was materially injured by reason of LTFV imports of BSS from Japan and the Netherlands. The Commission's remand results were affirmed in *Metallwerken Nederland B.V. and Outokumpu Metallwerken, Inc. v. United States*, 744 F. Supp. 281 (Ct. Int'l Trade 1990).

⁸ *Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, Japan, Korea, the Netherlands, and Sweden*, Inv. Nos. 701-TA-269-270, 731-TA-311-317, and 379-380 (Review), USITC Pub. 3290 (Apr. 2000) ("*First Review Determinations*").

⁹ *Continuation of Antidumping Duty Orders and Countervailing Duty Orders: Brass Sheet and Strip From Brazil, Canada, France, Italy, Germany, and Japan*, 65 Fed. Reg. 25,304 (May 1, 2000).

¹⁰ *First Review Determinations*, USITC Pub. 3290 at 1; *Revocation of Antidumping Duty Orders: Brass Sheet and Strip From the Republic of Korea, the Netherlands, and Sweden*, 65 Fed. Reg. 25,305 (May 1, 2000).

¹¹ *Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, and Japan*, 71 Fed. Reg. 14,719 (Mar. 23, 2006); *Final Results of Full Sunset Review: Brass Sheet and Strip from France*, 71 Fed. Reg. 10,651 (Mar. 2, 2006).

¹² *Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy and Japan*, Inv. Nos. 701-TA-269 and 731-TA-311-314, 317, and 379 (Second Review), USITC Pub. 3842 (Mar. 2006) ("*Second Review Determinations*"); *Brass Sheet and Strip from France, Italy, Germany, and Japan: Continuation of Antidumping Duty Orders*, 71 Fed. Reg. 16,552 (Apr. 3, 2006). The Commission's determination (Continued...)

Commission made negative determinations concerning the antidumping duty orders on BSS from Brazil and Canada and the countervailing duty order on BSS from Brazil and, consequently, Commerce revoked these orders.¹³

Third Five-Year Reviews. In April 2012, after full reviews, the Commission determined that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.¹⁴ In April 2012, Commerce issued a notice of continuation of these orders.¹⁵

Fourth Five-Year Reviews. In October 2017, following expedited reviews, the Commission determined that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.¹⁶ In October 2017, Commerce issued a notice of continuation of these orders.¹⁷

Current Five-Year Reviews. The Commission instituted these five-year reviews on September 1, 2022.¹⁸ It received a joint response to its notice of institution from domestic producers Aurubis Buffalo, Inc. (“Aurubis Buffalo”), Heyco Metals, Inc., PMX Industries, Inc. (“PMX”), and Wieland Holdings, Inc. (“Wieland Holdings”) (collectively, “Domestic Producers”).¹⁹ No respondent interested party responded to the Commission’s notice of institution or participated in these five-year reviews. On December 6, 2022, the Commission determined that the domestic interested party group response to its notice of institution was adequate and that the respondent interested party group responses were inadequate.²⁰

regarding imports of BSS from Germany was affirmed on appeal. *Wieland-Werke AG v. United States*, 525 F. Supp.2d 1353 (Ct. Int’l Trade 2007), *aff’d*, 290 Fed. Appx. 384 (Fed. Cir. 2008).

¹³ *Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, and Japan*, 71 Fed. Reg. 14,719 (Mar. 23, 2006); *Revocation of Antidumping and Countervailing Duty Orders: Brass Sheet and Strip from Brazil and Canada*, 71 Fed. Reg. 16,115 (Mar. 30, 2006).

¹⁴ *Brass Sheet and Strip from France, Germany, Italy, and Japan*, Inv. Nos. 731-TA-313, 314, 317 and 379 (Third Review), USITC Pub. 4313 (Apr. 2012) (“*Third Review Determinations*”); *Brass Sheet and Strip from France, Germany, Italy, and Japan*, 77 Fed. Reg. 23,508 (Apr. 19, 2012).

¹⁵ *Brass Sheet and Strip from France, Italy, Germany, and Japan: Continuation of Antidumping Duty Orders*, 77 Fed. Reg. 24,932 (Apr. 26, 2012).

¹⁶ *Brass Sheet and Strip from France, Germany, Italy, and Japan*, Inv. Nos. 731-TA-313, 314, 317 and 379 (Fourth Review), USITC Pub. 4733 (Oct. 2017) (“*Fourth Review Determinations*”); *Brass Sheet and Strip From France, Germany, Italy, and Japan; Determinations*, 82 Fed. Reg. 48,724 (Oct. 19, 2017).

¹⁷ *Brass Sheet and Strip From France, Germany, Italy, and Japan: Continuation of Antidumping Duty Orders*, 82 Fed. Reg. 50,396 (Oct. 31, 2017).

¹⁸ *Brass Sheet and Strip From France, Germany, Italy, and Japan; Institution of Five-Year Reviews*, 87 Fed. Reg. 53,785 (Sept. 1, 2022).

¹⁹ Domestic Producers’ Response to the Notice of Institution, Oct. 3, 2022 (“Domestic Producers’ Substantive Response”); Domestic Producer’ Supplemental Response to the Notice of Institution, Oct. 26, 2022 (“Domestic Producers’ Supplemental Response”). Wieland Holdings responded on behalf of its subsidiaries Wieland Metals, Inc., (“Wieland Metals”) and Wieland Rolled Products North America, LLC (formerly GBC Metals, LLC, dba Olin Brass). *Id.*

²⁰ *Brass Sheet and Strip From France, Germany, Italy, and Japan; Scheduling of Expedited Five-Year Reviews*, 88 Fed. Reg. 10,380 (Feb. 17, 2023).

Finding no other circumstances that would warrant conducting full reviews, the Commission determined that it would conduct expedited reviews of the orders.²¹ Domestic Producers submitted final comments, pursuant to 19 C.F.R. § 207.62(d)(1), on March 1, 2023.²² U.S. industry data are based on information supplied by Domestic Producers in their response to the notice of institution, accounting for approximately *** percent of total U.S. production of BSS in 2021.²³ U.S. import data and related information are based on official import statistics.²⁴ Foreign industry data and related information are based on information from the original investigations and prior five-year reviews, information supplied by Domestic Producers in their response to the notice of institution, and publicly available information gathered by the Commission.²⁵ One U.S. purchaser of BSS, ***, responded to the Commission’s adequacy phase questionnaire.²⁶

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the “domestic like product” and the “industry.”²⁷ The Tariff Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle.”²⁸ The Commission’s practice in five-year reviews is to examine the domestic like product definition from the original

²¹ *Brass Sheet and Strip From France, Germany, Italy, and Japan; Scheduling of Expedited Five-Year Reviews*, 88 Fed. Reg. 10,380 (Feb. 17, 2023).

²² Domestic Producers’ Final Comments, March 1, 2023.

²³ Confidential Report, Memorandum INV-UU-115, November 23, 2022 (“CR”); *Brass Sheet and Strip from France, Germany, Italy, and Japan*, Inv. Nos. 731-TA-313, 314, 317, and 379 (Fifth Review), USITC Pub. 5414 (March 2023) (“PR”) at Table I-2; Domestic Producers’ Substantive Response at 20, Exh. 1. U.S. reroller Eagle Metals is estimated to account for the remaining *** percent of total U.S. production in 2021. *Id.* For the years 1987-2016, U.S. industry data were compiled from the Commission’s original investigations and prior five-year reviews. For 2021, U.S. producers’ U.S. shipments were compiled from the Domestic Producers’ response to the notice of institution. CR/PR at Table I-4.

²⁴ *See generally* CR/PR at I-19-23. U.S. imports data are compiled using official U.S. import statistics for HTS statistical reporting numbers 7409.21.0050, 7409.21.0075, 7409.21.0090, 7409.29.0050, 7409.29.0075, and 7409.29.0090. *Id.* at Table I-5. These data may be overstated because the HTS statistical reporting numbers contain out-of-scope products. *Id.*

²⁵ CR/PR at I-24-34; Domestic Producers’ Substantive Response at 9-11, 21-22.

²⁶ CR/PR at D-3.

²⁷ 19 U.S.C. § 1677(4)(A).

²⁸ 19 U.S.C. § 1677(10); *see, e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Dep’t of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int’l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748-49 (Ct. Int’l Trade 1990), *aff’d*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

investigation and consider whether the record indicates any reason to revisit the prior findings.²⁹

Commerce has defined the imported merchandise within the scope of the orders under review as follows:

{B}rass sheet and strip, other than leaded and tinned brass sheet and strip, from France, Germany, Italy, and Japan. The chemical composition of the covered product is currently defined in the Copper Development Association (“C.D.A.”) 200 Series or the Unified Numbering System (“U.N.S.”) C2000{0}. The orders do not cover products the chemical compositions of which are defined by other C.D.A. or U.N.S. series. In physical dimensions, the product covered by the orders has a solid rectangular cross section over 0.006 inches (0.15 millimeters) through 0.188 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coiled, wound-on-reels (traverse wound), and cut-to-length products are included. The merchandise is currently classified under Harmonized Tariff Schedule (“HTS”) of the United States item numbers 7409.21.00 and 7409.29.00.³⁰

Commerce’s scope has remained the same since the original investigations.³¹

The generally accepted industry distinction between brass sheet and brass strip is that brass strip is coiled or wound on reels, and brass sheet is no longer coiled or wound, but rather has been cut to length. The chief characteristic of the Cooper Development Association (“CDA”) 200 series and the Unified Numbering System (“UNS”) C20000 series BSS are ease of manufacture because of excellent forming and drawing properties, attractive surface appearance, fair electrical conductivity, good corrosion resistance, and good strength.³² BSS end uses include electronics, automotive parts, apparel fasteners, cable wrap, eyelets, jewelry and other ornamentation, building and lock hardware, radiators, transportation equipment, coinage, medical devices, ammunition, telecommunications equipment, electronic terminals, household products, industrial machinery and equipment, stampers and component parts, and miscellaneous industrial applications. BSS is also used to make welded tube.³³

²⁹ See, e.g., *Internal Combustion Industrial Forklift Trucks from Japan*, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8-9 (Dec. 2005); *Crawfish Tail Meat from China*, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (July 2003); *Steel Concrete Reinforcing Bar from Turkey*, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

³⁰ *Brass Sheet and Strip From France, Germany, Italy, and Japan: Final Results of the Expedited Fifth Sunset Review of the Antidumping Duty Orders*, 88 Fed. Reg. 56 (Jan. 3, 2023) at Appendix II.

³¹ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 6; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 6; *Japan Original Determinations*, USITC Pub. 2099 at 4; *First Review Determinations*, USITC Pub. 3290 at 5-6; *Second Review Determinations*, USITC Pub. 3842 at 5-6; *Third Review Determinations*, USITC Pub. 4313 at 5-6; *Fourth Review Determinations*, USITC Pub. 4733 at 6.

³² CR/PR at I-10.

³³ CR/PR at I-10.

Prior Proceedings. In its original investigations concerning BSS from Brazil, Canada, France, Germany, Italy, Korea, and Sweden, the Commission found one domestic like product, including both brass material to be rerolled and finished BSS.³⁴ In its original investigations concerning BSS from Japan and the Netherlands, the Commission found the like product to be all domestically produced UNS C20000 series BSS.³⁵ In each of the prior five-year reviews, the Commission defined a single domestic like product consisting of all UNS C20000 series BSS, coextensive with Commerce’s scope.³⁶

Current Five-Year Reviews. The record of these reviews contains no new information suggesting that the characteristics and uses of domestically produced BSS have changed so as to warrant revisiting the Commission’s domestic like product definition.³⁷ Domestic Producers agree with the domestic like product definition from the prior proceedings.³⁸ Accordingly, we again define a single domestic like product consisting of all UNS C20000 series BSS, coextensive with Commerce’s scope.

B. Domestic Industry

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic “producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product.”³⁹ In defining the domestic industry, the Commission’s general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

We must determine whether any producer of the domestic like product should be excluded from the domestic industry pursuant to section 771(4)(B) of the Tariff Act. This provision allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.⁴⁰ Exclusion of such a producer is within the Commission’s

³⁴ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 9; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 10.

³⁵ *Japan Original Determinations*, USITC Pub. 2099 at 10.

³⁶ *First Review Determinations*, USITC Pub. 3290 at 7; *Second Review Determinations*, USITC Pub. 3842 at 7; *Third Review Determinations*, USITC Pub. 4313 at 6; *Fourth Review Determinations*, USITC Pub. 4733 at 7.

³⁷ CR/PR at I-9-10.

³⁸ Domestic Producers’ Substantive Response at 23.

³⁹ 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. *See* 19 U.S.C. § 1677.

⁴⁰ *See Torrington Co v. United States*, 790 F. Supp. 1161, 1168 (Ct. Int’l Trade 1992), *aff’d without opinion*, 991 F.2d 809 (Fed. Cir. 1993); *Sandvik AB v. United States*, 721 F. Supp. 1322, 1331-32 (Ct. Int’l Trade 1989), *aff’d mem.*, 904 F.2d 46 (Fed. Cir. 1990); *Empire Plow Co. v. United States*, 675 F. Supp. 1348, 1352 (Ct. Int’l Trade 1987).

discretion based upon the facts presented in each investigation.⁴¹ Domestic Producers agree with the Commission's prior definitions of the domestic industry, which included all domestic producers of BSS.⁴²

Original Investigations. There were no related parties issues. The Commission defined the domestic industry to consist of all domestic producers of UNS C20000 series BSS, including both rerollers and basic producers.⁴³

First Five-Year Reviews. The Commission found two U.S. firms, PMX and Outokumpu American Brass, to be related parties because of their affiliation with subject producers, but also found that appropriate circumstances did not exist to exclude either from the domestic industry.⁴⁴ It defined the domestic industry to consist of all domestic producers of UNS C20000 series BSS, including both rerollers and basic producers.⁴⁵

Second Five-Year Reviews. Domestic reroller Wieland Metals was a related party because it was owned by a producer and exporter of subject merchandise from Germany. The Commission determined that appropriate circumstances did not exist to exclude Wieland Metals from the domestic industry.⁴⁶ It defined the domestic industry to consist of all domestic producers of UNS C20000 series BSS, including both rerollers and basic producers.⁴⁷

⁴¹ The primary factors the Commission has examined in deciding whether appropriate circumstances exist to exclude a related party include the following:

- (1) the percentage of domestic production attributable to the importing producer;
- (2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);
- (3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;
- (4) the ratio of import shipments to U.S. production for the imported product; and
- (5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31 (Ct. Int'l. Trade 2015), *aff'd*, 839 F.3d 1377 (Fed. Cir. 2018); see also *Torrington Co. v. United States*, 790 F. Supp. at 1168.

⁴² Domestic Producers' Substantive Response at 23.

⁴³ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 9; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 10; *Japan Original Determinations*, USITC Pub. 2099 at 10. The Commission found that the reroll and finished products were metallurgically identical, produced in the same manner, and, most importantly, interchangeable. *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 9; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 9. Thus, it determined that there was no clear distinction between reroll and finished producers. *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 9-10.

⁴⁴ PMX was controlled by a Korean producer and Outokumpu American Brass was wholly owned by a Finnish company that also owned the only subject producer from the Netherlands. *First Review Determinations*, USITC Pub. 3290 at 7-9.

⁴⁵ *First Review Determinations*, USITC Pub. 3290 at 7.

⁴⁶ *Second Review Determinations*, USITC Pub. 3842 at 8-9.

⁴⁷ *Second Review Determinations*, USITC Pub. 3842 at 8-9.

Third Five-Year Reviews. The Commission found Wieland Metals to be a related party, as well as ***, whose parent company produced subject BSS in Germany. It determined that appropriate circumstances did not exist to exclude either company from the domestic industry.⁴⁸ The Commission defined the domestic industry to consist of all domestic producers of UNS C20000 series BSS, including both rerollers and basic producers.⁴⁹

Fourth Five-Year Reviews. Two U.S. producers were subject to possible exclusion under the related parties provision: *** and Wieland Metals.⁵⁰ The Commission found that the record did not establish whether *** met the statutory definition of a related party, but that appropriate circumstances did not exist to exclude the producer even if it did so.⁵¹ The Commission found that Wieland Metals qualified for possible exclusion under the related parties provision as an importer of BSS from Germany, but that appropriate circumstances did not exist to exclude the producer.⁵² Accordingly, the Commission again defined the domestic industry to consist of all domestic producers of UNS C20000 series BSS, including both rerollers and basic producers.⁵³

Current Five-Year Reviews. Aurubis Buffalo and Wieland Holdings may qualify as related parties due to their affiliation with subject foreign producers. The record indicates that Aurubis Buffalo, Inc. is related to German subject producer Aurubis Stolberg GmbH KG through common ownership (Aurubis AG is the parent company of both) and Wieland Holdings, Inc. is also related to German subject producer Wieland-Werke AG through common ownership.⁵⁴ Both Aurubis Buffalo and Wieland Holdings are also related to German subject producer Schwermetall Halbzeugwerk GmbH & Co. KG, which is a 50 percent subsidiary of Aurubis AG and Wieland-Werke AG.⁵⁵ However, there is no information on the record concerning whether any of these affiliated German producers exported subject merchandise to the United States during the period of review, or controlled Aurubis Buffalo or Wieland Holdings, as would be necessary for Aurubis Buffalo and Wieland Holdings to qualify as related parties.

Even assuming that Aurubis Buffalo and Wieland Holdings qualify as related parties, we find that appropriate circumstances do not exist for their exclusion. Aurubis Buffalo and Wieland Holdings accounted for *** and *** percent of domestic production of BSS in

⁴⁸ *Third Review Determinations*, USITC Pub. 4313 at 7-8; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 8-11.

⁴⁹ *Third Review Determinations*, USITC Pub. 4313 at 8.

⁵⁰ *Fourth Review Determinations*, USITC Pub. 4733 at 9; *Confidential Fourth Review Opinion*, EDIS Doc. 783485, at 12.

⁵¹ *Fourth Review Determinations*, USITC Pub. 4733 at 9; *Confidential Fourth Review Opinion*, EDIS Doc. 783485, at 12.

⁵² *Fourth Review Determinations*, USITC Pub. 4733 at 9. Additionally, there were no data concerning Wieland Metals in the record for the Commission to exclude. *Id.*

⁵³ *Fourth Review Determinations*, USITC Pub. 4733 at 9.

⁵⁴ CR/PR at I-18; Domestic Producers' Substantive Response at 19; Domestic Producers' Supplemental Response at 2-3.

⁵⁵ CR/PR at I-18; Domestic Producers' Substantive Response at 19; Domestic Producers' Supplemental Response at 3.

2021, respectively, making them the *** domestic producers that year.⁵⁶ Furthermore, neither Aurubis Buffalo nor Wieland Holdings imported subject merchandise from their affiliated German companies during the current period of review,⁵⁷ or from any source in 2021,⁵⁸ and both producers support continuation of the orders.⁵⁹ Consequently, the record indicates that the primary interest of Aurubis Buffalo and Wieland Holdings is in domestic production, and there is no evidence on the record that their affiliation with German producers of BSS would likely shield them from any injury after revocation or that including either firm would otherwise mask injury to the domestic industry. In light of this, and in the absence of any contrary argument, assuming that Aurubis Buffalo and Wieland Holdings qualify as related parties we conclude that appropriate circumstances do not exist to exclude either firm from the domestic industry.

In sum, consistent with our definition of the domestic like product, we define the domestic industry as all U.S. producers of UNS C20000 series BSS, including both rerollers and basic producers.

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows: the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.⁶⁰

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.⁶¹ The Commission may exercise its

⁵⁶ CR/PR at Table B-2; Domestic Producers' Substantive Response at Exh. 1.

⁵⁷ CR/PR at I-18; Domestic Producers' Supplemental Response at 3.

⁵⁸ Domestic Producers' Substantive Response at Exh. 1; Domestic Producers' Supplemental Response at Attachment 1.

⁵⁹ Domestic Producers' Substantive Response at 3.

⁶⁰ 19 U.S.C. § 1675a(a)(7).

⁶¹ 19 U.S.C. § 1677(7)(G)(i); *see also, e.g., Nucor Corp. v. United States*, 601 F.3d 1291, 1293 (Fed. Cir. 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); *Allegheny Ludlum Corp. v. United States*, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate (Continued...))

discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that the subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

The statutory threshold for cumulation is satisfied in these five-year reviews because all reviews were initiated on the same day, September 1, 2022.⁶²

Original Investigations. The Commission found a reasonable overlap of competition between and among the domestic like product and imports from each subject country and, therefore, considered the subject imports from all sources on a cumulated basis.⁶³

First Five-Year Reviews. The Commission cumulated subject imports from Brazil, Canada, France, Germany, Italy, and Japan. It found that revocation of the order with respect to BSS from Sweden would likely have no discernible adverse impact on the domestic industry and, therefore, did not cumulate imports of subject BSS from Sweden with those from any of the other subject countries.⁶⁴ The Commission also found that there was no likely reasonable overlap of competition with respect to subject imports from the Netherlands, and that subject imports from Korea would likely face different conditions of competition in the U.S. market than that of the subject imports from the other countries.⁶⁵ Accordingly, it did not cumulate subject imports from Korea or the Netherlands with any other subject country.⁶⁶

Second Five-Year Reviews. The Commission cumulated subject imports from France, Germany, Italy, and Japan. It found that revocation of the order with respect to BSS from Canada would likely have no discernible adverse impact on the domestic industry and did not cumulate subject imports of BSS from Canada with those from any other subject country.⁶⁷ The Commission also found that subject imports from Brazil would likely face different conditions of competition in the U.S. market than subject imports from France, Germany, Italy, and Japan

subject imports in five-year reviews); *Nucor Corp. v. United States*, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008).

⁶² CR/PR at I-1; *Initiation of Five-Year (Sunset) Reviews*, 87 Fed. Reg. 53,727 (Sep. 1, 2022).

⁶³ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 13; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 13; *Japan Original Determinations*, USITC Pub. 2099 at 16.

⁶⁴ *First Review Determinations*, USITC Pub. 3290 at 11. The sole Swedish producer had closed its Swedish BSS production lines in 1992 and no longer produced (or had the capacity to produce) BSS in Sweden. The Commission did not find that revocation of the orders with respect to subject imports from the other countries would likely have no discernible adverse impact on the domestic industry. *Id.*

⁶⁵ *First Review Determinations*, USITC Pub. 3290 at 12-14.

⁶⁶ *First Review Determinations*, USITC Pub. 3290 at 23.

⁶⁷ *Second Review Determinations*, USITC Pub. 3842 at 11. The lone BSS producer in Canada ceased all production of brass strip. There was no information in the record to indicate that BSS production in Canada was likely to resume. *Id.* at 10-11.

and, therefore, did not cumulate subject imports from Brazil with those from the other subject countries.⁶⁸

Third and Fourth Five-Year Reviews. In both the third and fourth five-year reviews, the Commission cumulated subject imports from France, Germany, Italy, and Japan. It found that revocation of any individual order would not be likely to have no discernible adverse impact on the domestic industry. The Commission also found a likely reasonable overlap of competition among the subject imports and between the subject imports and the domestic like product. It further found that imports from each of the subject countries were likely to compete in the U.S. market under similar conditions of competition.⁶⁹

Current Five-Year Reviews. Domestic Producers argue that the Commission should exercise its discretion to cumulate subject imports from France, Germany, Italy, and Japan in these five-year reviews.⁷⁰ They contend that there is no basis to conclude that subject imports from any of the subject countries would be likely to have no discernible adverse impact on the domestic industry, and that all subject imports are likely to compete with each other and with the domestic like product in the U.S. market as the factors supporting cumulation in the fourth five-year reviews continue to prevail.⁷¹

B. Likelihood of No Discernible Adverse Impact

The statute precludes cumulation if the Commission finds that subject imports from a country are likely to have no discernible adverse impact on the domestic industry.⁷² Neither the statute nor the Uruguay Round Agreements Act (“URAA”) Statement of Administrative Action (“SAA”) provides specific guidance on what factors the Commission is to consider in determining that imports “are likely to have no discernible adverse impact” on the domestic industry.⁷³ With respect to this provision, the Commission generally considers the likely volume of subject imports and the likely impact of those imports on the domestic industry within a reasonably foreseeable time if the orders are revoked. Our analysis for each of the subject countries takes into account, among other things, the nature of the product and the behavior of subject imports in the original investigations.

Based on the record in these five-year reviews, we do not find that imports from any of the subject countries would likely have no discernible adverse impact on the domestic industry in the event of revocation of the antidumping duty orders, for the reasons detailed below.

France. In the original investigations, the volume of subject imports from France was *** pounds in 1983, *** pounds in 1984, *** pounds in 1985, *** pounds in interim (January to September) 1985, and *** pounds in interim

⁶⁸ *Second Review Determinations*, USITC Pub. 3842 at 11-17.

⁶⁹ *Third Review Determinations*, USITC Pub. 4313 at 13; *Fourth Review Determinations*, USITC Pub. 4733 at 21.

⁷⁰ Domestic Producers’ Substantive Response at 4, 6.

⁷¹ Domestic Producers’ Substantive Response at 5-6.

⁷² 19 U.S.C. § 1675a(a)(7).

⁷³ SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).

1986.⁷⁴ With respect to all brass rolled product (subject and out-of-scope merchandise) in France, French producers' capacity ranged from *** pounds in 1983 to *** pounds in 1985, their production ranged from *** pounds in 1985 to *** pounds in 1984, and their exports to the United States accounted for between *** percent and *** percent of their production from 1983 to 1985.⁷⁵

In the first five-year reviews, the volume of subject imports from France declined substantially from the original investigations. Such imports were zero in 1997 and 83,000 pounds in 1998.⁷⁶ Their share of apparent U.S. consumption was less than 0.05 percent in those two years.⁷⁷ While there were minimal data on the record concerning capacity in France, the number of subject producers in France decreased from six to two, indicating that capacity had decreased.⁷⁸

In the second five-year reviews, the volume of subject imports from France ranged from zero in 2002 and 2003 to a high of 142,000 pounds in 2004.⁷⁹ There were significant volumes of BSS exports by French producers to other markets during the period of review, which the Commission found indicated substantial capacity and production in France.⁸⁰

In the third five-year reviews, the volume of subject imports from France fell from 33,000 pounds in 2005 to zero in 2007 and 2008, before rising to 62,000 pounds in 2010.⁸¹ Their share of apparent U.S. consumption was less than 0.05 percent during the period of review.⁸² Industry-wide capacity of French fabricators to manufacture a broader product group that included BSS was reported to total *** pounds in 2011.⁸³

In the fourth five-year reviews, the volume of subject imports from France increased from 12,000 pounds in 2011 to 126,000 pounds in 2013, before ending at 14,000 pounds in 2016.⁸⁴ In 2016, subject imports from France accounted for less than 0.05 percent of apparent U.S. consumption.⁸⁵ Global Trade Atlas ("GTA") data indicated that exports of BSS from France ranged between 3.3 million and 7.1 million pounds from 2011 to 2016.⁸⁶

⁷⁴ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-13, Table 1; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-18, Table 1.

⁷⁵ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-41, Table 13; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-60, Table 13.

⁷⁶ *First Review Determinations*, USITC Pub. 3290 at I-5, Table I-2.

⁷⁷ *First Review Determinations*, USITC Pub. 3290 at I-23, Table I-5.

⁷⁸ *First Review Determinations*, USITC Pub. 3290 at IV-4.

⁷⁹ *Second Review Determinations*, USITC Pub. 3842 at I-6, Table I-1.

⁸⁰ *Second Review Determinations*, USITC Pub. 3842 at 11.

⁸¹ *Third Review Determinations*, USITC Pub. 4313 at I-6, Table I-1.

⁸² *Third Review Determinations*, USITC Pub. 4313 at I-22, Table I-6.

⁸³ *Third Review Determinations*, USITC Pub. 4313 at 11; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 15, 35.

⁸⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 13.

⁸⁵ *Fourth Review Determinations*, USITC Pub. 4733 at 13.

⁸⁶ *Fourth Review Determinations*, USITC Pub. 4733 at 13-14.

In these five-year reviews, subject imports from France were zero in 2017, less than 50 pounds in 2018, zero in 2019, 4,000 pounds in 2020, and 3,000 pounds in 2021, equivalent to *** percent of apparent U.S. consumption that year.⁸⁷ The record of these five-year reviews contains limited information concerning the BSS industry in France because no producer in France responded to the notice of institution.⁸⁸ Domestic Producers provided a list of four possible producers of BSS in France, and state that subject producers in France maintain the capacity to significantly increase their exports to the United States after revocation.⁸⁹

According to information provided by Domestic Producers, France ranks among the world's top 15 exporters of BSS.⁹⁰ GTA data indicate that exports of brass plate, sheet, and strip ("BPSS"), a category that includes BSS and out-of-scope products, from France increased irregularly from 4.5 million pounds in 2017 to 4.9 million pounds in 2021.⁹¹

In the original investigations, subject imports from France undersold the domestic like product in 34 of 35 quarterly comparisons, with underselling margins ranging from 1.1 percent to 30.4 percent.⁹² No product-specific pricing data concerning BSS from France were obtained in these expedited reviews.

In light of the foregoing, including the significant and increasing volume of subject imports from France in the original investigations, the continued presence of subject imports from France in the U.S. market while under the disciplining effect of the order, the underselling by subject imports from France during the original investigations, and the large size and growing volume of exports of the BSS industry in France, we find that revocation of the antidumping duty order on subject imports from France would not likely have no discernible adverse impact on the domestic industry.

Germany. In the original investigations, the volume of subject imports from Germany was *** pounds in 1983, *** pounds in 1984, *** pounds in 1985, *** pounds in interim (January to September) 1985, and *** pounds in interim 1986.⁹³ The seven firms identified as producers of the subject merchandise reported a combined capacity ranging from *** pounds in 1983 to *** pounds in 1984, production ranging from *** pounds in 1983 to *** pounds in 1984, and total exports ranging from *** pounds in 1985 to *** pounds in 1984.⁹⁴

⁸⁷ CR/PR at Tables I-5-6.

⁸⁸ See CR/PR at I-24-26.

⁸⁹ CR/PR at I-24; Domestic Producers' Substantive Response at 11, Exh. 1.

⁹⁰ Domestic Producers' Substantive Response at 11.

⁹¹ CR/PR at I-33, Table I-8. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

⁹² *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-67.

⁹³ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-13, Table 1; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-18, Table 1.

⁹⁴ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at Table 16; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-65, Table 16.

In the first five-year reviews, the volume of subject imports from Germany declined substantially from the original investigations. Such imports were 4.1 million pounds in 1997 and 5.0 million pounds in 1998.⁹⁵ Their share of apparent U.S. consumption was between 0.7 percent and 0.9 percent from 1997 and the first six months of 1999.⁹⁶ German producers' capacity utilization fell from *** percent in 1997 to *** percent in the first six months of 1999.⁹⁷

In the second five-year reviews, the volume of subject imports from Germany declined from 4.6 million pounds in 1999 to 2.6 million pounds in 2004. During the period of review, their share of apparent U.S. consumption ranged between 0.5 and 0.9 percent.⁹⁸ The Commission found that the industry in Germany had a large and significantly underutilized production capacity and was highly export oriented.⁹⁹

In the third five-year reviews, the volume of subject imports from Germany ranged from a low of 2.1 million pounds in 2005 to a high of 5.6 million pounds in 2010. The annual share of apparent U.S. consumption for subject imports from Germany ranged between 0.7 and 2.1 percent during the period of review.¹⁰⁰ German producers' reported capacity to produce BSS increased over the period from *** pounds in 2005 to *** pounds in 2010.¹⁰¹ The producers' capacity utilization ranged from a high of *** percent in 2006 to a low of *** percent in 2009, and their production increased from *** pounds in 2005 to *** pounds in 2010.¹⁰² The Commission again found the subject industry in Germany to be large and export oriented.¹⁰³

In the fourth five-year reviews, the volume of subject imports from Germany decreased from 9.8 million pounds in 2011 to 6.5 million pounds in 2016, accounting for 1.6 percent of apparent U.S. consumption that year.¹⁰⁴ GTA data indicated that Germany was the world's largest exporter of BSS during the period of review, with the United States being the sixth largest destination for such exports in 2016.¹⁰⁵

In these five-year reviews, subject imports from Germany decreased from 5.1 million pounds in 2017 to 2.7 million pounds in 2020, before increasing to 7.3 million pounds in 2021,

⁹⁵ *First Review Determinations*, USITC Pub. 3290 at I-5, Table I-2; Confidential First Review Staff Report, Memorandum INV-X-054 (March 8, 2000), EDIS Doc. 783442, at I-4, Table I-2.

⁹⁶ *First Review Determinations*, USITC Pub. 3290 at I-23, Table I-5.

⁹⁷ *First Review Determinations*, USITC Pub. 3290 at IV-5, Table IV-4; Confidential First Review Staff Report, Memorandum INV-X-054 (March 8, 2000), EDIS Doc. 783442, at IV-9, Table IV-9.

⁹⁸ *Second Review Determinations*, USITC Pub. 3842 at I-7, Table I-1.

⁹⁹ *Second Review Determinations*, USITC Pub. 3842 at 12-13.

¹⁰⁰ *Third Review Determinations*, USITC Pub. 4313 at I-6, Table I-1.

¹⁰¹ *Third Review Determinations*, USITC Pub. 4313 at 12; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 16.

¹⁰² *Third Review Determinations*, USITC Pub. 4313 at 12; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 16-17.

¹⁰³ *Third Review Determinations*, USITC Pub. 4313 at 14.

¹⁰⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 15.

¹⁰⁵ *Fourth Review Determinations*, USITC Pub. 4733 at 15.

equivalent to *** percent of apparent U.S. consumption that year.¹⁰⁶ The record of the current reviews contains limited information concerning the BSS industry in Germany because no producer in Germany responded to the notice of institution.¹⁰⁷ Domestic Producers provided a list of 13 possible producers of BSS in Germany, and state that German producers maintain substantial BSS capacity and the ability to significantly increase their exports to the United States after revocation.¹⁰⁸

GTA data indicate that exports of BPSS from Germany decreased from 141.7 million pounds in 2017 to 84 million pounds in 2021.¹⁰⁹ Germany was the world's second largest exporter of BPSS exports in 2021, accounting for 13.1 percent of global BPSS exports that year.¹¹⁰ GTA data also indicate that the United States was the third largest destination for German BPSS exports in 2021, accounting for 9.9 percent of German BPSS exports that year.¹¹¹

In the original investigations, subject imports from Germany undersold the domestic like product in 43 of 58 quarterly comparisons, with underselling margins ranging from 0.7 percent to 15.7 percent.¹¹² No product-specific pricing data concerning BSS from Germany were obtained in these expedited reviews.

In light of the foregoing, including the significant volume of subject imports from Germany in the original investigations, the continued presence of subject imports from Germany in the U.S. market while under the disciplining effect of the order, the underselling by subject imports from Germany during the original investigations, and the large size and volume of exports of the increasingly consolidated BSS industry in Germany, we find that revocation of the antidumping duty order on subject imports from Germany would not likely have no discernible adverse impact on the domestic industry.

Italy. In the original investigations, the volume of subject imports from Italy was *** pounds in 1983, *** pounds in 1984, *** pounds in 1985, ***

¹⁰⁶ CR/PR at Tables I-5-6.

¹⁰⁷ See CR/PR at I-26-28.

¹⁰⁸ CR/PR at I-24; Domestic Producers' Substantive Response at 11, Exh. 1. In February 2019, KME AG acquired integrated subject producer MKM Mansfelder und Messing GmbH (now "KME Mansfeld GmbH"). CR/PR at Table I-9; Domestic Producers' Substantive Response at 21-22. According to a press release provided by Domestic Producers, the acquisition created a stronger group of companies to play a leading role in international competition, with the combined company being one of the world's largest manufacturers of copper and copper alloy products. Domestic Producers' Substantive Response at 22, Exh. 5.

¹⁰⁹ CR/PR at Table I-10. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

¹¹⁰ CR/PR at I-33, Table I-15. According to the information provided by Domestic Producers, from the United Nations Comtrade database, Germany was the world's largest exporter of BSS in 2021. Domestic Producers' Substantive Response at 11, Exh. 3.

¹¹¹ CR/PR at I-28, Table I-10; Domestic Producers' Substantive Response at 10. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

¹¹² *France, Germany, and Italy Original Determinations*, USITC Pub. 1951, at A-76.

pounds in interim (January to September) 1985, and *** pounds in interim 1986.¹¹³ The capacity of subject producers in Italy ranged from *** pounds in 1983 to *** pounds in 1985, and their production ranged from *** pounds in 1983 to *** pounds in 1985.¹¹⁴

In the first five-year reviews, the volume of subject imports from Italy declined substantially from the original investigations. Such imports were 648,000 pounds in 1997 and 564,000 pounds in 1998.¹¹⁵ They accounted for 0.1 percent of apparent U.S. consumption during those two years.¹¹⁶ While there were minimal data on the record concerning capacity in Italy, there were five firms that produced brass rolled products in Italy, as in the original investigations.¹¹⁷

In the second five-year reviews, the volume of subject imports from Italy declined further, decreasing from 297,000 pounds in 1999 to 182,000 pounds in 2004. During the period of review, their share of apparent U.S. consumption never exceeded 0.1 percent.¹¹⁸ The Commission emphasized that exports of brass rolled products from Italy more than doubled over the period of review, from 42.5 million pounds in 1999 to 97.6 million pounds in 2004.¹¹⁹

In the third five-year reviews, the volume of subject imports from Italy decreased from 196,000 pounds in 2005 to a low of 21,000 pounds in 2010, and never accounted for more than 0.1 percent of apparent U.S. consumption.¹²⁰ The reporting Italian producer's capacity to produce BSS remained constant at *** pounds from 2005 to 2010.¹²¹ Capacity utilization increased irregularly from *** percent in 2005 to *** percent in 2010.¹²² Total exports nearly doubled from 2005 to 2010.¹²³

In the fourth five-year reviews, the volume of subject imports from Italy decreased irregularly from 137,000 pounds in 2011 to 2,000 pounds in 2016, accounting for less than 0.05 percent of apparent U.S. consumption that year.¹²⁴ GTA data indicated that Italy was the

¹¹³ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-13, Table 1; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-18, Table 1.

¹¹⁴ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-42-43; Confidential France, Germany, and Italy Final Determination Staff Report, Memorandum INV-K-009 (Feb. 2, 1987), EDIS Doc. 783436, at A-60, A-62, Table 14.

¹¹⁵ *First Review Determinations*, USITC Pub. 3290 at I-5, Table I-2.

¹¹⁶ *First Review Determinations*, USITC Pub. 3290 at I-23, Table I-5.

¹¹⁷ *First Review Determinations*, USITC Pub. 3290 at IV-5.

¹¹⁸ *Second Review Determinations*, USITC Pub. 3842 at I-7, Table I-1.

¹¹⁹ *Second Review Determinations*, USITC Pub. 3842 at 13.

¹²⁰ *Third Review Determinations*, USITC Pub. 4313 at I-6, Table I-1.

¹²¹ *Third Review Determinations*, USITC Pub. 4313 at 14.

¹²² *Third Review Determinations*, USITC Pub. 4313 at 14; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 19.

¹²³ *Third Review Determinations*, USITC Pub. 4313 at IV-11, Table IV-8.

¹²⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 16.

world's third largest exporter of BSS in 2016, with BSS exports during the period of review ranging from 57.3 million pounds in 2014 to 65.0 million pounds in 2011.¹²⁵

In these five-year reviews, subject imports from Italy increased from 2,000 pounds in 2017 to 18,000 pounds in 2020, before declining to 2,000 pounds in 2021, equivalent to *** percent of apparent U.S. consumption that year.¹²⁶ The record of the current reviews contains limited information concerning the BSS industry in Italy because no producer in Italy responded to the notice of institution.¹²⁷ Domestic Producers provided a list of seven possible producers of BSS in Italy, and state that Italian producers maintain substantial capacity and the ability to significantly increase exports to the United States after revocation.¹²⁸

GTA data indicate that exports of BPSS from Italy increased from 58.0 million pounds in 2017 to 76.3 million pounds in 2021.¹²⁹ Italy was the world's third largest exporter of BPSS in 2021, accounting for 11.9 percent of global BPSS exports that year.¹³⁰

In the original investigations, subject imports from Italy undersold the domestic like product in 30 of 30 quarterly comparisons, with underselling margins ranging from 1.0 percent to 21.9 percent.¹³¹ No product-specific pricing data concerning BSS from Italy were obtained in these expedited reviews.

In light of the foregoing, including the significant and increasing volume of subject imports from Italy in the original investigations, the continued presence of subject imports from Italy in the U.S. market while under the disciplining effect of the order, the underselling by subject imports from Italy during the original investigations, and the large size and volume of exports of the BSS industry in Italy, we find that revocation of the antidumping duty order on subject imports from Italy would not likely have no discernible adverse impact on the domestic industry.

Japan. In the original investigations, the volume of subject imports from Japan was 17.9 million pounds in 1984, 19.2 million pounds in 1985, 22.9 million pounds in 1986, 20.0 million pounds in 1987, 5.9 million pounds in interim (January to March) 1987, and 491,000 pounds in interim 1988.¹³² The capacity of subject producers in Japan ranged from 499.1 million pounds in 1984 to 528 million pounds in 1987, and production ranged from a high of 454.7 million pounds in 1984 to a low of 428.2 million pounds in 1985.¹³³

In the first five-year reviews, the volume of subject imports from Japan declined substantially from the original investigations. Such imports were 3.5 million pounds in 1997

¹²⁵ *Fourth Review Determinations*, USITC Pub. 4733 at 16.

¹²⁶ CR/PR at Tables I-5-6.

¹²⁷ See CR/PR at I-28-30.

¹²⁸ CR/PR at I-29; Domestic Producers' Substantive Response at 11, Exh. 1.

¹²⁹ CR/PR at Table I-12. GTA data concerning BPSS includes both BSS and out-of-scope products.

Id.

¹³⁰ CR/PR at I-33, Table I-15. According to the information provided by Domestic Producers, from the United Nations Comtrade database, Italy was the world's second largest source of BSS exports in 2021. Domestic Producers' Substantive Response at 11, Exh. 3.

¹³¹ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at A-67.

¹³² *Japan Original Determinations*, USITC Pub. 2099 at a-10, Table 1.

¹³³ *Japan Original Determinations*, USITC Pub. 2099 at a-30, Table 11.

and 4.9 million pounds in 1998.¹³⁴ They accounted for 0.6 percent of apparent U.S. consumption in 1997 and 0.9 percent in 1998.¹³⁵ Japanese producers' capacity utilization was at its highest at 91.4 percent in 1997 and its lowest in 1998 at 87.2 percent.¹³⁶

In the second five-year reviews, the volume of subject imports from Japan decreased from 5.0 million pounds in 1999 to 3.2 million pounds in 2004. Their market share ranged from a low of 0.9 percent in 2003 and 2004 to a high of 1.4 percent in 1999.¹³⁷ Japanese producers' total exports of brass rolled products during the period of review ranged from a high of 63.2 million pounds in 1999 to a low of 35.7 million pounds in 2001.¹³⁸

In the third five-year reviews, the volume of subject imports from Japan decreased from 2.8 million pounds in 2005 to 398,000 pounds in 2010. Their share of apparent U.S. consumption declined from 0.7 percent in 2005 to 0.1 percent in 2010.¹³⁹ Reported capacity of the BSS industry in Japan was *** pounds in each calendar year.¹⁴⁰ Reported production fell over the period, and reported capacity utilization decreased from *** percent in 2005 to *** percent in 2010.¹⁴¹

In the fourth five-year reviews, the volume of subject imports from Japan increased irregularly from 561,000 pounds in 2011 to 726,000 pounds in 2016, accounting for 0.2 percent of apparent U.S. consumption that year.¹⁴² GTA data indicated that Japan was the world's fourth largest exporter of BSS in 2016, and that the United States was the sixth largest destination for such exports that year.¹⁴³

In these five-year reviews, subject imports from Japan declined irregularly from 904,000 pounds in 2017 to 316,000 pounds in 2021, equivalent to *** percent of apparent U.S. consumption that year.¹⁴⁴ The record of the current reviews contains limited information concerning the BSS industry in Japan because no producer in Japan responded to the notice of institution.¹⁴⁵ Domestic Producers provided a list of 18 possible producers of BSS in Japan, and state that Japanese producers maintain substantial capacity and the ability to significantly increase exports to the United States after revocation.¹⁴⁶

¹³⁴ *First Review Determinations*, USITC Pub. 3290 at I-5, Table I-2.

¹³⁵ *First Review Determinations*, USITC Pub. 3290 at I-23, Table I-5.

¹³⁶ *First Review Determinations*, USITC Pub. 3290 at IV-7, Table IV-5.

¹³⁷ *Second Review Determinations*, USITC Pub. 3842 at I-7, Table I-1.

¹³⁸ *Second Review Determinations*, USITC Pub. 3842 at IV-16, Table IV-13.

¹³⁹ *Third Review Determinations*, USITC Pub. 4313 at I-6, Table I-1.

¹⁴⁰ *Third Review Determinations*, USITC Pub. 4313 at 15; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 20.

¹⁴¹ *Third Review Determinations*, USITC Pub. 4313 at 15; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 20.

¹⁴² *Fourth Review Determinations*, USITC Pub. 4733 at 17; CR/PR at Table I-6.

¹⁴³ *Fourth Review Determinations*, USITC Pub. 4733 at 17-18.

¹⁴⁴ CR/PR at Tables I-5-6.

¹⁴⁵ See CR/PR at I-26-28.

¹⁴⁶ CR/PR at I-31; Domestic Producers' Substantive Response at 11, Exh. 1. In April 2020, Japanese BSS producer Mitsubishi Shindoh Co. Ltd was absorbed into its parent company Mitsubishi (Continued...)

GTA data indicate that exports of BPSS from Japan increased from 41.7 million pounds in 2017 to 43.3 million pounds in 2021.¹⁴⁷ Japan was the world's fifth largest exporter of BPSS in 2021, accounting for 6.8 percent of global BPSS exports that year.¹⁴⁸ GTA data also indicate that the United States was the seventh largest destination for Japanese BPSS exports in 2021.¹⁴⁹

In the original investigations, subject imports from Japan undersold the domestic like product in 74 of 100 quarterly comparisons, with underselling margins ranging from 0.4 percent to 40.5 percent.¹⁵⁰ No product-specific pricing data concerning BSS from Japan were obtained in these expedited reviews.

In light of the foregoing, including the significant and increasing volume of subject imports from Japan in the original investigations, the continued presence of subject imports from Japan in the U.S. market while under the disciplining effect of the order, the underselling by subject imports from Japan during the original investigations, and the large size and increasing volume of exports of the BSS industry in Japan, we find that revocation of the antidumping duty order on subject imports from Japan would not likely have no discernible adverse impact on the domestic industry.

C. Likelihood of a Reasonable Overlap of Competition

The Commission generally has considered four factors intended to provide a framework for determining whether subject imports compete with each other and with the domestic like

Materials Corp. ("MMC"), which promotes business development globally and defines the copper and copper alloy business as a key driver for growth. At the same time, MMC announced plans to increase its production capacity by about 30 percent. CR/PR at Table I-13; Domestic Producers' Substantive Response at 22, Exh. 5.

¹⁴⁷ CR/PR at Table I-14. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

¹⁴⁸ CR/PR at I-33, Table I-15. According to the information provided by Domestic Producers, from the United Nations Comtrade database, Japan was the world's fourth largest source of BSS exports in 2021. Domestic Producers' Substantive Response at 11, Exh. 3.

¹⁴⁹ CR/PR at Table I-14; Domestic Producers' Substantive Response at 10. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

¹⁵⁰ *Japan Original Determinations*, USTIC Pub. 2099 at a-50.

product.¹⁵¹ Only a “reasonable overlap” of competition is required.¹⁵² In five-year reviews, the relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.¹⁵³

Fungibility. In the original investigations, the Commission found that subject imports and the domestic like product competed with each other sufficiently to satisfy the fungibility requirements.¹⁵⁴ In the first five-year reviews, the Commission found a moderate-to-high degree of substitutability among the domestic like product and subject imports.¹⁵⁵ In the second five-year reviews, a majority of purchasers identified price as an important factor in selecting a supplier and stated that the domestic like product was comparable to, and interchangeable with, subject imports. In response to arguments that the German industry had shifted to higher-value products, the Commission noted that BSS producers in Germany offered a full product range and that subject imports from Germany were interchangeable with other subject imports and the domestic like product.¹⁵⁶ In the third five-year reviews, the Commission found that the domestic like product and subject imports were interchangeable and rejected German respondents’ arguments about the lack of fungibility of subject imports from Germany on the same grounds as in the second five-year reviews.¹⁵⁷ In the fourth five-year reviews, the Commission found that the record did not indicate any changes in the

¹⁵¹ The four factors generally considered by the Commission in assessing whether imports compete with each other and with the domestic like product are as follows: (1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality-related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and (4) whether subject imports are simultaneously present in the market with one another and the domestic like product. *See, e.g., Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int’l Trade 1989).

¹⁵² *See Mukand Ltd. v. United States*, 937 F. Supp. 910, 916 (Ct. Int’l Trade 1996); *Wieland Werke*, 718 F. Supp. at 52 (“Completely overlapping markets are not required.”); *United States Steel Group v. United States*, 873 F. Supp. 673, 685 (Ct. Int’l Trade 1994), *aff’d*, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. *See, e.g., Live Cattle from Canada and Mexico*, Inv. Nos. 701-TA-386 and 731-TA-812-13 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), *aff’d sub nom., Ranchers-Cattlemen Action Legal Foundation v. United States*, 74 F. Supp. 2d 1353 (Ct. Int’l Trade 1999); *Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan*, Inv. Nos. 731-TA-761-62 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

¹⁵³ *See generally, Cheflin Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int’l Trade 2002).

¹⁵⁴ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 12-13; *Japan Original Determinations*, USITC Pub. 2099 at 15.

¹⁵⁵ *First Review Determinations*, USITC Pub. 3290 at 12.

¹⁵⁶ *Second Review Determinations*, USITC Pub. 3842 at 15.

¹⁵⁷ *Third Review Determinations*, USITC Pub. 4313 at 16.

fungibility between and among subject imports from France, Germany, Italy, and Japan and the domestic like product.¹⁵⁸

In these five-year reviews, there is no new information in the record to indicate that the degree of fungibility between and among subject imports from France, Germany, Italy, and Japan and the domestic like product has changed from the prior proceedings. Domestic Producers contend that BSS remains a commodity product that is produced to standard industry specifications and sold largely based on price, and therefore, substitutable regardless of source.¹⁵⁹

Channels of Distribution. In the original investigations concerning Japan and the Netherlands, the Commission rejected arguments that subject imports from Japan and the Netherlands were sold through different channels of distribution.¹⁶⁰ In the first five-year reviews, the Commission found that there was no indication of significant differences in channels of distribution among the subject imports and between the domestic like product and the subject merchandise.¹⁶¹ In the second five-year reviews, the Commission found that, even though there were low volumes of subject imports during the period of review, nothing in the record indicated that the imports would not be marketed through similar channels of distribution as prior to the orders.¹⁶² In the third five-year reviews, the Commission found that most U.S. producers' commercial sales were to end users, as were the sales of BSS imports from Germany and nonsubject sources for which data were available, and nothing in the record indicated this would not be true for subject imports from all subject countries if the orders were revoked.¹⁶³ In the fourth five-year reviews, the Commission found that the record did not indicate that the channels of distribution had changed or were likely to change upon revocation.¹⁶⁴

In these five-year reviews, there is no new information on the record to indicate that the channels of distribution used by the domestic industry and imports from each subject country have changed since the prior proceedings.

Geographic Overlap. In the original investigations, the Commission found that subject imports were sold in overlapping geographic markets.¹⁶⁵ In the first five-year reviews, despite an analysis limited by low volumes of subject imports, the Commission found that nothing indicated that subject imports would not again be marketed nationwide.¹⁶⁶ In the second and third five-year reviews, U.S. producers and importers reported selling BSS to all U.S. regions and

¹⁵⁸ *Fourth Review Determinations*, USITC Pub. 4733 at 19.

¹⁵⁹ Domestic Producers' Substantive Response at 14.

¹⁶⁰ *Japan Original Determinations*, USITC Pub. 2099 at 15 (rejecting assertions that subject imports from Japan were sold to distributors while subject imports from the Netherlands were sold to end users).

¹⁶¹ *First Review Determinations*, USITC Pub. 3290 at 12.

¹⁶² *Second Review Determinations*, USITC Pub. 3842 at 16.

¹⁶³ *Third Review Determinations*, USITC Pub. 4313 at 16.

¹⁶⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 19.

¹⁶⁵ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 12-13; *Japan Original Determinations*, USITC Pub. 2099 at 15.

¹⁶⁶ *First Review Determinations*, USITC Pub. 3290 at 12.

the Commission found that nothing in the record indicated that subject imports would not again be marketed nationwide upon revocation of the orders.¹⁶⁷ In the fourth five-year reviews, the Commission found that the majority of the limited quantity of BSS imports from each of the four subject countries entered the United States in the New York, New York customs district.¹⁶⁸

In these five-year reviews, the majority of subject imports from France, Germany, Italy, and Japan entered through the eastern border of entry (New York, New York) during the 2017-2021 period.¹⁶⁹ There is nothing in the record to suggest that, if the orders were revoked, subject imports from each source would not be sold in overlapping geographic markets, as they were prior to the imposition of the orders.

Simultaneous Presence in Market. In the original investigations, the Commission found that imports from each subject country and the domestically produced product were simultaneously present in the U.S. market.¹⁷⁰ In the first five-year reviews, the Commission found no reason to depart from its finding in the original investigations.¹⁷¹ In the second five-year reviews, the Commission found that the subject imports would be simultaneously present in the market if the orders were revoked.¹⁷² In the third five-year reviews, the Commission found that subject imports from France were present in the U.S. market in four of the six years of the period of review, while subject imports from the remaining countries were present in all years.¹⁷³ In the fourth five-year reviews, subject imports from all four subject countries were present in the U.S. market during each year of the period of review, albeit at low levels.¹⁷⁴ In the current five-year reviews, out of the 60-month period of review, subject imports from France were present in the U.S. market in five months, subject imports from Germany were present in the U.S. market in 60 months, subject imports from Italy were present in the U.S. market in 16 months, and subject imports from Japan were present in the U.S. market in 57 months.¹⁷⁵ While the presence in the market of subject imports from France and Italy was limited during the POR, nothing in the record indicates that subject imports from these countries would not increase their presence in the U.S. market after revocation and more often be simultaneously present in the U.S. market along with imports from other subject sources and the domestic like product.

¹⁶⁷ *Second Review Determinations*, USITC Pub. 3842 at 15; *Third Review Determinations*, USITC Pub. 4313 at 16.

¹⁶⁸ *Fourth Review Determinations*, USITC Pub. 4733 at 20.

¹⁶⁹ CR/PR at I-21.

¹⁷⁰ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 12-13; *Japan Original Determinations*, USITC Pub. 2099 at 15.

¹⁷¹ *First Review Determinations*, USITC Pub. 3290 at 11-12.

¹⁷² *Second Review Determinations*, USITC Pub. 3842 at 16.

¹⁷³ *Third Review Determinations*, USITC Pub. 4313 at 16.

¹⁷⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 20. Subject imports from Germany and Japan were present in the U.S. market during every month from January 2011 to December 2016. Subject imports from France and Italy were present in the U.S. market during 40 and 42 months, respectively, of the 72 total months from January 2011 to December 2016. *Id.* at n.135.

¹⁷⁵ CR/PR at I-21.

Conclusion. The record in these five-year reviews contains limited information concerning subject imports in the U.S. market during the current period of review. However, the record contains no new information suggesting a change in the considerations that led the Commission in the prior proceedings to conclude that there was a reasonable overlap of competition between and among imports from the four subject countries and the domestic like product. In light of this, and in the absence of any contrary argument, we find that there would likely be a reasonable overlap of competition between and among subject imports of BSS from France, Germany, Italy, and Japan and the domestic like product, if the orders were revoked.

D. Likely Conditions of Competition

In determining whether to exercise our discretion to cumulate the subject imports, we consider whether subject imports from France, Germany, Italy, and Japan would likely compete under similar or different conditions in the U.S. market after revocation of the orders.

In the first and second five-year reviews, the Commission found that subject imports from France, Germany, Italy, and Japan would likely compete in the U.S. market under similar conditions of competition if the antidumping duty orders were revoked.¹⁷⁶

In the third five-year reviews, respondents from Germany argued that the likely conditions of competition for subject imports from Germany differed from those for the other subject countries' imports. However, the Commission found that the common ownership of certain subject producers from Germany and domestic producers was insufficient to warrant declining to cumulate subject imports from Germany with other subject imports. Specifically, the Commission found no indication that these relationships would limit imports from Germany upon revocation of the orders.¹⁷⁷

In the fourth five-year reviews, the Commission found that the record did not indicate that there would likely be any significant difference in the conditions of competition among subject imports upon revocation of the orders.¹⁷⁸

The record in these five-year reviews contains limited current information about the industries in France, Germany, Italy, and Japan. However, the available information shows that the subject industries in all four subject countries had substantial shipments of subject merchandise to the United States prior to the imposition of the orders, decreased these shipments after the orders were imposed, and have some degree of export orientation.¹⁷⁹ The record in these five-year reviews does not indicate that there would likely be any significant difference in the conditions of competition between subject imports from France, Germany, Italy, and Japan if the orders were revoked.

¹⁷⁶ *First Review Determinations*, USITC Pub. 3290 at 13; *Second Review Determinations*, USITC Pub. 3842 at 16.

¹⁷⁷ *Third Review Determinations*, USITC Pub. 4313 at 17-18; *Confidential Third Review Opinion*, EDIS Doc. 783483, at 23-25.

¹⁷⁸ *Fourth Review Determinations*, USITC Pub. 4733 at 21.

¹⁷⁹ CR/PR at Tables I-5-6, I-8, I-10, I-12, I-14; Domestic Producers' Substantive Response at 11, Exh. 3. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

E. Conclusion

In sum, we determine that subject imports from France, Germany, Italy, and Japan, considered individually, are not likely to have no discernible adverse impact on the domestic industry if the corresponding orders were revoked. We also find a likely reasonable overlap of competition between and among subject imports from France, Germany, Italy, and Japan and the domestic like product if the orders were revoked. Finally, we find that imports from each subject country would be likely to compete under similar conditions of competition if the orders were revoked. We therefore exercise our discretion to cumulate subject imports from France, Germany, Italy, and Japan for purposes of our analysis in these five-year reviews.

IV. Revocation of the Antidumping Duty Orders Would Likely Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless: (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order “would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.”¹⁸⁰ The SAA states that “under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports.”¹⁸¹ Thus, the likelihood standard is prospective in nature.¹⁸² The CIT has found that “likely,” as used in the five-year review provisions of the Act, means “probable,” and the Commission applies that standard in five-year reviews.¹⁸³

¹⁸⁰ 19 U.S.C. § 1675a(a).

¹⁸¹ SAA at 883-84. The SAA states that “{t}he likelihood of injury standard applies regardless of the nature of the Commission’s original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed.” *Id.* at 883.

¹⁸² While the SAA states that “a separate determination regarding current material injury is not necessary,” it indicates that “the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked.” SAA at 884.

¹⁸³ See *NMB Singapore Ltd. v. United States*, 288 F. Supp. 2d 1306, 1352 (Ct. Int’l Trade 2003) (“‘likely’ means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)”), *aff’d mem.*, 140 Fed. Appx. 268 (Fed. Cir. 2005); *Nippon Steel Corp. v. United States*, 26 CIT 1416, 1419 (2002) (Continued...)

The statute states that “the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time.”¹⁸⁴ According to the SAA, a “‘reasonably foreseeable time’ will vary from case-to-case, but normally will exceed the ‘imminent’ timeframe applicable in a threat of injury analysis in original investigations.”¹⁸⁵

Although the standard in a five-year review is not the same as the standard applied in an original investigation, it contains some of the same fundamental elements. The statute provides that the Commission is to “consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated.”¹⁸⁶ It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or the suspension agreement under review, whether the industry is vulnerable to material injury if an order is revoked or a suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).¹⁸⁷ The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission’s determination.¹⁸⁸

In evaluating the likely volume of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms

(same); *Usinor Industeel, S.A. v. United States*, 26 CIT 1402, 1404 nn.3, 6 (2002) (“more likely than not” standard is “consistent with the court’s opinion;” “the court has not interpreted ‘likely’ to imply any particular degree of ‘certainty’”); *Indorama Chemicals (Thailand) Ltd. v. United States*, 26 CIT 1059, 1070 (2002) (“standard is based on a likelihood of continuation or recurrence of injury, not a certainty”); *Usinor v. United States*, 26 CIT 767, 794 (2002) (“‘likely’ is tantamount to ‘probable,’ not merely ‘possible’”).

¹⁸⁴ 19 U.S.C. § 1675a(a)(5).

¹⁸⁵ SAA at 887. Among the factors that the Commission should consider in this regard are “the fungibility or differentiation within the product in question, the level of substitutability between the imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities.” *Id.*

¹⁸⁶ 19 U.S.C. § 1675a(a)(1).

¹⁸⁷ 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings with respect to the antidumping duty orders on U.S. imports of BSS from France, Italy, or Japan. With respect to subject imports from Germany, Commerce found that duty absorption existed on all of Wieland-Werke AG’s exports to the United States from Germany for the period March 1, 1997 to February 28, 1998. Commerce determined the margin to be 16.18 percent. *Fourth Review Determinations*, USITC Pub. 4733 at I-11; Department of Commerce memorandum from James Maeder to Lisa W. Wang, *Issues and Decision Memorandum for the Final Results of the Expedited Fifth Sunset Reviews of the Antidumping Duty Orders on Brass Sheet and Strip from France, Germany, Italy, and Japan*, Dec. 22, 2022, EDIS Doc. 787969 at 3-4.

¹⁸⁸ 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

or relative to production or consumption in the United States.¹⁸⁹ In doing so, the Commission must consider “all relevant economic factors,” including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.¹⁹⁰

In evaluating the likely price effects of subject imports if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether there is likely to be significant underselling by the subject imports as compared to the domestic like product and whether the subject imports are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.¹⁹¹

In evaluating the likely impact of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.¹⁹² All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry. As instructed by the statute, we have considered the extent to which any improvement in the state of the domestic industry is related to the orders under review and whether the industry is vulnerable to material injury upon revocation.¹⁹³

No respondent interested party participated in these five-year reviews. The record, therefore, contains limited new information with respect to the BSS industries in France, Germany, Italy, and Japan. There is also limited information on the BSS market in the United States during the period of review. Accordingly, for our determination, we rely as appropriate

¹⁸⁹ 19 U.S.C. § 1675a(a)(2).

¹⁹⁰ 19 U.S.C. § 1675a(a)(2)(A-D).

¹⁹¹ See 19 U.S.C. § 1675a(a)(3). The SAA states that “{c}onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices.” SAA at 886.

¹⁹² 19 U.S.C. § 1675a(a)(4).

¹⁹³ The SAA states that in assessing whether the domestic industry is vulnerable to injury if the order is revoked, the Commission “considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they may also demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.” SAA at 885.

on the facts available from the original investigations and prior five-year reviews, and the limited new information on the record in these five-year reviews.

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry if an order is revoked, the statute directs the Commission to consider all relevant economic factors “within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”¹⁹⁴ The following conditions of competition inform our determinations.

1. Demand Conditions

Original Investigations. The Commission described the demand for C20000 series BSS as greater in 1984 than at any other time during the January 1983 to June 1986 period of investigation.¹⁹⁵

First Five-Year Reviews. The Commission found that demand remained fairly flat, as reduced demand in certain end-use product markets was sufficiently offset by increased demand in other applications.¹⁹⁶

Second Five-Year Reviews. The Commission explained that BSS was used in a wide variety of downstream products. It found that apparent U.S. consumption had decreased irregularly over the period of review due to the movement of U.S. manufacturing to lower cost countries, the high price of copper, and the manufacturing recession in 2001 to 2003.¹⁹⁷

Third Five-Year Reviews. The Commission found that demand for BSS depended on the demand for U.S. produced downstream products, including electrical terminals, automotive stamped parts, appliance parts, controls components, electrical connectors, locksets, decorative plumbing accessories, and ordnance. It observed that apparent U.S. consumption declined irregularly over the January 2005 to September 2011 period of review, in part because of the economic downturn in 2008 to 2009.¹⁹⁸

Fourth Five-Year Reviews. Apparent U.S. consumption of BSS was 403.4 million pounds in 2016, which was incrementally higher than in 2010.¹⁹⁹ The Commission noted the argument that demand for BSS remained weak during the period of review and continued to contract as U.S. industrial purchasers moved production overseas.²⁰⁰

¹⁹⁴ 19 U.S.C. § 1675a(a)(4).

¹⁹⁵ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 10; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 16. In the final determinations concerning BSS from Japan and the Netherlands, the Commission found that the structure of the domestic industry had not changed significantly since 1984. *Japan Original Determinations*, USITC Pub. 2099 at 16.

¹⁹⁶ *First Review Determinations*, USITC Pub. 3290 at 18.

¹⁹⁷ *Second Review Determinations*, USITC Pub. 3842 at 19-20.

¹⁹⁸ *Third Review Determinations*, USITC Pub. 4313 at 20-21.

¹⁹⁹ *Fourth Review Determinations*, USITC Pub. 4733 at 25.

²⁰⁰ *Fourth Review Determinations*, USITC Pub. 4733 at 25.

Current Five-Year Reviews. The information available indicates that demand for BSS continues to be driven by demand for U.S. produced downstream products, including electrical terminals, automotive stamped parts, appliance parts, controls components, electrical connectors, locksets, decorative plumbing accessories, and ordnance.²⁰¹ Domestic Producers claim that there have been no fundamental changes in U.S. demand for BSS, but that demand for BSS continues to slowly contract as U.S. industrial purchasers move production facilities overseas.²⁰² Further, Domestic Producers claim that demand for BSS during the period of review tracked general economic growth trends in the U.S. economy, which experienced fluctuations during 2016-2019, a decline in 2020 due to the COVID 19 pandemic, and a moderate increase in 2021 as the economy recovered from the COVID 19 pandemic.²⁰³

Apparent U.S. consumption of BSS was *** pounds in 2021, which was lower than in any of the prior proceedings.²⁰⁴

2. Supply Conditions

First Five-Year Reviews. The Commission found that the domestic industry had consolidated somewhat since the original investigations, with eight producers supplying the U.S. market in lieu of the nine that supplied it at the time of the original investigations. Nonetheless, domestic capacity had increased since the original investigations. The domestic industry's market share also increased, and nonsubject imports held a larger share of the market than subject imports, although nonsubject imports' share was not markedly higher than during the original investigations.²⁰⁵

Second Five-Year Reviews. The Commission found that U.S. producers' share of the contracting U.S. market declined irregularly over the period of review and that subject imports' share remained small. Nonsubject imports' market share generally increased over the period of review.²⁰⁶

Third Five-Year Reviews. The Commission found that U.S. producers' market share rose irregularly, subject imports' market share remained small, and nonsubject imports' market share fell. It also found that the domestic industry, comprised of basic producers and rerollers, had continued to restructure since the second five-year reviews, and in 2010, consisted of three basic producers, three rerollers, and one firm that was both a basic producer and a reroller.²⁰⁷

Fourth Five-Year Reviews. The domestic industry's share of apparent U.S. consumption in 2016, at 94.1 percent, was higher than in 2010.²⁰⁸ In 2016, nonsubject imports had the second largest share of apparent U.S. consumption, at 4.1 percent, which was lower than in

²⁰¹ CR/PR at I-10; Domestic Producers' Substantive Response at 23.

²⁰² Domestic Producers' Substantive Response at 22.

²⁰³ Domestic Producers' Substantive Response at 23.

²⁰⁴ CR/PR at Table I-5.

²⁰⁵ *First Review Determinations*, USITC Pub. 3290 at 17-18.

²⁰⁶ *Second Review Determinations*, USITC Pub. 3842 at 20.

²⁰⁷ *Third Review Determinations*, USITC Pub. 4313 at 21-22.

²⁰⁸ *Fourth Review Determinations*, USITC Pub. 4733 at 25.

2010, and cumulated subject imports' share of apparent U.S. consumption, at 1.8 percent, was higher than in 2010.²⁰⁹

Current Five-Year Reviews. The domestic industry continued to be the largest source of supply in the U.S. market in 2021, accounting for *** percent of apparent U.S. consumption that year.²¹⁰ The domestic industry experienced several changes since the fourth five-year reviews.²¹¹ Domestic Producers assert that the domestic industry has substantial excess capacity with which to satisfy domestic demand for BSS.²¹²

Cumulated subject imports were the smallest source of supply in the U.S. market in 2021, accounting for *** percent of apparent U.S. consumption that year, while nonsubject imports accounted for *** percent of apparent U.S. consumption.²¹³

Responding purchaser *** reported changes to supply conditions during the period of review. Specifically, *** reported that, ***.²¹⁴ *** also reported that ***.²¹⁵

3. Substitutability and Other Conditions

Original Investigations. The Commission found that price played an important role in purchasing decisions.²¹⁶

First Five-Year Reviews. The Commission found that the conditions of competition had not changed since the imposition of the orders, and that the domestic like product and subject imports were moderately-to-highly substitutable and fairly price competitive.²¹⁷ It noted the

²⁰⁹ *Fourth Review Determinations*, USITC Pub. 4733 at 25-26.

²¹⁰ CR/PR at Table I-6.

²¹¹ Domestic producer Revere Copper Co. ceased production of BSS in 2016. In July 2019, German subject producer Wieland-Werke AG acquired domestic producer Global Brass and Copper (now "Wieland Rolled Products North America"), which later announced plans for the construction of new casting operations at its East Alton, Illinois facility, to be completed by 2024. Wieland Holdings acquired the assets of former specialty reroller Scott Brass in March 2020, closing the Scott Brass facility in Cranston, Rhode Island, in 2021 and ***. Lastly, Eagle Metals Inc. installed a fifth rolling mill at its Leesport, Pennsylvania facility, which is expected to increase production capacity by 35 percent. CR/PR at Table I-3; Domestic Producers' Substantive Response at 21.

²¹² Domestic Producers' Substantive Response at 21, Exh. 1.

²¹³ CR/PR at Table I-6. The largest sources of nonsubject imports were Brazil, Bulgaria, and Mexico. *Id.* at Table I-5.

²¹⁴ CR/PR at D-3. *** reported that ***. *Id.*

²¹⁵ CR/PR at D-3-4.

²¹⁶ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 16.

²¹⁷ *First Review Determinations*, USITC Pub. 3290 at 12, 23-24.

various ways in which BSS was produced and sold, including tolling. The Commission also found that the end-use markets had undergone minor changes since the original investigations and that substitute products had displaced BSS in certain applications.²¹⁸

Second Five-Year Reviews. The Commission found that there was a high degree of substitutability between the domestic like product and subject imports, and price was an important factor in purchasing decisions. In addition, producers, importers, and purchasers found BSS from all subject sources to be always or frequently interchangeable.²¹⁹ The Commission observed that U.S. integrated producers shipped *** of their BSS to end users, *** to distributors, and *** to rerollers during the period of review. U.S. importers shipped *** of their subject BSS to distributors, while importers of nonsubject merchandise shipped *** of their BSS to end users throughout most of the period of review.²²⁰

Third Five-Year Reviews. The Commission found a moderate-to-high degree of substitutability between the domestic like product and subject imports, and that price was an important factor in purchasing decisions.²²¹ It also found that raw material costs were a major factor in BSS production. Consequently, changes in the price of raw materials during the period of review, including brass scrap, copper, zinc, and other alloys, caused large changes in BSS prices. Energy costs, which also generally increased during the period of review, were also a major factor in the cost of fabrication. Furthermore, the Commission found that toll production and sales were common in the industry.²²²

Fourth Five-Year Reviews. The Commission again found a moderate-to-high degree of substitutability between the domestic like product and subject imports, and that price was an important factor in purchasing decisions.²²³

Current Five-Year Reviews. The record in these five-year reviews contains no new information to indicate that the degree of substitutability between the domestic like product and subject imports or the importance of price in purchasing decisions has changed since the last reviews. As discussed above, Domestic Producers contend that BSS remains substitutable regardless of its source and is sold largely on the basis of price.²²⁴ Accordingly, we continue to find a moderate-to-high degree of substitutability between subject imports and domestically produced BSS, and that price remains an important factor in purchasing decisions for BSS.²²⁵

According to information provided by Domestic Producers, copper is the predominant raw material cost in the production of BSS, and the price of copper was 92.8 percent higher in

²¹⁸ *First Review Determinations*, USITC Pub. 3290 at 17-18.

²¹⁹ *Second Review Determinations*, USITC Pub. 3842 at 20-21.

²²⁰ *Second Review Determinations*, USITC Pub. 3842 at 20; Confidential Second Review Opinion, EDIS Doc. 783481, at 22.

²²¹ *Third Review Determinations*, USITC Pub. 4313 at 22-23.

²²² *Third Review Determinations*, USITC Pub. 4313 at 22-23.

²²³ *Fourth Review Determinations*, USITC Pub. 4733 at 26.

²²⁴ Domestic Producers' Substantive Response at 14.

²²⁵ BSS originating in France, Germany, Italy, and Japan comes into the U.S. market at a column 1-general duty rate of 1.9 percent ad valorem. CR/PR at I-9.

2021 than in 2016.²²⁶ Domestic Producers assert that the increased cost of copper was largely passed through to downstream purchasers, resulting in substantially increased prices for finished BSS.²²⁷

C. Likely Volume of Subject Imports

Original Investigations. The Commission found that the volume of subject imports fluctuated throughout the periods examined but was significant.²²⁸

First Five-Year Reviews. The Commission found that the volume of subject imports was much smaller than in the original investigations. Because the record did not indicate any changes in the conditions of competition with respect to subject imports, the Commission concluded that the orders were primarily responsible for the reduction in exports of BSS from the subject countries to the United States. It further found that there was significant unused capacity in the subject countries and that there was no information indicating any likely limitations on the subject countries' resumption of significant export shipments to the United States if the orders were revoked. Thus, producers in the subject countries had the ability and incentive to increase exports to the United States in the event of revocation.²²⁹

Second Five-Year Reviews. The Commission found the volume of subject imports to be much smaller than in the original investigations. It also found that the subject industries possessed substantial capacity and excess capacity to produce BSS, and were export oriented. The Commission observed that, despite some declines in consumption, the U.S. market remained large and attractive without significant structural constraints on subject producers' ability to reenter the U.S. market in the event of revocation. The evidence of prices in the United States relative to other global markets was mixed, but the Commission found that subject producers had the incentive to export more of their product to the United States in order to utilize their available capacity more effectively. Thus, the Commission determined that, if the orders were revoked, the subject producers had the ability and motivation to increase exports to the United States.²³⁰

Third Five-Year Reviews. The Commission found that subject import volumes were small, both absolutely and relative to apparent U.S. consumption. It indicated that this appeared to be in substantial part a function of the orders. The Commission found that the subject countries' industries had both substantial and excess capacity to produce BSS, and continued to be export oriented. Despite some decline in consumption during the period of

²²⁶ Domestic Producers' Supplemental Response at 3-4. The average COMEX closing price for copper was \$2.2010 per pound in 2016 and \$4.2445 per pound in 2021. *Id.* at 3.

²²⁷ Domestic Producers' Supplemental Response at 4.

²²⁸ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 14-15; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 13-14; *Japan Original Determinations*, USITC Pub. 2099 at 17-18. The original investigations and first and second reviews each involved a different number of other countries whose imports were then subject to investigation and were cumulated with the imports of the four countries currently subject to orders.

²²⁹ *First Review Determinations*, USITC Pub. 3290 at 23.

²³⁰ *Second Review Determinations*, USITC Pub. 3842 at 31-35.

review, the Commission observed that the United States remained a large and attractive market for BSS, and that apparent U.S. consumption of BSS, although reduced from pre-recession levels, remained substantial. It also found no indication of significant structural constraints on subject producers' abilities to reenter the U.S. market if the orders were revoked. Because the Commission found that subject producers had an incentive to produce and export additional quantities of BSS to the United States if the orders were revoked, it found that a significant volume of subject imports was likely.²³¹

Fourth Five-Year Reviews. The Commission found that the volume of cumulated subject imports decreased over the period of review from 10.5 million pounds in 2011 to 7.2 million pounds in 2016.²³² The record indicated that that the subject industries had maintained or expanded their BSS production capacity, were export oriented, and remained interested in the U.S. market.²³³ Accordingly, the Commission found that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to U.S. consumption, if the orders were revoked.²³⁴

Current Five-Year Reviews. Cumulated subject imports of BSS maintained a presence in the U.S. market throughout the period of review, though the volume of subject imports was substantially lower than during the original investigations due at least in part to the disciplining effects of the orders. The volume of cumulated subject imports was 6.0 million pounds in 2017, 5.7 million pounds in 2018, 5.7 million pounds in 2019, 3 million pounds in 2020, and 7.6 million pounds in 2021, equivalent to *** percent of apparent U.S. consumption that year.²³⁵

The record in these five-year reviews contains limited information on the subject industries in France, Germany, Italy, and Japan. The information available, however, indicates that subject producers have the means and incentive to increase their exports of subject merchandise to the U.S. market to significant levels if the orders were revoked.

The record indicates that each subject industry has numerous producers with substantial capacities.²³⁶ As previously discussed, Domestic Producers have identified four possible producers of BSS in France, 13 possible producers of BSS in Germany, seven possible producers of BSS in Italy, and 18 possible producers of BSS in Japan.²³⁷ According to the available information, consolidation in the French, German, and Japanese industries during the period of review has enhanced the global competitiveness of the industries.²³⁸

²³¹ *Third Review Determinations*, USITC Pub. 4313 at 24-27.

²³² *Fourth Review Determinations*, USITC Pub. 4733 at 28.

²³³ *Fourth Review Determinations*, USITC Pub. 4733 at 29.

²³⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 29.

²³⁵ CR/PR at Tables I-5-6.

²³⁶ Domestic Producers' Substantive Response at 11, Exh. 1.

²³⁷ CR/PR at I-24, I-27, I-29, I-31; Domestic Producers' Substantive Response at Exh. 1.

²³⁸ French subject producer Griset SA (now "TG Griset S.A.S.") was acquired by nonsubject Chinese producer Tongling Nonferrous Metal Group in 2016, which has a copper-related capacity of one million metric tons and "is a major global player." CR/PR at Table I-7; Domestic Producers' Substantive Response at 22. German subject producer KME AG acquired KME Mansfeld GmbH, which reportedly "play{s} a leading role in international competition" as "one of the world's largest manufacturers of (Continued...)

The available information also indicates that subject producers in France, Germany, Italy, and Japan are large exporters. According to information from the United Nations Comtrade database, all four subject industries were among the top 15 global exporters of BSS in 2021.²³⁹ Additionally, GTA data show that in 2021, Germany was the world's second largest exporter of BPSS (a category that includes BSS and out-of-scope merchandise), accounting for 13.1 percent of global exports; Italy was the third largest exporter of BPSS, accounting for 11.9 percent of global exports; and Japan was the fifth largest exporter of BPSS, accounting for 6.8 percent of global exports.²⁴⁰ GTA data also show that subject producers in France, Japan, and Italy irregularly increased their exports of BPSS from 2017 to 2021.²⁴¹

Available information also indicates that the U.S. market remains attractive to subject producers. First, cumulated subject imports maintained a presence in the U.S. market throughout the period of review, accounting for *** percent of apparent U.S. consumption in 2021,²⁴² thereby maintaining ready distribution and consumer networks in the United States. According to GTA data, the United States was the third largest destination market for BPSS exported from Germany, and the seventh largest destination market for BPSS exported from Japan, in 2021.²⁴³

Given the foregoing, including the significant volume of cumulated subject imports during the original investigations, the continued presence of cumulated subject imports in the U.S. market during the period of review, the subject industries' substantial capacity and large volume of exports, and the attractiveness of the U.S. market to subject producers, we find that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to consumption in the United States, if the orders were revoked.²⁴⁴

D. Likely Price Effects

Original Investigations and Prior Five-Year Reviews. In the original investigations, the Commission found widespread underselling by the subject imports from France, Germany, Italy,

copper and copper alloy products.” CR/PR at Table I-9; Domestic Producers’ Substantive Response at 21-22, Exh. 5. In Japan, Mitsubishi Shindoh Co., Ltd. was merged into MMC effective April 2020, and announced plans to invest 30 billion Japanese yen during the 2021-27 period to increase its production capacity by about 30 percent. Domestic Producers’ Substantive Response at 21-22.

²³⁹ Domestic Producers’ Substantive Response at 11, Exh. 3.

²⁴⁰ CR/PR at I-33. France accounted for 0.8 percent of global export of BPSS in 2021. *Id.*

²⁴¹ CR/PR at Tables I-8, I-12, I-14. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.* Exports of BPSS by subject producers in Germany irregularly declined over the period. *Id.* at Table I-10.

²⁴² CR/PR at Table I-6; Domestic Producers’ Substantive Response at 10.

²⁴³ CR/PR at Tables I-10, I-14; *see also* Domestic Producers’ Substantive Response at 10. GTA data concerning BPSS includes both BSS and out-of-scope products. *Id.*

²⁴⁴ The record of these expedited reviews does not contain information about inventories of the subject merchandise or the potential for product shifting. Imports of BSS from France, Germany, Italy, or Japan are not subject to antidumping or countervailing duty orders in any other country. CR/PR at I-33.

and Japan.²⁴⁵ It also found that such underselling led to price suppression and/or depression.²⁴⁶ In the first five-year reviews, the Commission found that if the orders were revoked, the subject imports would need to be priced aggressively to regain market share in light of the price-competitive nature of the U.S. market. It also found that the subject imports would likely significantly undersell the domestic like product and would likely have significant depressing and suppressing effects on the prices of the domestic like product.²⁴⁷ The Commission made similar findings in the second, third, and fourth five-year reviews.²⁴⁸

Current Five-Year Reviews. As discussed above, we continue to find a moderate-to-high degree of substitutability between subject imports and the domestic like product, and that price remains an important factor in purchasing decisions for BSS.

The record in these expedited five-year reviews does not contain recent product-specific pricing information. Based on the moderate-to-high degree of substitutability between subject imports and the domestic like product and the importance of price in purchasing decisions, we find that the likely significant volume of cumulated subject imports would likely undersell the domestic like product to a significant degree, as during the original investigations. Absent the discipline of the orders, the likely significant volumes of low-priced cumulated subject imports would likely force the domestic industry to lower prices or forgo needed price increases, particularly in light of the currently elevated cost of raw materials, or else lose sales and market share to subject imports. Consequently, we find that if the orders were revoked, cumulated subject imports would likely have significant price effects.

²⁴⁵ *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 15-16. In the original investigation of subject imports from France, the data showed underselling in all but one of the 35 direct quarterly price comparisons; for subject imports from Germany, there was underselling in 43 of 58 direct quarterly price comparisons; for subject imports from Italy, there was underselling in all 30 quarterly price comparisons. *Id.* In the original investigation of subject imports from Japan, price comparisons showed underselling in 74 of 100 instances. *Japan Original Determinations*, USITC Pub. 2099 at 19.

²⁴⁶ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 15-16; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 16-17; *Japan Original Determinations*, USITC Pub. 2099 at 19-20. We note that the original investigations involved imports from other, then-subject countries whose pricing data were considered along with the data concerning imports from the four countries currently subject to orders.

²⁴⁷ *First Review Determinations*, USITC Pub. 3290 at 24.

²⁴⁸ *Second Review Determinations*, USITC Pub. 3842 at 25; *Third Review Determinations*, USITC Pub. 4313 at 28; *Fourth Review Determinations*, USITC Pub. 4733 at 30-31. In both the second and third five-year reviews, the Commission found that the domestic industry could not sustain charging high average prices to reflect its high raw material costs if the orders were revoked. *Second Review Determinations*, USITC Pub. 3842 at 25; *Third Review Determinations*, USITC Pub. 4313 at 28.

E. Likely Impact

Original Investigations. The Commission found that the increasing volumes of subject imports that were underselling the domestic like product caused declines in the domestic industry's market share and material injury to the domestic industry.²⁴⁹

First Five-Year Reviews. The Commission found that, in the event of revocation of the orders, the significant increased volumes of cumulated subject imports and the accompanying adverse price effects would have a significant negative impact on the domestic industry's production, shipments, sales, market share, and revenues. It also found that the domestic industry was not in a vulnerable condition.²⁵⁰

Second Five-Year Reviews. The Commission found that the domestic industry was vulnerable to injury by increased subject imports due to the decline in the industry's capacity, production, market share, operating income, unit operating income, and employment. It concluded that revocation of the orders would lead to a significant increase in the volume of cumulated subject imports, which would undersell the domestic like product and significantly depress or suppress U.S. prices, and have a significant negative impact on the domestic industry's production, shipments, sales, market share, and revenues. Furthermore, these factors would adversely affect the industry's profitability and ability to raise capital and maintain necessary capital investments.²⁵¹

Third Five-Year Reviews. The Commission again found that the domestic industry was vulnerable to injury by increased subject imports. It observed that the industry's production, capacity utilization, shipments, net sales, production and related workers, and wages all declined at the end of the period of review. The Commission found that if the orders were revoked, the likely significant volume of subject imports would likely significantly undersell the domestic like product, causing the domestic industry to either cut prices or restrain price increases leading to a loss in revenues. It also found that this would likely cause further deterioration in the industry's already weak financial performance, and concluded that this would likely ultimately result in losses in the domestic industry's output, as well as its market share, which had increased over the period of review. The Commission further found that although there was a significant volume of nonsubject imports in the U.S. market, any increase in subject import market share would likely be at the expense of the domestic industry.²⁵²

Fourth Five-Year Reviews. The Commission determined that the information on the domestic industry's performance was too limited to make a vulnerability finding.²⁵³ However, it found that if the orders were revoked, the likely significant volume of cumulated subject imports and their likely price effects would likely negatively affect the domestic industry's production, production capacity, capacity utilization, shipments, and market share, which

²⁴⁹ *Brazil, Canada, and Korea Original Determinations*, USITC Pub. 1930 at 15-16; *France, Germany, and Italy Original Determinations*, USITC Pub. 1951 at 16-17; *Japan Original Determinations*, USITC Pub. 2099 at 19-21.

²⁵⁰ *First Review Determinations*, USITC Pub. 3290 at 24.

²⁵¹ *Second Review Determinations*, USITC Pub. 3842 at 26-28.

²⁵² *Third Review Determinations*, USITC Pub. 4313 at 30-32.

²⁵³ *Fourth Review Determinations*, USITC Pub. 4733 at 32.

would directly impact the industry's profitability and employment.²⁵⁴ Considering the role of nonsubject imports, the Commission found that the likely significant increase in the volume of cumulated subject imports would come, at least in substantial proportion, at the expense of the domestic industry.²⁵⁵

Current Five-Year Reviews. The record in these five-year reviews contains limited information concerning the domestic industry's performance since the fourth five-year reviews.

The information available indicates that the domestic industry's performance in 2021 was generally worse than its performance in the final years of the periods examined in the prior proceedings, with the exception of 2010. The domestic industry's capacity in 2021, at *** pounds, was less than in 1998, 2004, and 2016, but *** higher than in 2010.²⁵⁶ The industry's production and capacity utilization in 2021, at *** pounds and *** percent, respectively, were lower than in the prior proceedings.²⁵⁷ The value of the domestic industry's U.S. shipments and their average unit value ("AUV") were higher in 2021 than in the prior proceedings, but the industry's quantity of U.S. shipments was lower.²⁵⁸ Although the domestic industry's net sales value was higher in 2021 than in the prior proceedings, so too was the industry's COGS-to-net-sales ratio.²⁵⁹ Consequently, the domestic industry's gross profit, at \$***, was lower than in 1998 and 2016 and only *** higher than in 2010.²⁶⁰ The industry's operating income in 2021, at \$***, was lower than in any year but 1987, and its operating income to net sales ratio in 2021, at *** percent, was lower than in any prior proceeding.²⁶¹ This limited information is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.

²⁵⁴ *Fourth Review Determinations*, USITC Pub. 4733 at 32.

²⁵⁵ *Fourth Review Determinations*, USITC Pub. 4733 at 32-33.

²⁵⁶ CR/PR at Table I-4. The domestic industry's capacity was *** pounds in 1987; *** pounds in 1998; *** in 2004; *** pounds in 2010; and *** pounds in 2016. *Id.*

²⁵⁷ CR/PR at Table I-4. The domestic industry's production and capacity utilization were *** pounds and *** percent, respectively, in 1987; *** pounds and *** percent, respectively, in 1998; *** pounds and *** percent, respectively, in 2004; *** pounds and *** percent, respectively, in 2010; and *** pounds and *** percent, respectively, in 2016. *Id.*

²⁵⁸ CR/PR at Table I-4. The domestic industry's value of U.S. shipments was \$*** in 1987, \$*** in 1998, \$*** in 2004, \$*** in 2010, and \$*** in 2016, and \$*** in 2021. Its quantity of U.S. shipments and AUV were *** pounds and \$***, respectively, in 1987; *** pounds and \$***, respectively, in 1998; *** pounds and \$***, respectively, in 2004; *** pounds and \$***, respectively, in 2010; *** pounds and \$***, respectively, in 2016; and *** pounds and \$***, respectively, in 2021. *Id.*

²⁵⁹ CR/PR at Table I-4. The domestic industry's net sales and COGS to net sales ratio were \$*** and *** percent, respectively, in 1987; \$*** and *** percent, respectively, in 1998; \$*** and *** percent, respectively, in 2004; \$*** and *** percent, respectively, in 2010; \$*** and *** percent, respectively, in 2016; and \$*** and *** percent, respectively, in 2021. *Id.*

²⁶⁰ CR/PR at Table I-4. The domestic industry's gross profit was \$*** in 1987, \$*** in 1998, \$*** in 2004, \$*** in 2010, and \$*** in 2016. *Id.*

²⁶¹ CR/PR at Table I-4. The domestic industry's operating income and operating income to net sales ratio were \$*** and *** percent, respectively, in 1987; \$*** and *** percent, respectively, in 1998; \$*** and *** percent, respectively, in 2004; \$*** and *** percent, respectively, in 2010; and \$*** and *** percent, respectively, in 2016. *Id.*

Based on the information available, we find that revocation of the orders would likely result in a significant volume of cumulated subject imports that would likely undersell the domestic like product to a significant degree. Given the moderate-to-high degree of substitutability between subject imports and the domestic like product and the importance of price to purchasers, significant volumes of low-priced subject imports would likely capture sales and market share from the domestic industry and/or force domestic producers to lower their prices or forgo needed price increases in order to maintain their sales, thereby depressing or suppressing prices for the domestic like product to a significant degree. The likely significant volume of subject imports and their likely price effects would negatively affect the domestic industry's capacity, production, capacity utilization, shipments, and market share, which would in turn negatively impact the industry's profitability and employment. Consequently, we conclude that, if the orders were revoked, cumulated subject imports from France, Germany, Italy, and Japan would be likely to have an adverse impact on the domestic industry within a reasonably foreseeable time.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports, so as not to attribute injury from other factors to the subject imports. Nonsubject imports increased as a share of apparent U.S. consumption since the fourth five-year reviews, accounting for *** percent of apparent U.S. consumption in 2021 as compared to 4.1 percent in 2016.²⁶² The record provides no indication that the presence of nonsubject imports would prevent subject imports from entering the U.S. market in significant volumes if the orders were revoked. Given the domestic industry's *** percent share of apparent U.S. consumption in 2021,²⁶³ the moderate-to-high degree of substitutability between subject imports and the domestic like product, and the importance of price in purchasing decisions, the presence of nonsubject imports would not prevent the significant volume of low-priced cumulated subject imports that we have found likely after revocation from taking market share from the domestic industry, as well as from nonsubject imports, or from forcing domestic producers to either lower prices or forgo price increases to retain market share. In light of these considerations, we find that any effects of nonsubject imports would be distinct from the likely effects attributable to cumulated subject imports.

We recognize that apparent U.S. consumption was *** percent lower in 2021 than in 2016, and that demand is likely to continue its slow, long-term decline as purchasers move the production of downstream products overseas.²⁶⁴ The significant volume of low-priced cumulated subject imports that is likely after revocation would exacerbate the effects of declining demand on the domestic industry. We therefore find that the effects of declining demand would be distinct from the likely effects attributable to cumulated subject imports.

In sum, we conclude that if the orders were revoked, subject imports of BSS from France, Germany, Italy, and Japan would likely have a significant adverse impact on the domestic industry within a reasonably foreseeable time.

²⁶² CR/PR at Table I-6.

²⁶³ CR/PR at Table I-6.

²⁶⁴ CR/PR at Table I-6; Domestic Producers' Substantive Response at 22.

V. Conclusion

For the above reasons, we determine that that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Information obtained in these reviews

Background

On September 1, 2022, the U.S. International Trade Commission (“Commission”) gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”),¹ that it had instituted reviews to determine whether revocation of the antidumping duty orders on brass sheet and strip (“BSS”) from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury.² All interested parties were requested to respond to this notice by submitting certain information requested by the Commission.³ ⁴ Table I-1 presents information relating to the background and schedule of this proceeding:

Table I-1
BSS: Information relating to the background and schedule of this proceeding

Effective date	Action
September 1, 2022	Notice of initiation by Commerce (87 FR 53727, September 1, 2022)
September 1, 2022	Notice of institution by Commission (87 FR 53785, September 1, 2022)
December 6, 2022	Commission’s vote on adequacy
January 3, 2023	Commerce’s results of its expedited reviews
March 24, 2023	Commission’s determinations and views

¹ 19 U.S.C. 1675(c).

² 87 FR 53785, September 1, 2022. In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of five-year reviews of the subject antidumping duty orders. 87 FR 53727, September 1, 2022. Pertinent Federal Register notices are referenced in app. A, and may be found at the Commission’s website (www.usitc.gov).

³ As part of their response to the notice of institution, interested parties were requested to provide company-specific information. That information is presented in app. B. Summary data compiled in the original investigations and subsequent full reviews are presented in app. C.

⁴ Interested parties were also requested to provide a list of three to five leading purchasers in the U.S. market for the domestic like product and the subject merchandise. Presented in app. D are the responses received from purchaser surveys transmitted to the purchasers identified in this proceeding.

Responses to the Commission’s notice of institution

Individual responses

The Commission received one submission in response to its notice of institution in the subject reviews. They were filed on behalf of the following entities:

1. Aurubis Buffalo, Inc. (“Aurubis Buffalo”);
2. Heyco Metals, Inc. (“Heyco”);
3. PMX Industries, Inc. (“PMX”); and
4. Wieland Holdings, Inc. (“Wieland Holdings”),⁵ (collectively referred to herein as “domestic interested parties”).

A complete response to the Commission’s notice of institution requires that the responding interested party submit to the Commission all the information listed in the notice. Responding firms are given an opportunity to remedy and explain any deficiencies in their responses. A summary of the number of responses and estimates of coverage for each is shown in table I-2.

Table I-2
BSS: Summary of completed responses to the Commission’s notice of institution

Interested party	Type	Number of firms	Coverage
U.S. producer	Domestic	4	***%

Note: The U.S. producer coverage figure presented is the domestic interested parties’ estimate of their share of total U.S. production of BSS during 2021. Estimated total U.S. production includes both integrated brass mills and rerollers. U.S. reroller Eagle Metals is estimated to account for the remaining *** percent of total U.S. production in 2021. Domestic interested parties’ response to the notice of institution, October 3, 2022, p. 20, exh. 1.

Party comments on adequacy

The Commission received party comments on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews from the domestic interested parties. Domestic interested parties request that the Commission conduct expedited reviews of the antidumping duty orders on BSS.⁶

⁵ On behalf of its subsidiaries Wieland Metals, Inc. and Wieland Rolled Products North America, LLC (formerly GBC Metals, LLC, dba Olin Brass).

⁶ Domestic interested parties’ comments on adequacy, November 9, 2022, pp. 2-3.

The original investigations

The original investigations resulted from petitions filed on March 10, 1986, with Commerce and the Commission by American Brass, Buffalo, New York; Bridgeport Brass Corp., Indianapolis, Indiana; Chase Brass and Copper Co., Cleveland, Ohio; Hussey Copper Ltd., Leetsdale, Pennsylvania; The Miller Co., Meriden, Connecticut; Olin Corp. (Brass Group), East Alton, Illinois; Revere Copper Products, Inc., Rome, New York; the Copper and Brass Fabricators Council, Inc.; the International Association of Machinists and Aerospace Workers; the International Union, Allied Industrial Workers of America (AFL-CIO); the Mechanics Educational Society of America (Local 56); and the United Steelworkers of America (AFL-CIO/CLC).^{7 8} The petitions alleged that BSS was being subsidized by the Governments of Brazil and France and that such BSS from Brazil, Canada, France, Germany, Italy, Korea, and Sweden was being sold in the United States at less than fair value (“LTFV”).

On November 10, 1986, Commerce determined that imports of BSS from Brazil and Korea were being sold at less than fair value (“LTFV”).⁹ On December 9, 1986, Commerce determined that imports of BSS from Canada were being sold at LTFV.¹⁰ On January 9, 1987, Commerce determined that imports of BSS from France, Italy, Germany, and Sweden were being sold at LTFV.¹¹

On November 10, 1986, Commerce determined that imports of BSS from Brazil were being subsidized.¹² On January 12, 1987, Commerce determined that imports of BSS from France are being subsidized.¹³

The Commission determined on December 22, 1986, that the domestic industry was materially injured by reason of LTFV imports of BSS from Brazil, Canada, and South Korea and subsidized imports of BSS from Brazil.¹⁴ The Commission determined on February 19, 1987, that

⁷ North Coast Brass & Copper Co. was added as a petitioner in 1988. Certain Brass Sheet and Strip from Japan and the Netherlands, Inv. Nos. 731-TA-379 and 380 (Final), USITC Publication 2099, July 1988 (“Original publication for Japan and the Netherlands”), p. A-1.

⁸ Certain Brass Sheet and Strip from Brazil, Canada, and the Republic of Korea, Inv. Nos. 701-TA-269, 731-TA-311, 312, 315 (Final), USITC Publication 1930, December 1986 (“Original publication for Brazil, Canada, and the Republic of Korea”), p. A-1. Certain Brass Sheet and Strip from France, Italy, Sweden, and West Germany, Inv. Nos. 701-TA-270 and 731-TA-313, 314, 316, 317 (Final), USITC Publication 1951, February 1987 (“Original publication for France, Italy, Sweden, and West Germany”), p. A-1.

⁹ 51 FR 40831, 40833, November 10, 1986.

¹⁰ 51 FR 44319, December 9, 1986.

¹¹ 52 FR 812, 816, 819, 822, January 9, 1987.

¹² 51 FR 40837, November 10, 1986.

¹³ 52 FR 1218, January 12, 1987.

¹⁴ 51 FR 47315, December 31, 1986.

the domestic industry was materially injured by reason of LTFV imports of BSS from France, Germany, Italy, and Sweden, and subsidized imports of BSS from France.¹⁵

On January 12, 1987, Commerce issued its antidumping duty orders with the final weighted-average dumping margins for imports from Brazil, South Korea, and Canada of 40.62 percent, 7.17 percent, and ranging from 2.51 to 11.54 percent, respectively.¹⁶ On March 6, 1987, Commerce issued its antidumping duty orders with the final weighted-average dumping margins for imports from France, Germany, and Italy, and Sweden of 42.24 percent, ranging from 5.31 to 15.94 percent, 12.08 percent, and 9.49 percent, respectively.¹⁷

On January 8, 1987, Commerce issued countervailing duty orders on imports of BSS from Brazil with the net subsidy rate of 3.47 percent and the net subsidy rate of 7.24 percent on imports of BSS from France on March 6, 1987.¹⁸ Commerce found an estimated net subsidy of 6.13 percent ad valorem but adjusted the cash deposit to 3.47 percent ad valorem to “reflect changes in the Preferential Working Capital Financing for Exports Program.”¹⁹

On July 20, 1987, Commerce and the Commission received petitions on behalf of the same petitioners alleging that imports of BSS from Japan and the Netherlands were being sold in the United States at LTFV. On June 21, 1988, Commerce determined that imports of BSS from Japan were being sold at LTFV.²⁰ On June 22, 1988, Commerce determined that imports of BSS from the Netherlands were being sold at LTFV.²¹ On July 29, 1988, the Commission determined that the domestic industry was materially injured by reason of LTFV imports of BSS from Japan and the Netherlands.²² Accordingly, on August 12, 1988, Commerce issued its antidumping duty orders with the final weighted-average dumping margins ranging from 13.30 to 57.98 percent for imports from Japan and a margin of 16.99 percent on imports from the Netherlands.^{23 24}

¹⁵ 52 FR 5839, February 6, 1987.

¹⁶ 52 FR 1214, 1215, 1217, January 12, 1987.

¹⁷ 52 FR 6995, 6997, 6698, March 6, 1987. On April 8, 1987, the antidumping duty order for Italy was amended to 9.74 percent. 52 FR 11299, April 8, 1987. Pursuant to remand order from the Court of International Trade, corrections were made in final determination and Antidumping Duty order pertaining to Germany. 52 FR 15750, September 23, 1987.

¹⁸ 52 FR 698, January 8, 1987; 52 FR 6996, March 6, 1987.

¹⁹ Original publication 1930, p. A-9.

²⁰ 53 FR 23296, June 21, 1988.

²¹ 53 FR 23431, June 22, 1988.

²² 53 FR 29394, August 4, 1988.

²³ 53 FR 30454, 30455, August 12, 1988.

²⁴ The Commission’s affirmative determination with respect to BSS from Sweden was affirmed in *Granges Metallverken AB v. United States*, 13 CIT 471, 716 F. Supp. 17 (1989). The

(continued...)

The first five-year reviews

On May 6, 1999, the Commission determined that it would conduct full reviews of the antidumping duty orders on BSS from Brazil, Canada, France, Germany, Italy, Japan, South Korea, the Netherlands and Sweden and countervailing duty orders on BSS From Brazil and France.²⁵

On September 3, 1999, Commerce determined that revocation of the antidumping duty orders on BSS from Brazil, France, Italy, and South Korea and the countervailing duty orders on BSS from Brazil and France would be likely to lead to continuation or recurrence of dumping.²⁶ On September 13, 1999, Commerce found that revocation of the antidumping duty order on BSS from Sweden would likely lead to continuation or recurrence of dumping.²⁷ On September 14, 1999, Commerce found that revocation of the antidumping duty orders on BSS from Germany and Japan would likely lead to continuation or recurrence of dumping.²⁸ On November 24, 1999, and January 6, 2000, Commerce found that revocation of the antidumping duty orders on imports of BSS from Canada and the Netherlands, respectively, would be likely to lead continuation or recurrence of dumping.²⁹

On April 12, 2000, the Commission determined that revocation of the countervailing duty orders on BSS from Brazil and France and the antidumping duty orders on BSS from Brazil, Canada, France, Germany, Italy, and Japan, would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³⁰ The Commission further determined that revocation of the antidumping duty orders on BSS from South Korea, the Netherlands, and Sweden would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a

Commission's affirmative determination with respect to BSS from Japan was affirmed by the Court of International Trade in *Cambridge Lee Industries v. United States*, 13 CIT 1052, 728 F. Supp. 748 (1989). The Commission's affirmative determination with respect to BSS from the Netherlands was affirmed in large part in *Metallverken Nederland B.V. and Outokumpu Metallverken, Inc. v. United States*, 13 CIT 1013, 728 F. Supp. 730 (1989), and was remanded with respect to certain aspects of the determination of one Commissioner. The Commission determined on remand that an industry in the United States was being materially injured by reason of LTFV imports of BSS from Japan and the Netherlands. The Commission's remand results were affirmed by the Court in *Metallverken Nederland B.V. and Outokumpu Metallverken, Inc. v. United States*, 14 CIT 481, 744 F. Supp. 281 (1990).

²⁵ 64 FR 27294, May 19, 1999.

²⁶ 64 FR 48348, 48351, 48367, 48369, September 3, 1999.

²⁷ 64 FR 49444, September 13, 1999.

²⁸ 64 FR 49767, 49765, September 14, 1999.

²⁹ 64 FR 66165, November 24, 1999; 65 FR 735, January 6, 2000.

³⁰ 65 FR 20832, April 18, 2000.

reasonably foreseeable time.³¹ Consequently, on May 1, 2000, the antidumping duty orders with respect to imports of BSS from Brazil, Canada, France, Germany, Italy, and Japan and the countervailing duty orders with respect to France and Brazil were continued, and the antidumping orders with respect to imports of BSS from South Korea, the Netherlands, and Sweden were revoked.³²

The second five-year reviews

On July 5, 2005, the Commission determined that it would conduct full reviews of the antidumping duty orders on imports of BSS from Brazil, Canada, France, Germany, Italy, and Japan and countervailing duty orders on imports of BSS from Brazil and France.³³ On August 8, 2005, Commerce determined that revocation of the antidumping duty orders on BSS from Brazil, Canada, France, Italy, and Japan would be likely to lead to continuation or recurrence of dumping.³⁴ On November 4, 2005, Commerce determined that revocation of the countervailing duty order on BSS from Brazil would be likely to lead to continuation or recurrence of subsidization.³⁵ On January 26, 2006, Commerce determined that revocation of the antidumping duty orders on BSS from Germany would be likely to lead to continuation or recurrence of dumping.³⁶ On March 21, 2006 the Commission determined that that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.³⁷ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective April 3, 2006, Commerce issued a continuation of the antidumping duty orders on imports of BSS from France, Germany, Italy, and Japan.^{38 39}

The Commission further determined on March 21, 2006, that revocation of the countervailing duty order on BSS from Brazil and the antidumping duty orders on BSS from Brazil and Canada would not be likely to lead to continuation or recurrence of material injury to

³¹ 65 FR 20832, April 18, 2000.

³² 65 FR 25304, 25305, May 1, 2000.

³³ 70 FR 41427, July 19, 2005.

³⁴ 70 FR 45650, August 8, 2005.

³⁵ 70 FR 67139, November 4, 2005.

³⁶ 71 FR 4348, January 26, 2006.

³⁷ 71 FR 14719, March 23, 2006.

³⁸ 71 FR 16552, April 3, 2006.

³⁹ Commerce revoked the countervailing duty order on BSS from France, effective March 1, 2005. 71 FR 10651, March 2, 2006.

an industry in the United States within a reasonably foreseeable time.⁴⁰ Consequently, the orders with respect to BSS from Brazil and Canada were revoked.⁴¹

The third five-year reviews

On June 6, 2011, the Commission determined that it would conduct full reviews of the antidumping duty orders on imports of BSS from France, Germany, Italy, and Japan.⁴² On July 7, 2011, Commerce determined that revocation of the antidumping duty orders on France, Italy, and Japan would be likely to lead to continuation or recurrence of dumping.⁴³ On January 31, 2012, Commerce published its determination that revocation of the antidumping duty order on BSS from Germany would be likely to lead to continuation or recurrence of dumping.⁴⁴ On April 13, 2012, the Commission determined that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.⁴⁵ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective April 26, 2012, Commerce issued a continuation of the antidumping duty orders on imports of BSS from France, Germany, Italy, and Japan.⁴⁶

The fourth five-year reviews

On June 5, 2017, the Commission determined that it would conduct expedited reviews of the antidumping duty orders on BSS from France, Germany, Italy, and Japan.⁴⁷ On July 5, 2017, Commerce determined that revocation of the antidumping duty orders on BSS from France, Germany, Italy, and Japan would be likely to lead to continuation or recurrence of dumping and subsidization.⁴⁸ On October 13, 2017, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.⁴⁹ Following affirmative determinations in the five-year reviews by Commerce and the Commission,

⁴⁰ 71 FR 14719, March 23, 2006.

⁴¹ 71 FR 16115, March 30, 2006.

⁴² 76 FR 35910, June 20, 2011.

⁴³ 76 FR 39849, July 7, 2011.

⁴⁴ 77 FR 4762, January 31, 2012.

⁴⁵ 77 FR 23508, April 19, 2012.

⁴⁶ 77 FR 24932, April 26, 2012.

⁴⁷ 82 FR 32871, July 18, 2017.

⁴⁸ 82 FR 31046, July 5, 2017.

⁴⁹ 82 FR 48724, October 19, 2017.

effective October 31, 2017, Commerce issued a continuation of the antidumping duty orders on imports of BSS from France, Germany, Italy, and Japan.⁵⁰

Previous and related investigations

BSS has not been the subject of any other antidumping or countervailing duty investigations in the United States.

Commerce's five-year reviews

Commerce announced that it would conduct expedited reviews with respect to the orders on imports of BSS from France, Germany, Italy, and Japan with the intent of issuing the final results of these reviews based on the facts available not later than December 30, 2022.⁵¹ Commerce publishes its Issues and Decision Memoranda and its final results concurrently, accessible upon publication at <http://enforcement.trade.gov/frn/>. Issues and Decision Memoranda contain complete and up-to-date information regarding the background and history of the order, including scope rulings, duty absorption, changed circumstances reviews, and anticircumvention, as well as any decisions that may have been pending at the issuance of this report. Any foreign producers/exporters that are not currently subject to the antidumping duty orders on imports of BSS from France, Germany, Italy, and Japan are noted in the sections titled "The original investigations" and "U.S. imports," if applicable.

The product

Commerce's scope

Commerce has defined the scope as follows:

The product covered by the orders is brass sheet and strip, other than leaded and tinned brass sheet and strip, from France, Germany, Italy, and Japan. The chemical composition of the covered product is currently defined in the Copper Development Association ("C.D.A.") 200 Series or the Unified Numbering System ("U.N.S.") C2000. The orders do not cover products the chemical compositions of which are defined by other C.D.A.

⁵⁰ 82 FR 50396, October 31, 2017.

⁵¹ Letter from Alex Villanueva, Director, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nannette Christ, Director of Investigations, October 25, 2022.

or U.N.S. series. In physical dimensions, the product covered by the orders has a solid rectangular cross section over 0.006 inches (0.15 millimeters) through 0.188 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coiled, wound-on-reels (traverse wound), and cut-to-length products are included. ⁵²

U.S. tariff treatment

BSS is currently provided for in Harmonized Tariff Schedule of the United States (“HTS”) subheadings 7409.21.00 and 7409.29.00 and is currently imported under HTS statistical reporting numbers 7409.21.0050, 7409.21.0075, 7409.21.0090, 7409.29.0050, 7409.29.0075, and 7409.29.0090. These classifications also include products with dimensions outside the scope of the review, namely with a rectangular cross-section thickness more than 4.8 mm but less than 5.0 mm. BSS originating in France, Germany, Italy, and Japan comes into the U.S. market at a column 1-general duty rate of 1.9 percent ad valorem.⁵³ Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

Description and uses⁵⁴

The subject product is wrought⁵⁵ sheet and strip of brass (a zinc alloy of copper),⁵⁶ of solid rectangular cross section; over 0.006 inch (0.15 millimeter) but not over 0.188 inch (4.8

⁵² 82 FR 50397, October 31, 2017.

⁵³ HTSUS (2022) Revision 11, USITC Publication 5382, October 2022, p. 74-8.

⁵⁴ Unless otherwise noted, this information is based on Brass Sheet and Strip from France, Germany, Italy, and Japan, Investigation Nos. 731-TA-313–314, 317, and 379 (Fourth Review), USITC Publication 4733, October 2017 (“Fourth review publication”), pp. I-8 – I-9.

⁵⁵ The term “wrought” refers to products that have been rolled, forged, drawn, or extruded, and refers to cast or sintered products that have been machined or processed otherwise than by simple trimming, scalping, or descaling. However, these products are not sufficiently processed to be treated as articles of brass.

⁵⁶ Brass is an alloy of copper (not including nickel-silver) in which zinc is the principal alloying element, added as a hardener, with or without small quantities of other alloying metals. There are three general categories of brasses: copper-zinc alloys (“brasses”) covered by the Unified Numbering System (“UNS”) C20000 series; copper-zinc-lead alloys (“leaded brasses”) covered by the UNS C30000 series; and copper-zinc-tin alloys (“tin brasses”) covered by the UNS C40000 series. According to the Copper Development Association (“CDA”), the UNS C20000 series represents the bulk (roughly 90 percent, and most of this is C26000 series “cartridge brass,” which is 70 percent copper and 30 percent zinc) of U.S. production of BSS. In the original investigations, petitioners stated that leaded and tin brasses are

(continued...)

millimeters) in thickness;⁵⁷ in coils or cut to length; and meeting the composition specifications of the Unified Numbering System (“UNS”) C20000 series or the Copper Development Association (“CDA”) 200 series.⁵⁸ The chief characteristics of UNS C20000 series and CDA 200 series BSS are manufacturing ease due to excellent forming and drawing properties, attractive surface appearance, electrical conductivity, corrosion resistance, and strength. The common industry distinction between “brass strip” versus “brass sheet” is that strip consists of brass that is coiled or wound on reels of whatever gauge and width, while sheet consists of brass that is no longer coiled or wound but rather has been cut to length.

BSS end uses include electronics, automotive parts, apparel fasteners, cable wrap, eyelets, jewelry and other ornamentation, building and lock hardware, radiators, transportation equipment, coinage, medical devices, ammunition, telecommunications equipment, electronic terminals, household products, industrial machinery and equipment, stampers and component parts, and miscellaneous industrial applications. BSS is also an intermediate input to produce welded tube.

Manufacturing process⁵⁹

The BSS manufacturing process consists of casting, rolling, and finishing operations. Prior to casting, manufacturers purchase the raw material themselves or enter a “tolling” arrangement with customers who provide the raw materials and pay a fee to convert the input into sheet and strip. Scrap brass can be recovered within the brass mill’s own production process,⁶⁰ obtained from captive operations, or returned from customers through buy-back

essentially not competitive with UNS C20000 series brasses. For more information about CDA UNS standard designations for copper alloys, see: CDA, “UNS Standard Designation for Wrought and Cast Copper and Copper Alloys, Introduction,” ©2022, available at <https://copper.org/resources/standards/uns-standard-designations.php>.

⁵⁷ Gauges of 0.006 inch and below are considered foil, and gauges over 0.188 inch are considered plate.

⁵⁸ The UNS is managed jointly by the American Society for Testing and Materials (“ASTM”) and the Society of Automotive Engineers (“SAE”). For more information about the CDA UNS standard designations for copper alloys, see: CDA, “CDA UNS Standard Designation for Wrought and Cast Copper and Copper Alloys, Introduction,” ©2022, available at <https://copper.org/resources/standards/uns-standard-designations.php>.

⁵⁹ Unless otherwise noted, this information is based on Investigation Nos. 731-TA-313–314, 317, and 379 (Fourth Review): Brass Sheet and Strip from France, Germany, Italy, and Japan, in INV-PP-068, May 23, 2017 (“Fourth review confidential report”), pp. I-12-14.

⁶⁰ The proportion of scrap generated by various trimming operations in the successive stages of a mill’s production process is estimated by a domestic producer at *** percent of the starting weight of the slab. Fourth review confidential report, p. I-13.

arrangements.⁶¹ Manufacturers also purchase high-grade scrap brass and scrap copper through scrap dealers and brokers. Scrap brass and copper is then augmented with unwrought metals, namely refined copper cathode sections and high-grade refined zinc ingots.

In the most common casting process, the raw materials are melted in a furnace⁶² and then cast into ingots of various weights and dimensions, differentiated by brass alloy type and manufacturer.⁶³ An ingot is reheated to a proper working temperature in a furnace to prepare for rolling. Rolling consists of reducing the material's thickness by a succession of passes between heavy steel rolls.⁶⁴ In the initial, hot-rolling ("breakdown") stage, the ingot is passed through a reversible breakdown mill that reduces it down to a thickness of less than 0.5 inch.

After cooling, the material is coil milled to remove oxides and eliminate surface irregularities. Next, the material is passed through a cold rolling mill to uniformly reduce its thickness to fractions of an inch.⁶⁵ Several iterations of annealing⁶⁶ and cold rolling may be required to reduce the material down to final gauge. Finally, finishing operations such as

⁶¹ According to a domestic producer, buy-back arrangements are advantageous for both the customer and the brass mill. The customer avoids the costs of arranging for disposal of its scrapped brass while the mill is essentially buying back its own product (e.g., as stamping waste, trimmings, etc.) at a discount and is assured of the metallurgical quality of its purchased scrap.

⁶² When the input mix is remelted in a furnace, the molten metal is sampled to monitor and adjust its composition and quality. It then proceeds to a holding (casting) furnace before being poured into rectangular molds. The molds are cooled with water to solidify the brass into ingots. While technically possible to switch between brass and other non-zinc copper alloys, no mill that casts slabs does so due to direct expenses and opportunity costs arising from the downtime required to remove zinc from the furnace lining. Because a furnace contaminated with zinc cannot melt or cast alloys that do not contain zinc, either the furnace must be relined to avoid alloying-metal contamination or the contaminated cast ingot must be discarded. Rather, most mills have either dedicated furnace(s) for brass or long-term production schedules. For example, Wieland and Schwermetal have dedicated casting furnaces for brass and they do not switch to other copper alloy compositions.

⁶³ Newer vertical casting technology allows creation of near-continuous cast operations utilizing the direct chill technique. This overall procedure will vary somewhat for each alloy of brass produced in terms of the melt-down temperature, the type of cast, the cover used on the molds, the "drop rate," and the degree of cooling required.

⁶⁴ Mills can more readily switch between different copper alloys on the same equipment at the rolling stages without contamination problems than at the melting stage.

⁶⁵ In newer cold-rolling equipment, reversible passes between clustered rolls, guided by computer control achieves uniform thickness along the entire length of the coiled material.

⁶⁶ Because copper tends to work harden, it is necessary to anneal (or temper) the metal by heating in order to allow for continued cold reduction or forming. In the strip annealing process, a coil of metal is unwound and fed continuously through a furnace. It is then cleaned (by pickling with acid), dried, and recoiled in line with the furnace. In the bell annealing process, coils of metal are placed on a platform and covered by a retort or bell; the metal is then heated in a protective atmosphere by a furnace placed over the bell. The choice of annealing process is determined by such factors as strip thickness, alloy, and final product specifications.

cleaning, slitting (cutting to narrower widths), coating, or tinning,⁶⁷ are used on the product depending upon the customer's specifications. BSS is then shipped in coiled form or cut to length. Downstream industries use stamping and drawing processes—where the material is punched with a die to form a desired shape--on the subject product to fabricate intermediate or finished BSS.

The industry in the United States

U.S. producers

During the final phase of the original investigations for Brazil, Canada, France, Germany Italy, South Korea, and Sweden, the Commission received U.S. producer questionnaires from nine firms, which accounted for approximately 100 percent of production of BSS in the United States during 1985.⁶⁸ During the final phase of the original investigations for Japan and the Netherlands, the Commission received U.S. producer questionnaires from ten firms, which accounted for approximately *** percent of production of BSS in the United States during 1987.⁶⁹

During the first five-year reviews, the Commission received U.S. producer questionnaires from seven firms, which accounted for virtually all U.S. BSS production in 1998.⁷⁰

During the second five-year reviews, the Commission received U.S. producer questionnaires from eight firms, which accounted for virtually all U.S. production of BSS in the United States during 1999-2004.⁷¹

⁶⁷ Tinning, or coating brasses with tin, is merely a surface-treatment operation that does not otherwise convert copper-zinc alloys (brasses included in the UNS C20000 series) into copper-zinc-tin alloys (tin brasses included in the UNS C40000 series).

⁶⁸ Original publication for Brazil, Canada, and the Republic of Korea, p. A-13. Certain Brass Sheet and Strip from France, Italy, Sweden, and West Germany, Original publication for France, Italy, Sweden, and West Germany, p. A-15.

⁶⁹ Original confidential report for Japan and the Netherlands, p. A-18.

⁷⁰ Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, Japan, Korea, the Netherlands, and Sweden, Inv. Nos. 701-TA-269 & 270 and 731-TA-311-317 and 379-380 (Review), USITC Publication 3290, April 2000 ("First review publication"), pp. I-24, III-1.

⁷¹ Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, and Japan, Inv. Nos. 701-TA-269, 731-TA-31-314, and 379 (Second Review), USITC Publication 3842, March 2006 ("Second review publication"), p. I-19.

During the third five-year reviews, the Commission received U.S. producer questionnaires from nine firms (seven firms confirmed as U.S. producers of BSS), which accounted for virtually all U.S. production of BSS in the United States during 2005-10.⁷²

During the fourth five-year reviews, domestic interested parties provided a list of eight known and currently operating U.S. producers of BSS.⁷³ Five firms provided U.S. industry data in response to the Commission's notice of institution, which accounted for approximately *** percent of production of BSS in the United States during 2016.⁷⁴

In response to the Commission's notice of institution in these current reviews, domestic interested parties provided a list of five known and currently operating U.S. producers of BSS. Four firms providing U.S. industry data in response to the Commission's notice of institution accounted for approximately *** percent of production of BSS in the United States during 2021.^{75 76}

Recent developments

Table I-3 presents events in the U.S. industry since the Commission's last five-year reviews.⁷⁷

⁷² Brass Sheet and Strip from France, Germany, Italy, and Japan, Inv. Nos. 731-TA-313, 314, 317 and 379 (Third Review), USITC Publication 4313, April 2012 ("Third review publication"), p. I-18.

⁷³ Domestic Interested Parties' Response to the Notice of Institution, March 31, 2017, pp. 2-3 and 12.

⁷⁴ Fourth review confidential report, p. I-2.

⁷⁵ To the best of the domestic industry's knowledge, Eagle Metals is not related to a foreign producer or exporter of the subject product and is neither an importer of the subject merchandise nor related to such an importer under section 771(4)(B) of the Act (19 U.S.C. § 1677(4)(B)). Domestic interested parties' response to the notice of institution, October 3, 2022, p. 18, exh. 1.

⁷⁶ In 2019, U.S. producers Global Brass and Copper ("GBC") was acquired by Wieland-Werke AG, renamed Wieland Rolled Products North America, and made a subsidiary of Wieland Holdings, Inc. Domestic interested parties' response to the notice of institution, October 3, 2022, p. 21. GBC was the largest U.S. producer in the fourth five-year review, accounting for approximately *** percent of U.S. production of BSS in 2016. Confidential Staff Report from the Fourth Review Determination, EDIS Doc. 783452 (May 23, 2017) at I-2, B-3. Aurubis Buffalo is under common ownership with subject German producer Aurubis Stolberg GmbH KG under the parent company of Aurubis AG. Wieland Holdings, Inc. is under common ownership with a German producer of BSS Wieland-Werke AG. Schwermetal Halbzeugwerk GmbH & Co. KG, another German producer of BSS, is a joint venture owned 50.0 percent by Aurubis AG and 50.0 percent by Wieland-Werke AG. Neither Aurubis Buffalo nor Wieland Holdings, Inc. (including its U.S. affiliates) import or purchase subject brass sheet and strip from their affiliated companies in Germany. Domestic interested parties' supplemental response, October 26, 2022, pp. 2-3.

⁷⁷ For recent developments, if any, in tariff treatment, please see "U.S. tariff treatment" section.

Table I-3
BSS: Recent developments in the U.S. industry

Item	Firm	Event
Closure	Revere Copper	2016— Revere Copper Co. ceased production of BSS.
Acquisition	Wieland Group	July 2019— German producer Wieland-Werke AG (“Wieland Group”) and U.S. producer Global Brass and Copper (“GBC”) concluded their previously signed (in April 2019) merger agreement. GBC became a wholly owned subsidiary of the Wieland Group renamed as “Wieland Rolled Products North America” (“Wieland North America”).
Acquisition	Wieland Holdings	March 2020— Wieland Holdings Inc. acquired the assets of former specialty metals reroller Scott Brass in Cranston, Rhode Island.
Closure	Scott Brass	2021— The former Scott Brass specialty metals rolling facility in Cranston, Rhode Island, closed. ***.
Expansion	Wieland North America	December 2021— Wieland Rolled Products Group North America (“Wieland North America”) announced \$52 million in investments in new casting operations for its East Alton, Illinois facility, to meet anticipated growing demand for sustainable flat-rolled copper and copper alloy products. Construction is anticipated to commence in spring 2023 with completion anticipated in 2024.
Expansion	Eagle Metals	Late-2022— Eagle Metals Inc. installed a fifth rolling mill in its Leesport, Pennsylvania facility for commencement of operation by the end of 2022, to fulfill anticipated customer demand for copper and stainless steel strip. This new Sendzimir ZR-24 unit is anticipated to increase production capacity by 35 percent at the rolling facility.

Source: Domestic interested parties response to notice of institution, October 3, 2022, p. 21; exh. 4: Wieland Group, “Wieland Group and Global Brass and Copper Complete Merger,” press release, July 15, 2019; Wieland North America, “Wieland North America Acquires the Business of Specialty Metals Reroller Scott Brass,” press release, March 15, 2020, <https://www.wieland.com/en/about/news/wieland-north-america-acquires-the-business-of-specialty-metals-reroller-scott-brass>; Toto, DeAnne, “Wieland Invests in North American Operations,” Recycling Today, December 8, 2021, <https://www.recyclingtoday.com/article/wieland-east-alton-illinois-investment/>; Asenov, Grace, “Eagle Metals Forced to Diversify Copper, Stainless Suppliers,” Fastmarkets, September 26, 2022, <https://www.fastmarkets.com/insights/eagle-metals-diversify-copper-stainless-steel-suppliers>.

U.S. producers' trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution in the current five-year reviews.⁷⁸ Table I-4 presents a compilation of the trade and financial data submitted from all responding U.S. producers in the original investigations and subsequent five-year reviews.

Table I-4
BSS: Trade and financial data submitted by U.S. producers, by period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per 1,000 pounds; ratio is in percent

Item	Measure	1987	1998	2004	2010	2016	2021
Capacity	Quantity	543,176	715,429	606,983	579,000	608,200	***
Production	Quantity	462,286	514,907	441,125	368,321	383,193	***
Capacity utilization	Ratio	85.1	72.0	72.7	63.6	63.0	***
U.S. shipments	Quantity	471,416	508,942	428,939	367,396	379,667	***
U.S. shipments	Value	350,229	525,158	592,521	931,639	693,870	***
U.S. shipments	Unit value	0.74	1.03	1.38	2.54	1.83	***
Net sales	Value	352,874	536,197	662,630	1,114,554	684,676	***
COGS	Value	319,609	477,976	625,773	1,072,596	639,922	***
COGS to net sales	Ratio	90.6	89.1	94.4	96.2	93.5	***
Gross profit or (loss)	Value	33,265	58,221	36,857	41,958	44,754	***
SG&A expenses	Value	26,437	34,631	22,621	17,554	28,237	***
Operating income or (loss)	Value	6,828	23,590	14,236	24,404	16,518	***
Operating income or (loss) to net sales	Ratio	1.9	4.4	2.1	2.2	2.4	***

Source: For the years 1987-2016, data are compiled using data submitted in the Commission's original investigations, first, second, third, and fourth five-year reviews. For the year 2021, U.S. producers' U.S. shipments are compiled from the domestic interested parties' response to the Commission's notice of institution.

Note: The data reported in this table includes basic (integrated) U.S. producers only.

Note: For a discussion of data coverage, please see "U.S. producers" section.

⁷⁸ Individual company trade and financial data are presented in app. B.

Definitions of the domestic like product and domestic industry

The domestic like product is defined as the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the subject merchandise. The domestic industry is defined as the U.S. producers as a whole of the domestic like product, or those producers whose collective output of the domestic like product constitutes a major proportion of the total domestic production of the product. Under the related parties provision, the Commission may exclude a U.S. producer from the domestic industry for purposes of its injury determination if “appropriate circumstances” exist.⁷⁹

In its original antidumping duty determinations concerning brass sheet and strip from France, Germany, and Italy, the Commission defined the domestic like product to include brass material to be rerolled (“reroll”) and finished brass sheet and strip (“finished products”).⁸⁰ In its original antidumping duty determination and the remand determination concerning brass sheet and strip from Japan and the Netherlands, the Commission defined the domestic like product to be all Unified Numbering System (“UNS”) C20000 domestically produced brass sheet and strip.⁸¹ One Commissioner defined the domestic like product differently.⁸² In its full first, second, third, and fourth five-year review determinations, the Commission defined the domestic like product as all UNS C20000 series brass sheet and strip, coextensive with Commerce’s scope.⁸³

In its original antidumping duty determinations concerning brass sheet and strip from France, Germany, and Italy, the Commission defined the domestic industry to include primary mills with casting capabilities and rerollers.⁸⁴ In its original antidumping duty determination and the remand determination concerning brass sheet and strip from Japan and the Netherlands, the Commission defined the domestic industry as producers of the corresponding domestic like product.⁸⁵ One Commissioner defined the domestic industry differently.⁸⁶ In its full first,

⁷⁹ Section 771(4)(B) of the Tariff Act of 1930, 19 U.S.C. § 1677(4)(B).

⁸⁰ Original publication for Brazil, Canada, and Republic of Korea, pp. 6-7.

⁸¹ Original investigation for Japan and the Netherlands, pp. 4-6.

⁸² Dissenting Views of Commissioner Ronald Cass, Original investigation for Japan and the Netherlands, pp. 57-60.

⁸³ First review publication, p. 7; Second review publication, p. 7; Third review publication, p. 6; Fourth review publication, p. 7.

⁸⁴ Original publication for Brazil, Canada, and Republic of Korea, pp. 6-7; Original publication for France, Italy, Sweden and West Germany, p. 10.

⁸⁵ Original publication for Japan and the Netherlands, pp. 4-6.

⁸⁶ Dissenting Views of Commissioner Ronald Cass, Original publication for Japan and the Netherlands, pp. 57-60.

second, third, and fourth five-year review determinations, the Commission defined the domestic industry to consist of the domestic producers of UNS C20000 series brass sheet and strip, including rerollers as well as basic producers.⁸⁷

There were no related party issues in the original investigations.

In the first five-year reviews, the Commission found two U.S. firms, PMX and Outokumpu American Brass, to be related parties, but found that appropriate circumstances did not exist to exclude either from the domestic industry.⁸⁸

In the second reviews, domestic reroller Wieland Metals was a related party because it was owned by a producer and exporter of subject imports from Germany. The Commission determined that appropriate circumstances did not exist to exclude Wieland Metals from the domestic industry.⁸⁹

In the third reviews, the Commission found Wieland Metals to be a related party, as well as ***, whose parent company produced subject BSS in Germany. The Commission determined that appropriate circumstances did not exist to exclude either company from the domestic industry.⁹⁰

In the fourth reviews, the Commission indicated *** and Wieland Metals may have been related parties. The Commission determined that while ***, it did not meet the statutory definition of a related party as there was no information on the record that its affiliated German producers were exporters of subject merchandise or that it and its affiliated German producers were under common control. The Commission found that Wieland Metals was a related party but found that appropriate circumstances did not exist to exclude Wieland Metals as a related party.

In its notice of institution for these reviews, the Commission solicited comments from interested parties regarding the appropriate definition of the domestic industry and inquired as

⁸⁷ Original publication for Brazil, Canada, and Korea, p. 9; Original publication for France, Germany, and Italy, p. 10; Original publication for Japan and the Netherlands, p. 10; First review publication, p. 7; Second review publication, pp. 8-9; Third review publication, p. 8; Fourth review publication, p. 9. In the current five-year review, the Domestic Industry agrees with the Commission's definitions of the domestic like product and the domestic industry. Domestic Interested Parties' response, October 3, 2022, p. 23.

⁸⁸ OMX was controlled by a Korean producer and Outokumpu American Brass was wholly owned by a Finnish company that also owned the only subject producer from the Netherlands. First Review Determinations, USITC publication 3290 at 7-9.

⁸⁹ Second Review Determinations, USITC publication 3842, pp. 8-9.

⁹⁰ Third Review Determinations, USITC publication 4313, pp. 7-8; Confidential Third Review Opinion, EDIS Doc. 477838, pp. 8-11.

to whether any related parties issues existed. The domestic interested parties provided the following information: “Aurubis Buffalo is under common ownership with a German producer of BSS Aurubis Stolberg GmbH KG under the parent company of Aurubis AG. Wieland Holdings, Inc. is under common ownership with a German producer of BSS Wieland-Werke AG. Another German producer of BSS, Schwermetal Halbzeugwerk GmbH & Co. KG is a joint venture owned 50.0 percent by Aurubis AG and 50.0 percent by Wieland-Werke AG. Neither Aurubis Buffalo nor Wieland Holdings, Inc. (including its U.S. affiliates) import or purchase subject brass sheet and strip from their affiliated companies in Germany”.⁹¹ ⁹² The domestic interested parties agree with the Commission’s prior determinations to include all domestic producers of BSS in the domestic industry.⁹³

U.S. importers

During the final phase of the original investigations the Commission received U.S. importer questionnaires from 15 firms, which supplied the Commission with usable information on their operations involving the importation of BSS from Brazil, Canada, and South Korea.⁹⁴ During the final phase of the original investigations, the Commission received U.S. importer questionnaires from 19 firms, which supplied the Commission with usable information on their operations involving the importation of BSS from France, Italy, Germany, and Sweden.⁹⁵ During the final phase of the original investigations on Japan and the Netherlands, the Commission received U.S. importer questionnaires from *** firms, which accounted for approximately *** percent of total U.S. imports of BSS from Japan during 1987.⁹⁶

During the first five-year reviews, the Commission received U.S. importer questionnaires from seven firms, none of which imported BSS From Brazil, Canada, France, Italy, South Korea,

⁹¹ Domestic interested parties’ supplemental response, October 26, 2022, pp. 2-3.

⁹² In 2019, U.S. producer GBC was acquired by Wieland-Werke AG, renamed Wieland Rolled Products North America, and made a subsidiary of Wieland Holdings, Inc. Response Domestic interested parties’ response, October 26, 2022, p. 21. GBC was the largest U.S. producer in the fourth five-year review, accounting for approximately *** percent of U.S. production of BSS in 2016. Confidential Staff Report from the Fourth Review Determination, EDIS Doc. 783452 (May 23, 2017) at I-2, B-3.

⁹³ Domestic interested parties’ response to the Notice of Institution, October 3, 2022, p. 23.

⁹⁴ Original publication for Brazil, Canada, and the Republic of Korea, pp. A-16-17.

⁹⁵ Original publication for France, Italy, Sweden, and West Germany, p. A-18.

⁹⁶ Investigation Nos. 731-TA-379-380 (Final): Certain Brass Sheet and Strip from Japan and the Netherlands—Staff Report, INV-L-051, July 18, 1988, (“Original confidential report for Japan and the Netherlands”), pp. A-22-23.

or Sweden.⁹⁷ Import data presented in the first reviews are based on official questionnaire responses.

During the second five-year reviews, the Commission received U.S. importer questionnaires from 12 firms.⁹⁸ One importer reported imports of BSS from Italy, two reported imports of BSS from Japan and no importers reported imports of BSS from Brazil, Canada, France, or Germany.⁹⁹ Import data presented in the second reviews are based on official Commerce statistics.

During the third five-year reviews, the Commission received U.S. importer questionnaires from eight firms, which accounted for 2.9 percent of imports of BSS from Germany and none of the imports of BSS from France, Italy, and Japan during 2005-10.¹⁰⁰ Import data presented in the third reviews are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year reviews, the domestic interested parties provided a list of 42 firms that may currently import BSS from France, Germany, Italy, and Japan.¹⁰¹ Import data presented in the fourth reviews are based on official Commerce statistics.

Although the Commission did not receive responses from any respondent interested parties in these current reviews, in its response to the Commission's notice of institution, the domestic interested parties provided a list of 35 potential U.S. importers of BSS.¹⁰²

U.S. imports

Table I-5 presents the quantity, value, and unit value of U.S. imports from France, Germany, Italy, and Japan as well as the other top sources of U.S. imports (shown in descending order of 2021 imports by quantity).

⁹⁷ First review publication, p. I-21.

⁹⁸ Second review publication, p. I-21.

⁹⁹ Second review publication, p. IV-1, n. 2.

¹⁰⁰ Third review publication, p. IV-1.

¹⁰¹ Brass Sheet and Strip from France, Germany, Italy, and Japan, Inv. Nos. 731-TA-313-314, 317, 379 (Fourth Review), USITC Publication 4733, October 2017 ("Fourth review publication"), p. I-15.

¹⁰² Domestic interested parties' response to the notice of institution, October 3, 2022, exh.1.

Table I-5
BSS: U.S. imports, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound

U.S. imports from	Measure	2017	2018	2019	2020	2021
France	Quantity	---	0	---	4	3
Germany	Quantity	5,124	4,964	4,820	2,695	7,278
Italy	Quantity	2	4	5	18	2
Japan	Quantity	904	694	828	267	316
Subject sources	Quantity	6,030	5,662	5,652	2,985	7,598
Brazil	Quantity	5,471	10,668	9,748	12,358	16,464
Bulgaria	Quantity	2,853	3,482	4,366	3,005	4,755
Mexico	Quantity	4,674	3,343	3,259	3,406	4,196
All other sources	Quantity	6,597	5,697	4,368	5,690	10,617
Nonsubject sources	Quantity	19,594	23,189	21,741	24,460	36,032
All import sources	Quantity	25,624	28,852	27,393	27,445	43,630
France	Value	---	4	---	237	16
Germany	Value	17,297	20,019	21,069	10,235	35,697
Italy	Value	8	50	40	327	77
Japan	Value	2,969	2,331	2,697	976	1,473
Subject sources	Value	20,274	22,404	23,806	11,775	37,264
Brazil	Value	15,099	31,739	26,932	32,321	62,633
Bulgaria	Value	9,045	11,542	13,933	10,083	19,948
Mexico	Value	13,560	10,757	9,876	10,530	16,896
All other sources	Value	21,087	19,684	14,065	19,311	48,653
Nonsubject sources	Value	58,790	73,722	64,806	72,245	148,131
All import sources	Value	79,064	96,126	88,611	84,020	185,395
France	Unit value	---	164.73	---	57.10	6.25
Germany	Unit value	3.38	4.03	4.37	3.80	4.90
Italy	Unit value	4.31	11.36	8.58	17.87	49.06
Japan	Unit value	3.28	3.36	3.26	3.65	4.67
Subject sources	Unit value	3.36	3.96	4.21	3.94	4.90
Brazil	Unit value	2.76	2.98	2.76	2.62	3.80
Bulgaria	Unit value	3.17	3.31	3.19	3.35	4.20
Mexico	Unit value	2.90	3.22	3.03	3.09	4.03
All other sources	Unit value	3.20	3.46	3.22	3.39	4.58
Nonsubject sources	Unit value	3.00	3.18	2.98	2.95	4.11
All import sources	Unit value	3.09	3.33	3.23	3.06	4.25

Source: Compiled from official Commerce statistics for HTS statistical reporting numbers 7409.21.0050, 7409.21.0075, 7409.21.0090, 7409.29.0050, 7409.29.0075, and 7409.29.0090, accessed October 12, 2022. These data may be overstated because the HTS statistical reporting numbers contain products outside the scope of these reviews.

Note: Because of rounding, figure may not add to total shown. Zeros, null values, and undefined calculations are suppressed and shown as "----" and values less than "0.05" are shown as "0."

Cumulation considerations¹⁰³

In assessing whether imports should be cumulated in five-year reviews, the Commission considers, among other things, whether there is a likelihood of a reasonable overlap of competition among subject imports and the domestic like product. Additional information concerning geographical markets and simultaneous presence in the market is presented below.¹⁰⁴

There were no reported U.S. imports of BSS from France during 2017 and 2019. Imports from France were only reported in 5 of the 60 months between 2017 and 2021. Imports from Germany were reported in 60 of the 60 months between 2017 and 2021. Imports from Italy were reported in 16 of the 60 months between 2017 and 2021. Imports from Japan were reported in 57 of the 60 months between 2017 and 2021.

While there were no imports of BSS from France in 2017, all imports from France entered through eastern borders of entry in all years from 2018 through 2020. While imports from France entered through all but western borders of entry in 2021, the majority entered through the eastern border. The majority of imports of BSS from France in 2021 were entered through the same eastern border of entry (New York, NY). The majority of imports of BSS from Germany entered through eastern borders of entry followed by northern borders of entry in all years from 2017 through 2021. The majority of imports of BSS from Germany in 2021 were entered through the same eastern border of entry (New York, NY). The majority of imports from Italy entered through eastern borders of entry from 2017 to 2021, with the exception of 2020, where the majority of imports entered through the southern border. All imports of BSS from Italy in 2021 were entered through the eastern border of entry (New York, NY) and the northern border of entry (Cleveland, OH). The majority of imports from Japan entered through eastern borders of entry in all years from 2017 through 2021. The majority of imports of BSS from Japan in 2021 were entered through the same eastern border of entry (New York, NY).

¹⁰³ Unless otherwise noted, this information is based on official U.S. import statistics for HTS statistical reporting numbers 7409.21.0050, 7409.21.0075, 7409.21.0090, 7409.29.0050, 7409.29.0075, and 7409.29.0090.

¹⁰⁴ In addition, available information concerning subject country producers and the global market is presented in the next section of this report.

Apparent U.S. consumption and market shares

Table I-6 presents data on U.S. producers' U.S. shipments, U.S. imports, apparent U.S. consumption, and market shares.

Table I-6
BSS: Apparent U.S. consumption and market shares, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; shares in percent

Source	Measure	1987	1998	2004	2010	2016	2021
U.S. producers	Quantity	471,416	508,942	428,939	367,396	379,667	***
France	Quantity	47	83	142	62	14	3
Germany	Quantity	29,392	4,978	2,648	5,582	6,489	7,278
Italy	Quantity	3,107	564	182	21	2	2
Japan	Quantity	19,968	4,945	3,163	398	726	316
Subject sources	Quantity	52,514	10,570	6,135	6,063	7,231	7,598
Nonsubject sources	Quantity	***	34,736	67,509	26,601	16,509	36,032
All import sources	Quantity	***	45,305	73,643	32,664	23,741	43,630
Apparent U.S. consumption	Quantity	570,361	554,247	502,582	400,060	403,408	***
U.S. producers	Value	350,229	525,158	592,521	931,639	693,870	***
France	Value	43	120	231	271	61	16
Germany	Value	31,351	6,785	4,464	21,064	19,966	35,697
Italy	Value	3,193	901	364	74	12	77
Japan	Value	21,328	8,521	6,620	1,644	2,499	1,473
Subject sources	Value	55,915	16,327	11,679	23,053	22,538	37,264
Nonsubject sources	Value	39,509	39,941	101,752	88,575	42,958	148,131
All import sources	Value	95,424	56,268	113,431	111,628	65,495	185,395
Apparent U.S. consumption	Value	453,576	581,426	705,952	1,043,267	759,365	***

Table continued.

Table I-6 Continued**BSS: Apparent U.S. consumption and market shares, by source and period**

Quantity in 1,000 pounds; value in 1,000 dollars; shares in percent

Source	Measure	1987	1998	2004	2010	2016	2021
U.S. producers	Share of quantity	70.3	91.8	85.3	91.8	94.1	***
France	Share of quantity	0.0	0.0	0.0	0.0	0.0	***
Germany	Share of quantity	***	0.9	0.5	1.4	1.6	***
Italy	Share of quantity	***	0.1	0.0	0.0	0.0	***
Japan	Share of quantity	***	0.9	0.6	0.1	0.2	***
Subject sources	Share of quantity	***	1.9	1.1	1.5	1.8	***
Nonsubject sources	Share of quantity	***	6.2	13.4	6.6	4.1	***
All import sources	Share of quantity	7.3	8.2	14.7	8.2	5.9	***
U.S. producers	Share of value	77.2	90.3	83.9	89.3	91.4	***
France	Share of value	0.0	0.0	0.0	0.0	0.0	***
Germany	Share of value	6.9	1.2	0.6	2.0	2.6	***
Italy	Share of value	0.7	0.2	0.1	0.0	0.0	***
Japan	Share of value	4.7	1.5	0.9	0.2	0.3	***
Subject sources	Share of value	12.3	2.9	1.6	2.2	2.9	***
Nonsubject sources	Share of value	8.7	6.9	14.4	8.5	5.7	***
All import sources	Share of value	22.8	9.7	16.1	10.7	8.6	***

Source: For the years 1987-2016, data are compiled using data submitted in the Commission's original investigations, first, second, third, and fourth five-year reviews. For the year 2021, U.S. producers' U.S. shipments are compiled from the domestic interested parties' response to the Commission's notice of institution and U.S. imports are compiled using official Commerce statistics under HTS statistical reporting numbers 7409.21.0050, 7409.21.0075, 7409.21.0090, 7409.29.0050, 7409.29.0075, and 7409.29.0090, accessed October 12, 2022.

Note: Imports from Germany in 2004 are believed to consist principally of nonsubject brass sheet and strip. Second review publication, p. IV-1, n. 3.

Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent.

Note: Share of quantity is the share of apparent U.S. consumption by quantity in percent; share of value is the share of apparent U.S. consumption by value in percent.

Note: For a discussion of data coverage, please see "U.S. producers" and "U.S. importers" sections.

The industry in France

During the final phase of the original investigations, the Commission identified six foreign producers/exporters of various types of brass rolled products from France during 1986 but did not receive any useable questionnaire responses. *** the BSS exports to the United States from France were accounted for by one firm, ***.¹⁰⁵

During the first reviews, while two firms were identified as producers of BSS in France, but the Commission did not receive any useable questionnaire responses.¹⁰⁶

During the second five-year reviews, the domestic interested parties identified six producers/exporters of BSS in France, but the Commission did not receive any useable questionnaires.¹⁰⁷

During the third five-year reviews, while the domestic interested parties identified six producers/exporters of BSS in France, the Commission only received foreign producer/exporter questionnaires from one firm, ***, indicating it was not a producer of the subject product in France.¹⁰⁸

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year reviews, the domestic interested parties provided a list of four possible producers of BSS in France in that proceeding.¹⁰⁹

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of four possible producers of BSS in France.¹¹⁰

¹⁰⁵ Inv. Nos. 701-TA-270 and 731-TA-313, 314, 316, and 317 (Final): Certain Brass Sheet and Strip from France, Italy, Sweden, and West Germany, Confidential Report, INV-K-009, February 2, 1987, as revised in INV-K-011, February 12, 1987, (“Original confidential report for France, Italy, Sweden, and West Germany”), p. A-59.

¹⁰⁶ First review publication, p. IV-7.

¹⁰⁷ Two firms ***. Inv. Nos. 701-TA-269 and 270 and 731-TA-311-314, 317, and 379 (Second Review): Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, and Japan, Confidential Report, INV-DD-021, February 15, 2006, (“Second review confidential report”), p. IV-14.

¹⁰⁸ Inv. Nos. 731-TA-313, 314, 317 and 379 (Third Review): Brass Sheet and Strip from France, Germany, Italy, and Japan, Confidential Report, INV-KK-020, March 1, 2012, as revised in INV-KK-028, March 7, 2012, (“Third review confidential report”), p. IV-8.

¹⁰⁹ Fourth review publication, p. I-30.

¹¹⁰ Domestic interested parties’ response to the notice of institution, October 3, 2022, exh.1.

Table I-7 presents events in the French industry since the Commission’s last five-year reviews.

Table I-7
BSS: Recent developments in the French industry

Item	Firm	Event
Acquisition	TG GRISET	2016— GRISET SA was acquired by nonsubject Chinese copper and copper alloy fabricator Tongling Nonferrous Metal Group (“TNMG”) and renamed as “TG GRISET S.A.S.”
Acquisition	HME Brass France SAS	April 2019— The KME Group’s Brass Division facilities in Boisthorel, France; Berlin, Germany; and Serravalle, Italy, were acquired by nonsubject Chinese copper and copper alloy fabricator Zhejiang Hailiang Co. Ltd., a subsidiary of the Hailiang Group. The former KME Brass France SAS was renamed by Zhejiang Metal Europe (“HME”) as “HME Brass France SAS.”

Source: Domestic interested parties response to notice of institution, October 3, 2022, p. 22; exh. 5: GRISET, “250 Years of Innovation Enrich Your and Our Present,” no date; HME, “About the Company,” ©2022, <https://www.hmemetal.com/en/about-us/company/>.

Table I-8 presents export data for brass plate, sheet, and strip, a category that includes BSS and out-of-scope products, from France (by export destination in descending order of quantity for 2021). Top destination markets Germany (30.1 percent), Hungary (22.5 percent), and Spain (12.7 percent) together accounted for almost two-thirds (65.4 percent) of brass plate, sheet, and strip exports reported by France in 2021.

Table I-8
Brass plate, sheet, and strip: Quantity of exports from France, by destination and period, 2017–21

Quantity in 1,000 pounds

Destination market	2017	2018	2019	2020	2021
Germany	1,753	2,689	2,040	1,374	1,469
Hungary	556	815	695	881	1,099
Spain	527	627	558	480	619
Austria	469	478	385	287	423
Italy	361	431	371	404	379
Switzerland	105	125	124	181	256
Poland	157	189	133	101	165
Romania	238	161	123	117	125
Tunisia	2	29	45	63	78
Belgium	12	10	15	11	59
All other markets	367	188	104	194	201
All markets	4,546	5,743	4,594	4,094	4,873

Source: S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022. These data may be overstated as these HS subheadings contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

The industry in Germany

During the final phase of the original investigations, seven firms were identified as producers of BSS in Germany.¹¹¹

During the first five-year reviews, the Commission identified ten producers of BSS in Germany and received useable foreign producer/exporter questionnaires from *** firm.¹¹²

During the second five-year reviews, the Commission received foreign producer/exporter questionnaires from three firms, which accounted for ***, ***, and *** percent, respectively, of total production of BSS in Germany in 2004.¹¹³

¹¹¹ These seven firms reported capacity to produce BSS ranging from 543.9 million pounds in 1983 to 564.5 million pounds in 1984, production ranging from 533.2 million pounds in 1983 to 572.8 million pounds in 1984, and exported 8.0 percent to 12.0 percent of their production to the United States from 1983 to 1985. Original publication for France, Italy, Sweden, and West Germany, pp. A-44-47.

¹¹² *** reported ***. Investigations Nos. 701-TA-269-270 (Review) and 731-TA-311-317 and 379-80 (Review): Brass Sheet and Strip from Brazil, Canada, France, Germany, Italy, Japan, Korea, the Netherlands, and Sweden, Confidential Report, INV-X-054, March 8, 2000, as supplemented in INV-X-063, March 23, 2000 (“First review confidential report”), pp. IV-7-8.

¹¹³ Second review confidential report, pp. IV-15-IV-16.

During the third five-year reviews, the Commission received useable foreign producer/exporter questionnaires from three firms, which accounted for approximately *** percent of production of BSS in Germany during 2010 and reported that exports of BSS to the United States during the period of review ***.¹¹⁴

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year reviews, the domestic interested parties provided a list of 14 possible producers of BSS in Germany.¹¹⁵

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of 13 possible producers of BSS in Germany.¹¹⁶

Table I-9 presents events in the German industry since the Commission’s last five-year reviews.

**Table I-9
BSS: Recent developments in the German industry**

Item	Firm	Event
Acquisition	KME	February 2019— KME AG completed its €80 million acquisition of another integrated BSS producer, MKM Mansfelder und Messing GmbH (“MKM”).
Acquisition	HME Brass Germany GmbH	April 2019— The KME Group’s Brass Division facilities in Boisthorel, France; Berlin, Germany; and Serravalle, Italy, were acquired by nonsubject Chinese copper and copper alloy fabricator Zhejiang Hailiang Co. Ltd., a subsidiary of the Hailiang Group. The former KME Brass Germany GmbH was renamed by Zhejiang Metal Europe (“HME”) as “HME Brass Germany GmbH.”
New name	KME Mansfeld	June 2019— KME AG renamed its previously acquired MKM subsidiary as “KME Mansfeld GmbH.”

Source: Domestic interested parties response to notice of institution, October 3, 2022, pp. 21–22; exh. 5: KME, “The European Commission Clears the Acquisition of MKM by KME,” press release, December 11, 2018; KME, “KME Acquires MKM,” press release, February 28, 2019; KME, “KME Mansfeld GmbH: Change of Name Officially Completed,” press release, June 1, 2019; HME, “About the Company,” ©2022, <https://www.hmemetal.com/en/about-us/company/>.

¹¹⁴ Three firms indicated they have not produced or exported BSS during period of review. Third review confidential report, pp. IV-12-14.

¹¹⁵ Fourth review publication, p. I-33.

¹¹⁶ Domestic interested parties’ response to the notice of institution, October 3, 2022, exh.1.

Table I-10 presents export data for brass plate, sheet, and strip, a category that includes BSS and out-of-scope products, from Germany (by export destination in descending order of quantity for 2021). Top destination markets France (16.9 percent), Switzerland (9.9 percent), the United States (9.9 percent), Italy (9.8 percent), and Czechia (9.3 percent) together accounted for over one-half (55.7 percent) of brass plate, sheet, and strip exports reported by Germany in 2021.

Table I-10
Brass plate, sheet, and strip: Quantity of exports from Germany, by destination and period, 2017–21

Quantity in 1,000 pounds

Destination market	2017	2018	2019	2020	2021
France	15,597	17,366	13,037	10,699	14,162
Switzerland	20,375	20,203	13,733	8,697	8,342
United States	8,891	8,263	6,398	4,004	8,279
Italy	15,673	12,350	7,194	6,404	8,205
Czech Republic	14,258	13,412	10,047	8,135	7,843
United Kingdom	22,488	16,013	12,558	6,046	6,528
Spain	9,173	7,077	4,818	4,708	6,466
Poland	3,114	3,419	2,458	2,697	3,961
Singapore	3,761	3,197	2,109	2,394	2,764
Netherlands	2,683	3,413	2,854	2,691	2,141
All other markets	25,715	22,794	16,171	15,004	15,326
All markets	141,727	127,506	91,377	71,477	84,018

Source: S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022. These data may be overstated as these HS subheadings contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

The industry in Italy

During the final phase of the original investigations, the Commission identified four foreign producers/exports of BSS and received foreign producer/exporter questionnaires from one firm.¹¹⁷ It *** and accounted for the great majority of exports of subject BSS from Italy to the United States.¹¹⁸

¹¹⁷ Original confidential report, pp. A-60, A-61.

¹¹⁸ *Ibid.*

During the first five-year reviews, the Commission sent questionnaires to five firms. Three firms reported they did not produce BSS in Italy and two firms did not provide useable questionnaire responses.¹¹⁹

During the second five-year reviews, eight firms were identified as producers/exporters of BSS in Italy, but the Commission did not receive any useable questionnaire responses.¹²⁰

During the third five-year reviews, the Commission received usable foreign producer/exporter questionnaires from one firm, which accounted for approximately *** percent of production of BSS in Italy during 2010.¹²¹

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year reviews, the domestic interested parties provided a list of eight possible producers of BSS in Italy in that proceeding.¹²²

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of seven possible producers of BSS in Italy.¹²³

Table I-11 presents events in the Italian industry since the Commission’s last five-year reviews.

Table I-11
BSS: Recent developments in the Italian industry

Item	Firm	Event
Acquisition	HME Brass Italy SpA	April 2019— The KME Group’s Brass Division facilities in Boisthorel, France; Berlin, Germany; and Serravalle, Italy, were acquired by nonsubject Chinese copper and copper alloy fabricator Zhejiang Hailiang Co. Ltd., a subsidiary of the Hailiang Group. The former KME Brass Italy SpA was renamed by Zhejiang Metal Europe (“HME”) as “HME Brass Italy SpA.”
Acquisition	KME Italy	June 2021— KME Italy SpA (“KME Italy”) completed its €21.8 million acquisition of the Rolled Products business unit of S.A. Eredi Gnutti Metalli SpA (“EGM”).

Source: HME, “About the Company,” ©2022, <https://www.hmemetal.com/en/about-us/company/>; KME Group, “KME Group: Completion of the Acquisition of S.A. Eredi Gnutti Metalli SpA’s Rolled Products Business,” press release, June 3, 2021, <https://www.kme.com/en/about-us/completion-of-the-acquisition-of-sa-eredi-gnutti-metalli-spas-rolled-products-business-1>.

¹¹⁹ First review confidential report, pp. IV-8-10.

¹²⁰ Second review publication, p. IV-13.

¹²¹ Third review confidential report, pp. IV-18-19.

¹²² Fourth review publication, p. I-24.

¹²³ Domestic interested parties’ response to the notice of institution, October 3, 2022, exh. 1.

Table I-12 presents export data for brass plate, sheet, and strip, a category that includes BSS and out-of-scope products, from Italy (by export destination in descending order of quantity for 2021). Top destination markets Germany (33.6 percent), France (15.0 percent), and Switzerland (10.4 percent) together accounted for almost three-fifths (59.1 percent) of brass plate, sheet, and strip exports reported by Italy in 2021.

Table I-12
Brass plate, sheet, and strip: Quantity of exports from Italy, by destination and period, 2017–21

Quantity in 1,000 pounds

Destination market	2017	2018	2019	2020	2021
Germany	16,515	19,655	19,457	15,680	25,643
France	9,967	9,637	8,433	7,578	11,433
Switzerland	4,227	5,861	6,399	7,891	7,953
Czech Republic	4,163	5,013	4,443	5,663	6,788
Spain	3,443	3,827	3,230	2,739	4,059
Hungary	1,271	611	759	1,857	2,483
United Kingdom	1,499	1,221	2,143	3,020	1,873
Poland	1,241	1,290	1,019	1,115	1,730
Slovenia	1,094	1,122	923	978	1,653
Belgium	1,130	1,417	1,491	1,125	1,396
All other markets	13,407	13,795	11,519	10,521	11,241
All markets	57,959	63,448	59,818	58,166	76,252

Source: S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022. These data may be overstated as these HS subheadings contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

The industry in Japan

During the final phase of the original investigations, eight producers of brass rolled products in Japan were identified.¹²⁴

During the first five-year reviews, the Commission identified six producers of BSS in Japan and received foreign producer/exporter questionnaires from five firms.¹²⁵ Only *** firm reported shipments of BSS to the United States during the review period.¹²⁶

During the second five-year reviews, 20 firms were identified as producers/exporters of BSS in Japan, but the Commission received only one partial questionnaire response.¹²⁷

During the third five-year reviews, the Commission received useable foreign producer/exporter questionnaires from one firm, which accounted for approximately *** percent of production of BSS in Japan during 2010, and approximately *** percent of BSS exports from Japan to the United States during 2010.¹²⁸

Although the Commission did not receive responses from any respondent interested parties in its fourth five-year reviews, the domestic interested parties provided a list of 21 possible producers of BSS in Japan in that proceeding.¹²⁹

Although the Commission did not receive responses from any respondent interested parties in these five-year reviews, the domestic interested parties provided a list of 18 possible producers of BSS in Japan.¹³⁰

Table I-13 presents events in the Japanese industry since the Commission's last five-year reviews.

¹²⁴ Original confidential report for Japan and the Netherlands, p. A-42.

¹²⁵ First review confidential report, p. IV-10.

¹²⁶ *Ibid.*

¹²⁷ Second review publication, p. IV-14.

¹²⁸ Third review confidential report, p. IV-22.

¹²⁹ Fourth review publication, p. I-25.

¹³⁰ Domestic interested parties' response to the notice of institution, October 3, 2022, exh.1.

Table I-13
BSS: Recent developments in the Japanese industry

Item	Firm	Event
Expansion plans	MMC	April 2020— After absorbing its subsidiary Mitsubishi Shindoh Co. Ltd., parent company Mitsubishi Materials Corp. (“MMC”) issued a corporate announcement about planned capital expenditures of ¥30 billion during fiscal years 2021–27 “...as a growth strategy to increase our production capacity by about 30% from the current level.” The corporate announcement also mentioned that “...MMC has defined the Copper & Copper Alloy Business as a key driver for growth and conducts business management with the aim of promoting business development globally and achieving growth that exceeds the market growth.”
Acquisition	Mitsubishi Shindoh	April 2020— Mitsubishi Shindoh Co. Ltd. was absorbed into its parent company MMC to fulfill the July-2019 absorption-type merger agreement.

Source: Domestic interested parties response to notice of institution, October 3, 2022, p. 22; exh. 5: MMC, “Notice Regarding Absorption-type Merger (Simplified Merger) of Mitsubishi Shindoh Co. Ltd, a Consolidated Subsidiary,” corporate announcement, July 31, 2019.

Table I-14 presents export data for brass plate, sheet, and strip, a category that includes BSS and out-of-scope products, from Japan (by export destination in descending order of quantity for 2021). Top destination markets China (36.9 percent), Thailand (32.5 percent), and Vietnam (8.8 percent) together accounted for over three-fourths (78.2 percent) of brass plate, sheet, and strip exports reported by Japan in 2021.

Table I-14
Brass plate, sheet, and strip: Quantity of exports from Japan, by destination and period, 2017–21

Quantity in 1,000 pounds

Destination market	2017	2018	2019	2020	2021
China	16,412	15,936	13,941	13,227	15,992
Thailand	12,823	14,957	13,573	10,446	14,081
Vietnam	2,638	2,972	3,109	2,103	3,823
Indonesia	2,617	2,427	2,324	1,707	2,828
Philippines	1,463	1,648	1,756	1,439	2,246
Hong Kong	1,747	1,177	1,232	1,160	1,022
United States	1,139	1,163	1,045	671	851
Malaysia	918	818	752	617	726
Singapore	359	445	718	525	527
India	577	502	433	336	465
All other markets	1,015	1,211	999	669	780
All markets	41,706	43,256	39,880	32,901	43,341

Source: S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022. These data may be overstated as these HS subheadings contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

Third-country trade actions

Based on available information, BSS from France, Germany, Italy, and Japan has not been subject to other antidumping or countervailing duty investigations outside the United States.

The global market

Table I-15 presents global export data for brass plate, sheet, and strip, a category that includes BSS and out-of-scope products, (by source in descending order of quantity for 2021). Leading exporters South Korea (13.3 percent), Germany (13.1 percent), Italy (11.9 percent), China (7.8 percent), and Japan (6.8 percent) together accounted for over one-half (52.8 percent) of global exports of brass plate, sheet, and strip reported in 2021. France exported 4.9 million pounds of brass plate, sheet, and strip in 2021, which was 0.8 percent of global exports reported in that year.¹³¹

¹³¹ S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022.

Table I-15
Brass plate, sheet, and strip: Quantity of global exports by reporting exporter and period, 2017–21

Quantity in 1,000 pounds

Exporter	2017	2018	2019	2020	2021
South Korea	98,872	97,674	89,664	84,475	85,365
Germany	141,727	127,506	91,377	71,477	84,018
Italy	57,959	63,448	59,818	58,166	76,252
China	20,862	27,620	25,456	21,911	50,173
Japan	41,706	43,256	39,880	32,901	43,341
Turkey	22,787	26,334	20,281	26,608	39,227
Bulgaria	31,590	35,833	38,385	40,366	38,644
Netherlands	48,652	55,822	46,318	39,894	32,501
Thailand	18,998	18,780	18,209	33,953	32,213
Taiwan	36,018	35,536	29,440	28,479	30,475
All other exporters	156,898	150,879	119,979	111,588	129,752
All exporters	676,068	682,688	578,807	549,820	641,961

Source: S&P Global Inc., Global Trade Atlas, HS subheadings 7409.21 and 7409.29, accessed October 21, 2022. These data may be overstated as these HS subheadings contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

Note: Global data excludes exports reported by Chile, Rwanda, Namibia, and Nepal in units other than pounds.

APPENDIX A
FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, Federal Register notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
87 FR 53785 September 1, 2022	<i>Brass Sheet and Strip From France, Germany, Italy, and Japan; Institution of Five-Year Reviews</i>	https://www.govinfo.gov/content/pkg/FR-2022-09-01/pdf/2022-18914.pdf
87 FR 53727 September 1, 2022	<i>Initiation of Five-Year (Sunset) Reviews</i>	https://www.govinfo.gov/content/pkg/FR-2022-09-01/pdf/2022-18925.pdf

APPENDIX B
COMPANY-SPECIFIC DATA

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APPENDIX C
SUMMARY DATA COMPILED IN PRIOR PROCEEDINGS

Table C-1

BSS: Summary data concerning the U.S. market, 1997-98, January-June 1998, and January-June 1999

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound;
period changes=percent, except where noted)

Item	Reported data				Period changes	
	1997	1998	January-June		1997-98	Jan.-June 1998-99
			1998	1999		
U.S. consumption quantity:						
Amount	553,303	554,247	285,103	299,654	0.2	5.1
Producers' share (1)	93.9	91.8	93.8	92.4	-2.1	-1.4
Importers' share (1):						
Brazil	0.0	0.0	0.0	0.1	0.0	0.1
Canada	0.5	2.4	1.2	0.7	2.0	-0.4
France	0.0	0.0	0.0	0.0	0.0	0.0
Germany	0.7	0.9	0.8	0.7	0.2	-0.1
Italy	0.1	0.1	0.1	0.0	-0.0	-0.1
Japan	0.6	0.9	0.7	1.0	0.3	0.4
Korea	0.0	0.0	0.0	0.0	-0.0	0.0
Netherlands	0.0	0.1	0.0	0.1	0.1	0.1
Sweden	0.0	0.0	0.0	0.0	0.0	-0.0
Subtotal	2.0	4.4	2.8	2.8	2.4	0.0
Other sources	4.1	3.7	3.4	4.8	-0.3	1.4
Total imports	6.1	8.2	6.2	7.6	2.1	1.4
U.S. consumption value:						
Amount	648,255	581,426	303,924	290,731	-10.3	-4.3
Producers' share (1)	92.2	90.3	92.5	90.4	-1.9	-2.1
Importers' share (1):						
Brazil	0.0	0.0	0.0	0.1	0.0	0.1
Canada	0.7	2.5	1.2	0.9	1.8	-0.2
France	0.0	0.0	0.0	0.0	0.0	0.0
Germany	1.0	1.2	1.1	1.0	0.2	-0.1
Italy	0.2	0.2	0.2	0.1	-0.0	-0.1
Japan	1.1	1.5	1.1	1.9	0.4	0.8
Korea	0.0	0.0	0.0	0.0	-0.0	0.0
Netherlands	0.1	0.1	0.0	0.2	0.1	0.1
Sweden	0.0	0.0	0.0	0.0	0.0	-0.0
Subtotal	3.0	5.4	3.6	4.2	2.4	0.6
Other sources	4.8	4.3	3.9	5.4	-0.5	1.4
Total imports	7.8	9.7	7.5	9.6	1.9	2.1
U.S. imports from:						
Brazil:						
Quantity	0	0	0	371	0.0	(2)
Value	0	0	0	393	0.0	(2)
Unit value	(2)	(2)	(2)	\$1.06	(2)	(2)
Ending inventory quantity	0	0	0	0	0.0	0.0
Canada:						
Quantity	2,498	13,424	3,281	2,219	437.4	-32.4
Value	4,478	14,325	3,543	2,688	219.9	-24.1
Unit value	\$1.79	\$1.07	\$1.08	\$1.21	-40.5	12.2
Ending inventory quantity	0	0	0	0	0.0	0.0
France:						
Quantity	0	83	(3)	81	(2)	(4)
Value	0	120	2	99	(2)	(4)
Unit value	(2)	\$1.46	\$356.83	\$1.23	(2)	-99.7
Ending inventory quantity	0	0	0	0	0.0	0.0

Table continued on next page.

Table C-1--Continued

BSS: Summary data concerning the U.S. market, 1997-98, January-June 1998, and January-June 1999

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound;
period changes=percent, except where noted)

Item	Reported data				Period changes	
	1997	1998	January-June		1997-98	Jan.-June
			1998	1999		1998-99
U.S. imports from:						
Germany:						
Quantity	4,117	4,978	2,409	2,158	20.9	-10.4
Value	6,469	6,785	3,397	2,828	4.9	-16.8
Unit value	\$1.57	\$1.36	\$1.41	\$1.31	-13.2	-7.1
Ending inventory quantity	***	***	***	***	***	***
Italy:						
Quantity	648	564	325	148	-13.0	-54.5
Value	1,074	901	505	223	-16.2	-55.8
Unit value	\$1.66	\$1.60	\$1.56	\$1.51	-3.7	-2.9
Ending inventory quantity	0	0	0	0	0.0	0.0
Japan:						
Quantity	3,527	4,945	1,922	3,126	40.2	62.6
Value	7,009	8,521	3,330	5,539	21.6	66.3
Unit value	\$1.99	\$1.72	\$1.73	\$1.77	-13.3	2.3
Ending inventory quantity	***	***	***	***	***	***
Korea:						
Quantity	1	1	0	22	-34.7	(2)
Value	5	3	0	29	-39.7	(2)
Unit value	\$3.96	\$3.66	(2)	\$1.32	-7.6	(2)
Ending inventory quantity	0	0	0	0	0.0	0.0
Netherlands:						
Quantity	267	552	56	285	106.8	408.6
Value	403	805	82	446	99.6	445.0
Unit value	\$1.51	\$1.46	\$1.46	\$1.56	-3.5	7.2
Ending inventory quantity	0	0	0	0	0.0	0.0
Sweden:						
Quantity	0	1	1	0	(2)	-100.0
Value	0	5	5	0	(2)	-100.0
Unit value	(2)	\$6.24	\$6.24	(2)	(2)	(2)
Ending inventory quantity	0	0	0	0	0.0	0.0
Subtotal:						
Quantity	11,058	24,547	7,994	8,410	122.0	5.2
Value	19,438	31,464	10,865	12,246	61.9	12.7
Unit value	\$1.76	\$1.28	\$1.36	\$1.46	-27.1	7.1
Ending inventory quantity	***	***	***	***	***	***
Other sources:						
Quantity	22,628	20,758	9,567	14,262	-8.3	49.1
Value	30,996	24,804	11,891	15,557	-20.0	30.8
Unit value	\$1.37	\$1.19	\$1.24	\$1.09	-12.8	-12.2
Ending inventory quantity	0	0	0	0	0.0	0.0
All sources:						
Quantity	33,686	45,305	17,561	22,672	34.5	29.1
Value	50,434	56,268	22,756	27,803	11.6	22.2
Unit value	\$1.50	\$1.24	\$1.30	\$1.23	-17.0	-5.4
Ending inventory quantity	***	***	***	***	***	***

Table continued on next page.

Table C-1--Continued

BSS: Summary data concerning the U.S. market, 1997-98, January-June 1998, and January-June 1999

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound;
period changes=percent, except where noted)

Item	Reported data				Period changes	
	1997	1998	January-June		1997-98	Jan.-June 1998-99
			1998	1999		
U.S. basic producers ¹ :						
Average capacity quantity	653,987	715,429	357,924	364,119	9.4	1.7
Production quantity	545,128	514,907	268,982	281,717	-5.5	4.7
Capacity utilization (1)	83.4	72.0	75.2	77.4	-11.4	2.2
U.S. shipments:						
Quantity	519,617	508,942	267,542	276,982	-2.1	3.5
Value	597,821	525,158	281,168	262,928	-12.2	-6.5
Export shipments:						
Quantity	22,473	7,736	3,379	9,026	-65.6	167.1
Value	26,266	6,741	2,766	6,631	-74.3	139.7
Ending inventory quantity	36,045	34,274	34,108	29,983	-4.9	-12.1
Inventories/total shipments (1)	6.6	6.6	6.3	5.2	-0.0	-1.1
Production workers	2,838	2,829	2,844	2,782	-0.3	-2.2
Hours worked (1,000s)	4,337	4,206	2,372	2,176	-3.0	-8.3
Wages paid (\$1,000s)	76,836	76,763	42,450	41,520	-0.1	-2.2
Hourly wages	\$17.72	\$18.25	\$17.90	\$19.08	3.0	6.6
Productivity (pounds per hour)	125.7	122.4	113.4	129.5	-2.6	14.2
Unit labor costs	\$0.14	\$0.15	\$0.16	\$0.15	5.8	-6.6
Net sales:						
Quantity	555,408	532,033	278,184	290,913	-4.2	4.6
Value	628,162	536,197	285,422	269,109	-14.6	-5.7
Cost of goods sold (COGS)	566,529	477,976	252,439	235,333	-15.6	-6.8
Gross profit or (loss)	61,633	58,221	32,983	33,776	-5.5	2.4
SG&A expenses	33,512	34,631	17,854	16,476	3.3	-7.7
Operating income or (loss)	28,121	23,590	15,129	17,300	-16.1	14.3
Capital expenditures	43,024	38,608	17,599	14,917	-10.3	-15.2
COGS/sales (1)	90.2	89.1	88.4	87.4	-1.0	-1.0
Operating income or (loss)/ sales (1)	4.5	4.4	5.3	6.4	-0.1	1.1

(1) "Reported data" are in percent and "period changes" are in percentage points.

(2) Not applicable.

(3) Less than 500 pounds.

(4) Increase greater than 1,000 percent.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis.

Source: Compiled from data submitted in response to Commission questionnaires and from official Commerce statistics.

Table C-1
BSS: Summary data concerning the U.S. market, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data						January-September		Period changes						Jan.-Sept. 2004-2005
	1999	2000	2001	2002	2003	2004	2004	2005	1999-2004	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	
U.S. consumption quantity:															
Amount	602,176	616,895	448,434	495,450	458,962	502,582	392,791	345,713	-16.5	2.4	-27.3	10.5	-7.4	9.5	-12.0
Producers' share (1)	92.6	89.6	85.2	88.1	87.1	85.3	85.9	86.2	-7.3	-3.0	-4.4	2.9	-1.0	-1.8	0.3
Importers' share (1):															
Brazil	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.1	-0.1	-0.0	0.0	-0.0	-0.0	-0.0
Canada	0.7	0.8	1.0	0.3	0.0	0.0	0.0	0.0	-0.7	0.1	0.2	-0.7	-0.3	0.0	-0.0
France	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.0	0.0	-0.0	-0.0	0.0	-0.0
Germany	0.8	0.9	0.8	0.8	0.7	0.5	0.5	0.5	-0.2	0.1	-0.0	-0.0	-0.2	-0.1	0.0
Italy	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	-0.0	-0.0	-0.0	0.0	-0.0	0.0	0.0
Japan	0.8	0.8	0.8	0.7	0.6	0.6	0.7	0.6	-0.2	-0.1	0.1	-0.1	-0.1	0.0	-0.0
Subtotal	2.5	2.4	2.7	1.9	1.3	1.2	1.2	1.2	-1.2	-0.0	0.2	-0.8	-0.6	-0.1	-0.0
All other sources	4.9	8.0	12.1	10.0	11.5	13.4	12.9	12.6	8.5	3.1	4.1	-2.1	1.6	1.9	-0.2
Total imports	7.4	10.4	14.8	11.9	12.9	14.7	14.1	13.8	7.3	3.0	4.4	-2.9	1.0	1.8	-0.3
U.S. consumption value:															
Amount	633,561	706,447	516,891	545,748	519,488	705,952	547,382	566,803	11.4	11.5	-26.8	5.6	-4.8	35.9	3.5
Producers' share (1)	91.4	88.3	84.1	87.3	86.2	83.9	84.6	85.0	-7.5	-3.1	-4.2	3.2	-1.1	-2.3	0.3
Importers' share (1):															
Brazil	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.1	-0.1	-0.0	0.0	-0.0	-0.0	-0.0
Canada	0.8	1.1	1.1	0.3	0.0	0.0	0.0	0.0	-0.8	0.3	0.0	-0.9	-0.3	0.0	-0.0
France	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.0	0.0	-0.0	-0.0	0.0	-0.0
Germany	0.9	1.0	1.0	0.9	0.8	0.6	0.6	0.7	-0.3	0.1	-0.0	-0.1	-0.1	-0.2	0.1
Italy	0.1	0.1	0.1	0.1	0.0	0.1	0.0	0.1	-0.0	0.0	-0.0	0.0	-0.0	0.0	0.0
Japan	1.4	1.3	1.3	1.1	0.9	0.9	1.0	0.9	-0.5	-0.1	-0.0	-0.2	-0.2	-0.0	-0.1
Subtotal	3.4	3.5	3.5	2.4	1.8	1.7	1.7	1.6	-1.7	0.1	-0.0	-1.1	-0.6	-0.1	-0.1
All other sources	5.2	8.2	12.4	10.3	12.0	14.4	13.7	13.4	9.2	3.0	4.3	-2.1	1.7	2.4	-0.3
Total imports	8.6	11.7	15.9	12.7	13.8	16.1	15.4	15.0	7.5	3.1	4.2	-3.2	1.1	2.3	-0.3
U.S. imports from:															
Brazil:															
Quantity	697	43	0	115	44	12	12	0	-98.3	-93.8	-100.0	(2)	-61.7	-73.1	-100.0
Value	735	52	0	95	52	12	12	0	-98.4	-92.9	-100.0	(2)	-44.7	-76.9	-100.0
Unit value	\$1.05	\$1.20	(2)	\$0.83	\$1.19	\$1.02	\$1.02	(2)	-2.9	13.7	(2)	(2)	44.4	-14.2	(2)
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Canada:															
Quantity	4,193	4,756	4,478	1,435	37	72	52	18	-98.3	13.4	-5.9	-67.9	-97.5	97.4	-65.6
Value	5,233	7,693	5,843	1,528	44	172	135	42	-96.7	47.0	-24.0	-73.9	-97.1	291.6	-68.9
Unit value	\$1.25	\$1.62	\$1.31	\$1.06	\$1.20	\$2.39	\$2.60	\$2.34	91.3	29.6	-19.3	-18.4	13.1	98.3	-9.8
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
France:															
Quantity	81	41	54	0	0	142	113	33	76.5	-49.5	33.4	-100.0	-100.0	(2)	-71.2
Value	99	53	62	4	0	231	183	63	132.6	-47.1	18.6	-93.8	-100.0	(2)	-65.4
Unit value	\$1.23	\$1.29	\$1.15	\$350.99	(2)	\$1.62	\$1.62	\$1.94	31.8	4.8	-11.1	30,472.8	(2)	(2)	20.1
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Germany:															
Quantity	4,575	5,272	3,665	4,044	3,006	2,648	1,948	1,736	-42.1	15.2	-30.5	10.3	-25.7	-11.9	-10.9
Value	5,983	7,399	5,350	5,079	4,317	4,464	3,329	3,847	-25.4	23.7	-27.7	-5.1	-15.0	3.4	15.6
Unit value	\$1.31	\$1.40	\$1.46	\$1.26	\$1.44	\$1.69	\$1.71	\$2.22	28.9	7.3	4.0	-14.0	14.4	17.4	29.7
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Italy:															
Quantity	297	296	178	287	114	182	123	160	-38.8	-0.2	-40.0	61.8	-60.2	58.8	30.1
Value	395	456	278	445	218	364	243	353	-7.8	15.6	-39.2	60.2	-51.0	66.9	45.2
Unit value	\$1.33	\$1.54	\$1.56	\$1.55	\$1.90	\$2.00	\$1.98	\$2.20	50.6	15.9	1.3	-1.0	23.2	5.1	11.6
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Japan:															
Quantity	4,994	4,666	3,672	3,547	2,824	3,163	2,591	2,165	-36.7	-6.6	-21.3	-3.4	-20.4	12.0	-16.4
Value	9,156	9,204	6,599	5,979	4,876	6,620	5,425	5,039	-27.7	0.5	-28.3	-9.4	-18.5	35.8	-7.1
Unit value	\$1.83	\$1.97	\$1.80	\$1.69	\$1.73	\$2.09	\$2.09	\$2.33	14.2	7.6	-8.9	-6.2	2.4	21.2	11.1
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Subtotal (subject sources):															
Quantity	14,837	15,074	12,046	9,428	6,025	6,218	4,840	4,112	-58.1	1.6	-20.1	-21.7	-36.1	3.2	-15.0
Value	21,602	24,857	18,132	13,129	9,507	11,863	9,327	9,343	-45.1	15.1	-27.1	-27.6	-27.6	24.8	0.2
Unit value	\$1.46	\$1.65	\$1.51	\$1.39	\$1.58	\$1.91	\$1.93	\$2.27	31.0	13.3	-8.7	-7.5	13.3	20.9	17.9
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources:															
Quantity	29,526	49,097	54,121	49,501	52,975	67,425	50,479	43,600	128.4	66.3	10.2	-8.5	7.0	27.3	-13.6
Value	32,854	57,742	64,254	56,168	62,242	101,568	74,822	75,838	209.2	75.8	11.3	-12.6	10.8	63.2	1.4
Unit value	\$1.11	\$1.18	\$1.19	\$1.13	\$1.17	\$1.51	\$1.48	\$1.74	35.4	5.7	0.9	-4.4	3.5	28.2	17.3
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
All sources:															
Quantity	44,363	64,171	66,167	58,930	58,999	73,643	55,318	47,712	66.0	44.7	3.1	-10.9	0.1	24.8	-13.7
Value	54,456	82,599	82,386	69,297	71,749	113,431	84,148	85,182	108.3	51.7	-0.3	-15.9	3.5	58.1	1.2
Unit value	\$1.23	\$1.29	\$1.25	\$1.18	\$1.22	\$1.54	\$1.52	\$1.79	25.5	4.9	-3.3	-5.6	3.4	26.7	17.4
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***

Table continued on next page.

Table C-1--Continued

BSS: Summary data concerning the U.S. market, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data						January-September		Period changes						
	1999	2000	2001	2002	2003	2004	2004	2005	1999-2004	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	Jan.-Sept. 2004-2005
U.S. basic producers:															
Average capacity quantity	634,779	644,373	587,613	628,599	598,991	606,983	456,363	448,083	-4.4	1.5	-8.8	7.0	-4.7	1.3	-1.8
Production quantity	573,981	558,227	387,191	446,192	407,574	441,125	346,976	302,879	-23.1	-2.7	-30.6	15.2	-8.7	8.2	-12.7
Capacity utilization (1)	90.4	86.6	65.9	71.0	68.0	72.7	76.0	67.6	-17.7	-3.8	-20.7	5.1	-2.9	4.6	-8.4
U.S. shipments:															
Quantity	557,813	552,724	382,267	436,520	399,963	428,939	337,473	298,001	-23.1	-0.9	-30.8	14.2	-8.4	7.2	-11.7
Value	579,105	623,848	434,505	476,451	447,739	592,521	463,234	481,621	2.3	7.7	-30.4	9.7	-6.0	32.3	4.0
Unit value	\$1.04	\$1.13	\$1.14	\$1.09	\$1.12	\$1.38	\$1.37	\$1.62	33.1	8.7	0.7	-4.0	2.6	23.4	17.7
Export shipments:															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	42,229	39,150	31,954	33,027	31,921	36,398	35,479	26,297	-13.8	-7.3	-18.4	3.4	-3.3	14.0	-25.9
Inventories/total shipments (1)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	1,560	1,466	1,281	1,348	1,308	1,203	1,217	1,122	-22.9	-6.0	-12.6	5.2	-3.0	-8.0	-7.8
Hours worked (1,000s)	3,433	3,250	2,695	2,855	2,719	2,624	2,021	1,779	-23.6	-5.3	-17.1	5.9	-4.8	-3.5	-12.0
Wages paid (\$1,000)	73,432	70,554	61,275	63,956	65,239	64,314	46,592	41,061	-12.4	-3.9	-13.2	4.4	2.0	-1.4	-11.9
Hourly wages	\$21.39	\$21.71	\$22.74	\$22.40	\$23.99	\$24.51	\$23.05	\$23.08	14.6	1.5	4.7	-1.5	7.1	2.2	0.1
Productivity (pounds per hour)	167.2	171.8	143.7	156.3	149.9	168.1	171.7	170.3	0.5	2.7	-16.4	8.8	-4.1	12.2	-0.8
Unit labor costs	\$0.13	\$0.13	\$0.16	\$0.14	\$0.16	\$0.15	\$0.13	\$0.14	14.0	-1.2	25.2	-9.4	11.7	-8.9	1.0
Net sales (3):															
Quantity	618,559	607,953	425,452	477,693	433,965	468,561	367,523	333,216	-24.2	-1.7	-30.0	12.3	-9.2	8.0	-9.3
Value	659,604	710,815	502,923	538,653	498,797	662,630	518,715	551,870	0.5	7.8	-29.2	7.1	-7.4	32.8	6.4
Unit value	\$1.07	\$1.17	\$1.18	\$1.13	\$1.15	\$1.41	\$1.41	\$1.66	32.6	9.6	1.1	-4.6	1.9	23.0	17.3
Cost of goods sold (COGS)	585,341	634,186	468,186	497,114	460,339	625,773	490,771	533,697	6.9	8.3	-26.2	6.2	-7.4	35.9	8.7
Gross profit or (loss)	74,263	76,629	34,737	41,539	38,458	36,857	27,944	18,173	-50.4	3.2	-54.7	19.6	-7.4	-4.2	-35.0
SG&A expenses	25,330	32,920	29,397	31,578	29,035	22,621	16,951	15,825	-10.7	30.0	-10.7	7.4	-8.1	-22.1	-6.6
Operating income or (loss)	48,933	43,709	5,340	9,961	9,423	14,236	10,993	2,348	-70.9	-10.7	-87.8	86.5	-5.4	51.1	-78.6
Capital expenditures	48,561	60,409	43,455	18,020	26,874	23,293	15,709	15,417	-52.0	24.4	-28.1	-58.5	49.1	-13.3	-1.9
Unit COGS	\$0.95	\$1.04	\$1.10	\$1.04	\$1.06	\$1.34	\$1.34	\$1.60	41.1	10.2	5.5	-5.4	1.9	25.9	19.9
Unit SG&A expenses	\$0.04	\$0.05	\$0.07	\$0.07	\$0.07	\$0.05	\$0.05	\$0.05	17.9	32.2	27.6	-4.3	1.2	-27.8	3.0
Unit operating income or (loss)	\$0.08	\$0.07	\$0.01	\$0.02	\$0.02	\$0.03	\$0.03	\$0.01	-61.6	-9.1	-82.5	66.1	4.1	39.9	-76.4
COGS/sales (1)	88.7	89.2	93.1	92.3	92.3	94.4	94.6	96.7	5.7	0.5	3.9	-0.8	0.0	2.1	2.1
Operating income or (loss)/ sales (1)	7.4	6.1	1.1	1.8	1.9	2.1	2.1	0.4	-5.3	-1.3	-5.1	0.8	0.0	0.3	-1.7

(1) "Reported data" are in percent and "period changes" are in percentage points.

(2) Undefined.

(3) Financial data include the operations of both basic producers and rerollers.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from official statistics of the U.S. Department of Commerce and from data submitted in response to Commission questionnaires.

Table C-2
BSS: Summary data of U.S. rerollers, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data						January-September		Period changes						
	1999	2000	2001	2002	2003	2004	2004	2005	1999-2004	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004	Jan.-Sept. 2004-2005
U.S. rerollers:															
Average capacity quantity	58,870	59,231	60,121	62,256	60,296	60,283	45,212	45,212	2.4	0.6	1.5	3.6	-3.1	-0.0	0.0
Production quantity	45,314	42,660	27,116	29,586	22,673	30,141	24,475	20,624	-33.5	-5.9	-36.4	9.1	-23.4	32.9	-15.7
Capacity utilization (1)	77.0	72.0	45.1	47.5	37.6	50.0	54.1	45.6	-27.0	-4.9	-26.9	2.4	-9.9	12.4	-8.5
U.S. shipments:															
Quantity	43,988	41,707	27,236	29,460	22,681	28,879	23,871	20,025	-34.3	-5.2	-34.7	8.2	-23.0	27.3	-16.1
Value	64,419	66,090	42,984	43,989	36,638	53,463	47,495	46,389	-17.0	2.6	-35.0	2.3	-16.7	45.9	-2.3
Unit value	\$1.46	\$1.58	\$1.58	\$1.49	\$1.62	\$1.85	\$1.99	\$2.32	26.4	8.2	-0.4	-5.4	8.2	14.6	16.4
Export shipments:															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Inventories/total shipments (1) . .	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	122	122	102	109	82	96	96	85	-21.3	0.0	-16.4	6.9	-24.8	17.1	-11.5
Hours worked (1,000s)	291	290	213	237	176	222	177	135	-23.7	-0.3	-26.5	11.0	-25.5	26.1	-23.6
Wages paid (\$1,000)	5,564	5,607	4,531	5,125	3,609	4,336	3,382	2,639	-22.1	0.8	-19.2	13.1	-29.6	20.1	-22.0
Hourly wages	\$19.09	\$19.31	\$21.24	\$21.65	\$20.46	\$19.50	\$19.15	\$19.55	2.1	1.1	10.0	1.9	-5.5	-4.7	2.1
Productivity (pounds per hour) . .	155.5	146.9	127.1	125.0	128.5	135.5	138.6	152.8	-12.8	-5.5	-13.5	-1.7	2.8	5.4	10.2
Unit labor costs	\$0.12	\$0.13	\$0.17	\$0.17	\$0.16	\$0.14	\$0.14	\$0.13	17.2	7.0	27.1	3.7	-8.1	-9.6	-7.4

(1) "Reported data" are in percent and "period changes" are in percentage points.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires.

Table C-1
 C2000-series brass sheet and strip: Summary data concerning the U.S. market, 2005-10, January-September 2010, and January-September 2011

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data								Period changes						
	2005	2006	2007	2008	2009	2010	January-September		2005-10	2005-06	2006-07	2007-08	2008-09	2009-10	Jan.-Sept.
							2010	2011							2010-11
U.S. consumption quantity:															
Amount	424,871	435,217	389,039	367,480	338,798	400,060	310,807	289,223	-5.8	2.4	-10.6	-5.5	-7.8	18.1	-6.9
Producers' share (1)	85.6	87.0	89.3	90.3	93.3	91.8	92.6	90.9	6.2	1.4	23	1.0	3.0	-1.5	-1.7
Importers' share (1):															
France	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.0	-0.0	0.0	0.0	0.0	-0.0
Germany	0.5	0.7	0.7	1.2	1.1	1.4	1.3	2.5	0.9	0.2	0.0	0.5	-0.0	0.3	1.2
Italy	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.0	-0.0	0.0	0.0	-0.0	-0.0	0.0
Japan	0.7	0.6	0.5	0.6	0.2	0.1	0.1	0.1	-0.6	-0.1	-0.1	0.1	-0.3	-0.1	0.0
Subtotal	1.2	1.3	1.2	1.8	1.4	1.5	1.4	2.6	0.3	0.1	-0.1	0.6	-0.4	0.1	1.2
All other sources	13.2	11.7	9.5	7.9	5.3	6.6	5.9	6.5	-6.5	-1.5	-2.2	-1.6	-2.6	1.4	0.5
Total imports	14.4	13.0	10.7	9.7	6.7	8.2	7.4	9.1	-6.2	-1.4	-2.3	-1.0	-3.0	1.5	1.7
U.S. consumption value: Amount															
Amount	644,381	1,015,621	978,162	947,879	705,800	1,043,267	773,584	905,659	61.9	57.6	-37	-3.1	-25.5	47.8	17.1
Producers' share (1)	82.7	83.9	86.1	87.5	91.9	89.3	90.0	88.1	6.6	1.3	21	1.4	4.4	-2.6	-1.9
Importers' share (1):															
France	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-0.0	-0.0	0.0	0.0	0.0	-0.0
Germany	0.7	1.0	1.0	1.8	1.6	2.0	1.9	3.6	1.3	0.2	0.0	0.9	-0.2	0.4	1.7
Italy	0.1	0.0	0.1	0.1	0.0	0.0	0.0	0.0	-0.1	-0.0	0.0	-0.0	-0.0	-0.0	0.0
Japan	1.0	0.8	0.7	0.9	0.3	0.2	0.2	0.2	-0.9	-0.2	-0.1	0.1	-0.5	-0.2	0.0
Subtotal	1.8	1.8	1.7	2.7	2.0	2.2	2.1	3.8	0.4	-0.0	-0.0	1.0	-0.8	0.3	1.7
All other sources	15.5	14.3	12.2	9.8	6.2	8.5	7.8	8.0	-7.0	-1.2	-2.1	-2.4	-3.6	2.3	0.2
Total imports	17.3	16.1	13.9	12.5	8.1	10.7	10.0	11.9	-6.6	-1.3	-2.1	-1.4	-4.4	2.6	1.9
U.S. imports from:															
France:															
Quantity	33	6	0	0	2	62	62	0.4	88.8	-82.6	-100.0	(2)	(2)	3019.1	-99.3
Value	68	67	0	0	22	271	271	4	299.5	-1.2	-100.0	(2)	(2)	1140.7	-98.5
Unit value	\$2.08	\$11.82	(2)	(2)	\$11.06	\$4.40	\$4.40	\$9.96	111.5	468.0	(2)	(2)	(2)	-60.2	126.4
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Germany:															
Quantity	2,083	2,889	2,668	4,258	3,816	5,582	4,011	7,153	168.1	38.7	-7.7	59.6	-10.4	46.3	78.3
Value	4,609	9,654	9,428	17,285	11,248	21,064	14,746	32,831	357.0	109.5	-2.3	83.3	-34.9	87.3	122.6
Unit value	\$2.21	\$3.34	\$3.53	\$4.06	\$2.95	\$3.77	\$3.68	\$4.59	70.5	51.0	5.8	14.9	-27.4	28.0	24.8
Ending inventory quantity	0	25	18	71	73	83	63	76	(2)	(2)	-27.5	285.2	2.7	14.3	20.4
Italy:															
Quantity	196	116	148	151	29	21	21	56	-89.3	-41.0	27.8	2.0	-80.9	-27.5	169.1
Value	443	424	617	485	83	74	70	231	-83.3	-4.3	45.6	-21.4	-82.9	-11.0	229.7
Unit value	\$2.26	\$3.66	\$4.17	\$3.21	\$2.87	\$3.53	\$3.37	\$4.13	56.2	62.2	13.9	-22.9	-10.7	22.9	22.5
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Japan:															
Quantity	2,772	2,485	1,827	2,145	839	398	348	399	-85.6	-10.4	-26.5	17.4	-60.9	-52.6	14.5
Value	6,517	7,997	6,989	8,068	2,466	1,644	1,440	1,765	-74.8	22.7	-12.6	15.4	-69.4	-33.4	22.6
Unit value	\$2.35	\$3.22	\$3.82	\$3.76	\$2.94	\$4.13	\$4.13	\$4.42	75.7	36.9	18.9	-1.6	-21.9	40.6	7.1
Ending inventory quantity	0	0	0	0	0	0	0	0	(2)	(2)	(2)	(2)	(2)	(2)	(2)
Subtotal (subject sources):															
Quantity	5,084	5,496	4,643	6,553	4,686	6,063	4,442	7,609	19.3	8.1	-15.5	41.1	-28.5	29.4	71.3
Value	11,637	18,141	17,033	25,838	13,819	23,053	16,528	34,831	98.1	55.9	-6.1	51.7	-46.5	66.8	110.7
Unit value	\$2.29	\$3.30	\$3.67	\$3.94	\$2.95	\$3.80	\$3.72	\$4.58	66.1	44.2	11.1	7.5	-25.2	28.9	23.0
Ending inventory quantity	0	25	18	71	73	83	63	76	(2)	(2)	-27.5	285.2	2.7	14.3	20.4
All other sources:															
Quantity	55,930	50,967	36,918	29,172	17,946	26,601	18,447	18,662	-52.4	-8.9	-27.6	-21.0	-38.5	48.2	1.2
Value	99,883	144,905	119,193	93,004	43,514	88,575	60,486	72,706	-11.3	45.1	-17.7	-22.0	-53.2	103.6	20.2
Unit value	\$1.79	\$2.84	\$3.23	\$3.19	\$2.42	\$3.33	\$3.28	\$3.90	86.4	59.2	13.6	-1.3	-23.9	37.3	18.8
Ending inventory quantity	927	1,180	428	340	469	532	417	360	-42.6	27.3	-63.7	-20.5	38.0	13.3	-13.8
All sources:															
Quantity	61,013	56,463	41,561	35,725	22,632	32,664	22,889	26,270	-46.5	-7.5	-26.4	-14.0	-36.6	44.3	14.8
Value	111,520	163,047	136,227	118,841	57,334	111,628	77,014	107,537	0.1	46.2	-16.4	-12.8	-51.8	94.7	39.6
Unit value	\$1.83	\$2.89	\$3.28	\$3.33	\$2.53	\$3.42	\$3.36	\$4.09	87.0	58.0	13.5	1.5	-23.8	34.9	21.7
Ending inventory quantity	927	1,205	446	411	542	615	481	436	-33.6	30.0	-63.0	-7.9	31.9	13.5	-9.3

Table continued on next page.

Table C-1--Continued

C2000-series brass sheet and strip: Summary data concerning the U.S. market, 2005-10, January-September 2010, and January-September 2011

Item	(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes-percent, except where noted)														
	Reported data								Period changes						
	2005	2006	2007	2008	2009	2010	January-September		2005-10	2005-06	2006-07	2007-08	2008-09	2009-10	Jan.-Sept. 2010-11
						2010	2011								
U.S. producers:															
Average capacity quantity.....	579,000	579,000	579,000	579,000	579,000	579,000	440,825	440,825	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Production quantity.....	363,809	373,597	344,268	332,022	315,940	368,321	283,849	257,210	1.2	2.7	-7.9	-3.6	-4.8	16.6	-9.4
Capacity utilization (1).....	62.8	64.5	59.5	57.3	54.6	63.6	64.4	58.3	0.8	1.7	-5.1	-2.1	-2.8	9.0	-6.0
U.S. shipments:															
Quantity.....	363,858	378,754	347,478	331,755	316,166	367,396	287,918	262,953	1.0	4.1	-8.3	-4.5	-4.7	16.2	-8.7
Value.....	532,861	852,574	841,935	829,038	648,466	931,639	696,570	798,122	74.8	60.0	-1.2	-1.5	-21.8	43.7	14.6
Unit value.....	\$1.46	\$2.25	\$2.42	\$2.50	\$2.05	\$2.54	\$2.42	\$3.04	73.2	53.7	7.6	3.1	-17.9	23.6	25.5
Export shipments:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity.....	26,909	24,810	20,771	22,946	24,902	25,248	27,368	26,159	-6.2	-7.8	-16.3	10.5	8.5	1.4	-4.4
Members/total shipments(1).....	7.2	6.4	5.8	6.7	7.5	6.5	6.8	7.1	-0.6	-0.8	-0.6	0.9	0.8	-1.0	0.3
Production workers.....	994	1,005	967	864	915	951	942	907	-4.3	1.1	-3.8	-10.7	5.9	3.9	-3.7
Hours worked (1,000s).....	1,882	1,944	1,803	1,608	1,645	1,791	1,448	1,386	-4.8	3.3	-7.3	-10.8	2.3	8.9	-4.3
Wages paid (\$1,000).....	51,560	58,873	54,607	48,748	52,305	57,230	42,918	41,423	11.0	14.2	-7.2	-10.7	7.3	9.4	-3.5
Hourly wages.....	\$27.40	\$30.28	\$30.29	\$30.32	\$31.80	\$31.95	\$29.64	\$29.89	16.6	10.5	0.0	0.1	4.9	0.5	0.8
Productivity (pounds per hour).....	193.3	192.2	190.9	206.5	192.1	205.7	196.0	185.6	6.4	-0.6	-0.6	8.1	-7.0	7.1	-5.3
Unit labor costs.....	\$0.14	\$0.16	\$0.16	\$0.15	\$0.17	\$0.16	\$0.15	\$0.16	9.6	11.2	0.7	-7.4	12.8	-6.1	6.5
Net sales:															
Quantity.....	409,508	421,190	390,384	373,539	364,172	414,378	323,734	297,376	1.2	2.9	-7.3	-4.3	-2.5	13.8	-8.1
Value.....	638,166	983,022	994,372	972,892	802,127	1,114,554	831,820	953,642	74.6	54.0	1.2	-2.2	-17.6	38.9	14.6
Unit value.....	\$1.56	\$2.33	\$2.55	\$2.60	\$2.20	\$2.69	\$2.57	\$3.21	72.6	49.8	9.1	2.3	-15.4	22.1	24.8
Cost of goods sold (COGS).....	601,260	946,290	964,790	979,571	764,199	1,072,596	799,409	925,520	78.4	57.4	2.0	1.5	-22.0	40.4	15.8
Gross profit or (loss).....	36,906	36,732	29,582	(6,679)	37,928	41,958	32,411	28,122	13.7	-0.5	-19.5	-122.6	-667.9	10.6	-13.2
SG&A expenses.....	14,725	14,655	13,857	15,758	18,545	17,554	13,278	15,007	19.2	-0.5	-5.4	13.7	17.7	-5.3	13.0
Operating income or (loss).....	22,181	22,077	15,725	(22,437)	19,383	24,404	19,133	13,115	10.0	-0.5	-28.8	-242.7	-186.4	25.9	-31.5
Capital expenditures.....	9,991	10,935	8,211	10,369	8,758	11,190	4,480	10,155	12.0	9.4	-24.9	26.3	-15.5	27.8	126.7
Unit COGS.....	\$1.47	\$2.25	\$2.47	\$2.62	\$2.10	\$2.59	\$2.47	\$3.11	76.3	53.0	10.0	6.1	-20.0	23.4	26.0
Unit SG&A expenses.....	\$0.04	\$0.03	\$0.04	\$0.04	\$0.05	\$0.04	\$0.04	\$0.05	17.8	-3.2	2.0	18.8	20.7	-16.8	23.0
Unit operating income or (loss).....	\$0.05	\$0.05	\$0.04	(\$0.06)	\$0.05	\$0.06	\$0.06	\$0.04	8.7	-3.2	-23.2	-249.1	-188.6	10.6	-25.4
COGS/sales (1).....	94.2	96.3	97.0	100.7	95.3	96.2	96.1	97.1	2.0	2.0	0.8	3.7	-5.4	1.0	0.9
Operating income or (loss)/ sales (1).....	3.5	2.2	1.6	-2.3	2.4	2.2	2.3	1.4	-1.3	-1.2	-0.7	-3.9	4.7	-0.2	-0.9

(1) "Reported data" are in percent and "period changes" are in percentage points.

Note.-- Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires and from official Commerce statistics.

Table C-2

Rolls of C2000-series brass sheet and strip: Summary data concerning the U.S. market, 2005-10, January-September 2010, and January-September 2011

Item	Reported data										Period changes				
	2005	2006	2007	2008	2009	2010	January-September		2005-10	2005-06	2006-07	2007-08	2008-09	2009-10	Jan.-Sept.
							2010	2011							2010-11
U.S. reroilers:															
Average capacity quantity	64,248	63,852	63,491	61,224	60,849	62,548	47,211	47,120	-2.6	-0.6	-0.6	-3.6	-0.6	2.8	-0.2
Production quantity	34,389	35,683	33,960	32,644	30,741	30,947	24,744	23,603	-10.0	3.8	-4.8	-3.9	-5.8	0.7	-4.6
Capacity utilization (1)	53.5	55.9	53.5	53.3	50.5	49.5	52.4	50.1	-4.0	2.4	-2.4	-0.2	-2.8	-1.0	-2.3
U.S. shipments:															
Quantity	34,092	34,211	34,509	32,737	30,593	29,602	23,755	21,166	-13.2	0.3	0.9	-5.1	-6.5	-3.2	-10.9
Value	72,924	106,452	123,278	119,057	94,184	115,797	91,031	99,552	58.8	46.0	15.8	-3.4	-20.9	22.9	9.4
Unit value	\$2.14	\$3.11	\$3.57	\$3.64	\$3.08	\$3.91	\$3.83	\$4.70	82.9	45.5	14.8	1.8	-15.3	27.1	22.7
Export shipments:															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Inventories/total shipments(1)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	57	57	60	60	62	53	54	51	-7.0	0.0	5.3	0.0	3.3	-14.5	-5.6
Hours worked (1,000s)	126	131	130	130	122	115	93	84	-8.4	3.9	-0.4	-0.1	-6.6	-5.1	-8.8
Wages paid (\$1,000)	3,646	3,870	4,097	4,078	3,919	3,750	2,977	2,962	2.9	6.1	5.9	-0.5	-3.9	-4.3	-0.5
Hourly wages	\$28.94	\$29.56	\$31.41	\$31.31	\$32.21	\$32.49	\$32.18	\$35.12	12.2	2.1	6.2	-0.3	2.9	0.9	9.1
Productivity (pounds per hour)	273.0	272.6	260.4	250.6	252.6	268.1	267.5	279.8	-1.8	-0.1	-4.5	-3.7	0.8	6.1	4.6
Unit labor costs	\$0.11	\$0.11	\$0.12	\$0.12	\$0.13	\$0.12	\$0.12	\$0.13	14.3	2.3	11.2	3.5	2.1	-4.9	4.3

(1) "Reported data" are in percent and "period changes" are in percentage points.

Note.-- Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX D
PURCHASER QUESTIONNAIRE RESPONSES

As part of their response to the notice of institution, interested parties were asked to provide a list of three to five leading purchasers in the U.S. market for the domestic like product. A response was received from domestic interested parties and it named the following three firms as top purchasers of brass sheet and strip: ***. Purchaser questionnaires were sent to these three firms and one firm (***) provided a response, which is presented below.

1. Have there been any significant changes in the supply and demand conditions for brass sheet and strip that have occurred in the United States or in the market for brass sheet and strip in France, Germany, Italy, and Japan since January 1, 2017?

Purchaser	Yes / No	Changes that have occurred
***	***	***

2. Do you anticipate any significant changes in the supply and demand conditions for brass sheet and strip in the United States or in the market for brass sheet and strip in France, Germany, Italy, and Japan within a reasonably foreseeable time?

Purchaser	Yes / No	Anticipated changes
***	***	***

