



OTTAWA, October 18, 2019

STATEMENT OF REASONS

Concerning an expiry review determination under
paragraph 76.03(7)(a) of the *Special Import Measures Act*
respecting

**THE DUMPING OF CERTAIN HOT-ROLLED CARBON STEEL PLATE AND
HIGH-STRENGTH LOW-ALLOY STEEL PLATE ORIGINATING IN OR EXPORTED
FROM BRAZIL, DENMARK, INDONESIA, ITALY, JAPAN, AND SOUTH KOREA**

DECISION

On October 4, 2019, pursuant to paragraph 76.03(7)(a) of the *Special Import Measures Act*, the Canada Border Services Agency determined that the expiry of the finding made by the Canadian International Trade Tribunal on May 20, 2014, in Inquiry No. NQ-2013-005 is likely to result in the continuation or resumption of dumping of certain hot-rolled carbon steel plate and high-strength low-alloy steel plate originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan, and South Korea.

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EXECUTIVE SUMMARY

[1] On May 9, 2019, the Canadian International Trade Tribunal (CITT), pursuant to subsection 76.03(3) of the *Special Import Measures Act* (SIMA), initiated an expiry review of its finding made on May 20, 2014, in Inquiry No. NQ-2013-005, concerning the dumping of hot-rolled carbon steel plate and high-strength low-alloy steel plate (hereinafter “certain hot-rolled carbon steel plate” or the “subject goods”) originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan, and South Korea (the “named countries”).

[2] As a result of the CITT’s notice of expiry review, the Canada Border Services Agency (CBSA), initiated an investigation on May 10, 2019 to determine, pursuant to paragraph 76.03(7)(a) of SIMA, whether the expiry of the finding is likely to result in the continuation or resumption of dumping of the goods.

[3] The CBSA received responses to its Canadian Producer and Service Center Expiry Review Questionnaire (ERQ) from Algoma Steel Inc. (Algoma)¹ and Evraz Inc. NA Canada (Evraz),² fully integrated producers of hot-rolled carbon steel plate in Canada. Algoma provided the CBSA with additional information prior to the close of the record.

[4] The CBSA also received responses to its Canadian Producer and Service Center ERQ from the following Canadian service centres that also produce hot-rolled carbon steel plate: Acier Nova Inc. (Acier Nova),³ Samuel, Son & Co. Limited (Samuel, Son & Co.),⁴ SSAB Central Inc. (SSAB)⁵ and Janco Steel Ltd. (Janco).⁶

[5] The CBSA received responses to its Importer ERQ from the following two Canadian importers of certain hot-rolled carbon steel plate: Nucor Canada Inc.⁷ and Hyundai Canada Inc.⁸ Both of these importers are trading companies.

[6] The CBSA received responses its Exporter ERQ from the following two exporters/producers of certain hot-rolled carbon steel plate: Usinas Siderurgicas de Minas Gerais S.A (USIMINAS)⁹ from Brazil and PT Krakatau Posco (PTKP)¹⁰ from Indonesia.

¹ Exhibits 24 (PRO) & 25 (NC) – Response to Canadian Producer / Service Center ERQ - Algoma Steel Inc.

² Exhibits 32 (PRO) & 33 (NC) – Response to Canadian Producer / Service Center ERQ - Evraz Inc. NA.

³ Exhibits 20 (PRO) & 21 (NC) – Response to Canadian Producer / Service Center ERQ - Acier Nova Inc.

⁴ Exhibits 35 (PRO) & 36 (NC) – Response to Canadian Producer / Service Center ERQ - Samuel, Son & Co. Ltd.

⁵ Exhibits 28 (PRO) & 29 (NC) – Response to Canadian Producer / Service Center ERQ - SSAB Central Inc.

⁶ Exhibits 47 (PRO) & 48 (NC) – Response to Canadian Producer / Service Center ERQ - Janco Steel Ltd.

⁷ Exhibits 22 (PRO) & 23 (NC) – Response to Importer ERQ – Nucor Canada Inc.

⁸ Exhibits 43 (PRO) & 44 (NC) – Response to Importer ERQ – Hyundai Canada Inc.

⁹ Exhibits 26 (PRO) & 27 (NC) – Response to Exporter ERQ – Usinas Siderurgicas de Minas Gerais S.A.

¹⁰ Exhibits 45 (PRO) & 46 (NC) – Response to Exporter ERQ – PT Krakatau Posco

[7] Case briefs were received on behalf of the Canadian producers, Algoma¹¹ and Evraz,¹² as well as from one exporter, USIMINAS.¹³ The case briefs submitted by the two Canadian producers included information supporting their position that continued or resumed dumping of the subject goods is likely if the CITT's finding was allowed to expire. USIMINAS is the only party that explicitly expressed the opinion that continued or resumed dumping is not likely. In addition, letters of endorsement for the case briefs filed by Algoma were received from Acier Nova and SSAB.¹⁴

[8] Reply submissions were received from the Canadian producer Algoma¹⁵ and the exporter USIMINAS.¹⁶

[9] With respect to Brazil, the analysis of information on the record indicates that: Brazil has a high export dependency on steel products; Brazil has a significant steel excess production capacity; exporters in Brazil sell subject goods in other markets at prices below their domestic market; Brazilian exporters are selling steel plate to other countries at prices below Canadian import prices; multiple anti-dumping measures are currently imposed by countries other than Canada on Brazilian steel products; and exporters in Brazil are unable to compete in Canada at non-dumped prices.

[10] With respect to Denmark, the analysis of information on the record indicates that: the only identified producer of steel plate in Denmark has planned production capacity increases for steel plate products at a time when the European steel market is experiencing decreasing demand, increasing imports and production cutbacks; a large proportion of steel plate produced in Denmark is exported and that the volume of these exports is increasing; the Danish exporters are currently facing challenges due to increased competition in the European market and restrictive steel tariffs imposed by the United States (U.S.); the Danish exporters sell steel plate to other countries at prices below Canadian import prices; the exporters from Denmark have shown interest in the Canadian market during the period of review (POR); and the exporters from Denmark have continued dumping in the Canadian market during the POR.

[11] With respect to Indonesia, the analysis of information on the record indicates that: Indonesian exporters sell subject goods at prices below their domestic market; Indonesian exporters sell steel plates to other countries at prices below Canadian import prices; there is planned production capacity increases for steel plate products in Indonesia despite the prevalent excess capacity in the steel market; there is an increasing volume of exports from Indonesia; Indonesian exporters continue to face challenges due to increased competition in the world market and restrictive steel tariffs imposed by the U.S.; and Indonesian producers are unable to compete in Canada at non-dumped prices.

¹¹ Exhibits 49 (PRO) & 50 (NC) – Case Brief filed on behalf of Algoma Steel Inc.

¹² Exhibits 53 (PRO) & 54 (NC) – Case Brief filed on behalf of Evraz Inc. NA Canada.

¹³ Exhibits 51 (PRO) & 52 (NC) – Case Brief filed on behalf of Usinas Siderurgicas de Minas Gerais S.A.

¹⁴ Exhibits 58 (NC) & 59 (NC) – Letter of support for the continuation of the finding filed on behalf of Acier Nova and SSAB.

¹⁵ Exhibit 57 (NC) – Reply submission filed on behalf of Algoma Steel Inc.

¹⁶ Exhibits 55 (PRO) & 56 (NC) – Reply submission filed on behalf of Usinas Siderurgicas de Minas Gerais S.A.

[12] With respect to Italy, the analysis of information on the record indicates that: there is an increase in steel production capacity of Italian producers despite the decreasing demand, increasing imports and production cutbacks in Italy and the European Union (EU); steel plate exporters in Italy continue to face challenges in the European steel market and restrictive steel tariffs imposed by the U.S.; Italian exporters sell steel plate to other countries at prices below Canadian import prices; Italian producers are unable to compete in Canada at non-dumped prices; and multiple anti-dumping measures are currently imposed by countries other than Canada on Italian steel products.

[13] With respect to Japan, the analysis of information on the record indicates that: Japan has significant excess steelmaking production capacity; Japanese steel producers have a high export dependency; Japanese exporters sell steel plate to other countries at prices below Canadian import prices; multiple anti-dumping measures are currently imposed by countries other than Canada on Japanese steel products; and Japanese producers are unable to compete in Canada at non-dumped prices.

[14] With respect to South Korea, the analysis of information on the record indicates that: steel plate producers in South Korea have large production capacities and excess capacity relative to Canadian producers; steel plate producers in South Korea are export-oriented; South Korean exporters sell steel plates in other countries at prices below Canadian import price; multiple anti-dumping measures are currently imposed by countries other than Canada on South Korean steel products; exporters from South Korea have continued dumping and shown interest in the Canadian market during the POR; and steel producers in South Korea continue to face challenges due to worsening economic conditions in their domestic market.

[15] For the foregoing reasons, the CBSA, having considered the relevant information on the administrative record, determined on October 4, 2019, under paragraph 76.03(7)(a) of SIMA, that the expiry of the finding in respect of the dumping of certain hot-rolled carbon steel plate and high-strength low-alloy steel plate originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan and South Korea is likely to result in the continuation or resumption of dumping of the goods into Canada.

BACKGROUND

[16] On September 5, 2013, following a complaint made by Essar Steel Algoma Inc., the CBSA initiated an investigation, pursuant to subsection 31(1) of SIMA, respecting the dumping of certain hot-rolled carbon steel plate and high-strength low-alloy steel plate (subject goods) from Brazil, the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), Denmark, Indonesia, Italy, Japan and South Korea.

[17] On April 17, 2014, pursuant to paragraph 41(1)(a) of SIMA, the CBSA made a final determination of dumping concerning subject goods originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan and South Korea. The CBSA was satisfied that the subject goods had been dumped and that the margins of dumping were not insignificant.

[18] On the same date, pursuant to paragraph 41(1)(b) of SIMA, the CBSA terminated the investigation with respect to subject goods originating in or exported from the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei). The goods were found to be dumped but the margin of dumping of these goods was insignificant, i.e., less than 2% of the export price of the goods.

[19] On May 20, 2014, pursuant to subsection 43(1) of SIMA, the CITT found in Inquiry No. NQ-2013-005 that the dumping of certain hot-rolled carbon steel plate and high-strength low-alloy steel plate originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan and South Korea had not caused injury but was threatening to cause injury to the domestic industry in Canada.

[20] On June 22, 2018, the CITT informed parties to the proceedings of Expiry Review No. RR-2013-002, Expiry Review No. RR-2014-002, and Inquiry No. NQ-2013-005 that an interim review would commence in order to assess the importance and performance of service centers in the Canadian market during the years between 2012 and 2013. The CITT's primary concern was whether the volume of production by service centers during those years was of a magnitude other than what was estimated in the aforementioned proceedings, and if so, whether that impacted the appropriateness of the CITT's injury determinations in these proceedings.

[21] On December 27, 2018, in the matter of the Interim Review No. RD-2016-002, the CITT, pursuant to paragraph 76.01(5)(a) of SIMA, continued its orders and finding in the aforementioned proceedings without amendment.

[22] On March 20, 2019, pursuant to subsection 76.03(2) of SIMA, the CITT issued a notice concerning the expiry of its finding, which was scheduled to expire on May 20, 2019. Based on the information filed during the expiry process, the CITT decided that a review of the finding was warranted.

[23] On May 9, 2019, the CITT initiated an expiry review of its finding made on May 20, 2014, in Inquiry No. NQ-2013-005, pursuant to subsection 76.03(3) of SIMA.

[24] On May 10, 2019, the CBSA commenced an expiry review investigation to determine whether the expiry of the finding is likely to result in continued or resumed dumping of the subject goods from Brazil, Denmark, Indonesia, Italy, Japan and South Korea.

PRODUCT INFORMATION

Product Definition

[25] The goods subject to the finding under review are defined as:

“Hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in cut lengths, in widths from 24 inches (+/-610 mm) to 152 inches (+/-3,860 mm) inclusive, and thicknesses from 0.187 inches (+/-4.75 mm) up to and including 3.0 inches (76.2 mm) (with all dimensions being plus or minus allowable tolerances contained in the applicable standards), but excluding plate for use in the manufacture of pipe and tube (also known as skelp); plate in coil form, plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate), originating in or exported from the Federative Republic of Brazil, the Kingdom of Denmark, the Republic of Indonesia, the Italian Republic, Japan, and the Republic of Korea.”

A list of all goods that were excluded by the CITT’s finding can be found on the CBSA’s website.¹⁷

Additional Product Information

[26] For greater certainty, the subject goods include steel plate which contains alloys greater than required by recognized industry standards provided that the steel does not meet recognized industry standards for an alloy-grade steel plate.

[27] Hot-rolled carbon steel plate is manufactured to meet certain Canadian Standards Association (CSA) and/or American Society for Testing & Materials (ASTM) specifications or equivalent specifications.

[28] CSA specification G40.21 covers steel for general construction purposes. In the ASTM specifications, for instance, specification A36M/A36 comprises structural plate; specification A572M/A572 comprises high-strength low-alloy steel plate; and specification A516M/A516 comprises pressure vessel quality plate. ASTM standards, such as A6/A6M and A20/A20M, recognize permissible variations for dimensions.

¹⁷ <https://www.cbsa-asfc.gc.ca/sima-lmsi/mif-mev/pla7-eng.html>

CLASSIFICATION OF IMPORTS

[29] The subject goods are normally classified under the following tariff classification numbers:

7208.51.00.10	7208.51.00.94	7208.52.00.92
7208.51.00.91	7208.51.00.95	7208.52.00.93
7208.51.00.92	7208.52.00.10	7208.52.00.96
7208.51.00.93	7208.52.00.91	

[30] Prior to January 1, 2017, the subject goods were normally classified under the following tariff classification numbers:

7208.51.00.10	7208.51.00.94	7208.52.00.92
7208.51.00.91	7208.51.00.95	7208.52.00.93
7208.51.00.92	7208.52.00.10	7208.52.00.94
7208.51.00.93	7208.52.00.91	7208.52.00.95

[31] This listing of tariff classification numbers is for convenience of reference only. The tariff classification numbers provided may include goods that are not subject goods and subject goods may be imported into Canada under tariff classification numbers other than those provided. Refer to the product definition for authoritative details regarding the subject goods.

PERIOD OF REVIEW

[32] The period of review (POR) for the CBSA's expiry review investigation is from January 1, 2016, to March 31, 2019.

CANADIAN INDUSTRY

[33] The Canadian industry for certain hot-rolled carbon steel plate production is comprised of the following two integrated steel mills:

- Algoma Steel Inc. of Sault Ste. Marie, Ontario
- Evraz Inc. NA Canada of Regina, Saskatchewan;

and the following nine service centers:

- Acier Nova Inc.
- Alliance Steel Corporation
- Coilex Inc.
- Del Metals
- Janco Steel Ltd.
- Russel Metals Ltd.
- Samuel, Son & Co., Limited
- SSAB Central Inc.¹⁸
- Varsteel Ltd.

Algoma Steel Inc.

[34] Algoma is a primary iron and steel producer. It has a present capacity to produce approximately 3.7 million metric tonnes (MT) of raw steel and approximately 3.4 million MT of finished steel annually. On its 166” Plate Mill and 106” Wide Strip Mill, Algoma produces carbon steel plate in widths up to 152 inches (3,860 mm) and in thicknesses up to 4.0 inches (101 mm) and other steel plate and hot-rolled sheet.

[35] The company was incorporated on June 1, 1992. On January 29, 2002 the company was re-organized under a Plan of Arrangement and Reorganization pursuant to the *Companies’ Creditors Arrangement Act* (“CCAA”). The company became part of Essar Steel Holdings Limited in June 2007. On May 8, 2008 the company name was changed to “Essar Steel Algoma Inc.”¹⁹

[36] Essar Steel Algoma Inc. commenced court-supervised restructuring proceedings under the CCAA on November 9, 2015. On November 30, 2018, a group of creditors purchased the company’s assets, with the company emerging from CCAA protection as “Algoma Steel Inc.”¹⁹

Evraz Inc. NA Canada

[37] Evraz’s facility in Regina was formerly known as IPSCO Inc. (IPSCO), which was incorporated in 1956 under the name of Prairie Pipe Manufacturing Co. Ltd. It commenced operations in 1957 with the completion of an electric resistance weld pipe mill in Regina.

¹⁸ According to the CITT, although SSAB has been considered alongside the domestic mills in previous proceedings, it is more akin to a service centre than to a mill. See NQ-2013-005, at para. 53.

¹⁹ Exhibit 25 (NC) – Response to Canadian Producer / Service Center ERQ - Algoma Steel Inc., Q7.

[38] In 1959, the company acquired assets of Interprovincial Steel Corp. Ltd. and began production of flat rolled steel in 1960, including the subject goods. Since then, the company expanded its manufacturing capabilities and established scrap companies in Canada as well as in the U.S. through acquisitions and plant constructions.

[39] On July 17, 2007, SSAB, a wholly-owned subsidiary of SSAB Svenkst Stahl of Sweden, acquired IPSCO and its subsidiaries through a 100 percent share acquisition. Under SSAB's direction, IPSCO was reorganized to own steel production facilities located in Calgary, Camrose, Red Deer, and Regina. A formerly owned facility in Surrey was reorganized as a wholly owned subsidiary IPSCO Canada Inc.

[40] On June 12, 2008, Evraz Group S.A., now a wholly-owned subsidiary of Evraz plc., acquired IPSCO and its subsidiaries from SSAB through a share acquisition.

[41] On October 15, 2008, the names of IPSCO and IPSCO Canada Inc. were changed to Evraz Canada and Evraz Inc. NA Canada West respectively. On January 1, 2009, Evraz Inc. NA Canada West was amalgamated into Evraz Canada.²⁰ Evraz Canada's Regina facility produces plate as well as other steel products.

[42] On December 13, 2013, Evraz sold its entire cut-to-length plate facility in Surrey, British Columbia to Samuel, Son & Co. On June 27, 2014, Evraz sold its cut-to-length line and the associated assets thereof, located in Regina, Saskatchewan, to Varsteel. Evraz retained its discrete plate production line in Regina.

²⁰ Exhibit 33 (NC) – Response to Canadian Producer / Service Center ERQ - Evraz Inc. NA Canada, Q7.

CANADIAN MARKET

[43] The apparent Canadian market for certain hot-rolled carbon steel plate during the POR is presented in **Table 1 and Table 2** below. Table 1 reports the sales volume of the apparent Canadian market, while Table 2 reports the corresponding sales value in Canadian Dollars (CAD).

Table 1²¹
Apparent Canadian Market for the POR
 (Quantity in MT)

Source**	2016		2017		2018		2019 Jan. 1 to Mar. 31	
	Quantity	%	Quantity	%	Quantity	%	Quantity	%
Canadian domestic sales	345,502	*	385,633	*	431,080	48	117,831	56
Brazil	0	0	0	0	0	0	0	0
Denmark	0	0	*	0	0	0	0	0
Indonesia	0	0	0	0	0	0	0	0
Italy	0	0	0	0	0	0	0	0
Japan	0	0	0	0	0	0	0	0
South Korea	*	0	0	0	0	0	400	0
Total - Subject Countries	*	*	*	*	0	0	400	0
All Other Countries	450,034	*	501,619	*	391,276	52	90,525	44
Total Imports	*	*	*	*	391,276	52	90,925	44
Total Canadian Market *	*	100	*	100	822,356	100	208,756	100

* This data cannot be disclosed without revealing information that relates to a single importer or exporter. Such information cannot be disclosed pursuant to section 107 of the Customs Act.

** Totals may vary from row-by-row addition due to rounding.

²¹ *Ibid.*

Table 2²²
Apparent Canadian Market for the POR
(Value in CAD)

Source*	2016		2017		2018		2019 Jan. 1 to Mar. 31	
	Value	%	Value	%	Value	%	Value	%
Canadian domestic sales***	200,591,964	*	313,660,461	*	446,341,594	52	134,621,945	56
Brazil	0	0	0	0	0	0	0	0
Denmark	0	0	*	0	0	0	0	0
Indonesia	0	0	0	0	0	0	0	0
Italy	0	0	0	0	0	0	0	0
Japan	0	0	0	0	0	0	0	0
South Korea	*	0	0	0	0	0	408,544	0
Total - Named Countries	*	*	*	*	0	0	408,544	0
All Other Countries	373,593,968	*	437,905,524	*	407,671,167	48	104,499,638	44
Total Imports	*	*	*	*	407,671,167	48	104,908,182	44
Total Canadian Market **	*	100	*	100	854,012,761	100	239,530,127	100

* This data cannot be disclosed without revealing information that relates to a single importer or exporter. Such information cannot be disclosed pursuant to section 107 of the Customs Act.

** Totals may vary from row-by-row addition due to rounding.

*** Canadian domestic sales is under-reported as one of the producers provided the quantity of subject goods but not the corresponding sales value.

Canadian Production

[44] Based on the information on the record and as presented in Table 1 and Table 2, the Canadian producers' share of the apparent Canadian market has been increasing since 2016. One Canadian steel service centre provided the volume but not the respective values for the subject goods. As such, the Canadian producers' share of the apparent Canadian market, in terms of the total dollar value, decreased steadily since 2016.

Imports – Named Countries

[45] During the POR, subject goods were imported into Canada from Denmark and South Korea.

²² Exhibit 42 (NC) – Final Import and Domestic Market Statistics.

Imports – Other Countries

[46] During the POR, the volume of imports from other countries as a percentage of the apparent Canadian market decreased steadily since 2016. The total dollar value of imports of hot-rolled carbon steel plate from other countries (i.e., the non-named countries) as a percentage of the apparent Canadian market decreased steadily since 2016.

ENFORCEMENT DATA

[47] In the enforcement of the CITT’s findings during the POR, as detailed in Table 3 below, the total amount of anti-dumping duties collected on subject imports was approximately \$8,648. The quantity of subject goods, on which anti-dumping duties were assessed, was 417 MT. The amounts collected reflect the very low volume of subject goods imported into Canada during the POR.²³

Table 3²⁴
Enforcement Data for the Period of Review
 (Quantity in MT and AD duties in CAD)

Source*	2016		2017		2018		2019 Jan. 1 to Mar. 31	
	Quantity	AD duties	Quantity	AD duties	Quantity	AD duties	Quantity	AD duties
Brazil	-	-	-	-	-	-	-	-
Denmark	-	-	*	2,296	-	-	-	-
Indonesia	-	-	-	-	-	-	-	-
Italy	-	-	-	-	-	-	-	-
Japan	-	-	-	-	-	-	-	-
South Korea	*	6,352	-	-	-	-	400	N/A
Total	*	6,352	*	2,296	-	-	400	N/A

* This data cannot be disclosed without revealing information that relates to a single importer or exporter. Such information cannot be disclosed pursuant to section 107 of the Customs Act.

PARTIES TO THE PROCEEDINGS

[48] On May 10, 2019, the CBSA sent a notice concerning the initiation of the expiry review investigation and ERQs to known Canadian producers and potential importers and exporters of the subject goods.

[49] The ERQs requested information needed to consider the expiry review factors, as found in subsection 37.2(1) of the *Special Import Measures Regulations* (SIMR), relevant to this expiry review investigation.

[50] Six Canadian producers (two integrated steel mills and four service centers) participated in the expiry review investigation and responded to the CBSA’s ERQ. Two importers and two exporters also provided a response to the CBSA’s ERQ.

²³ *Ibid.*

²⁴ *Ibid.*

[51] Case briefs were received on behalf of the two Canadian producers, Algoma and Evraz, as well as USIMINAS, an exporter from Brazil. Reply submissions were received from Algoma and USIMINAS. No other case briefs or reply submissions were received by the CBSA from any other parties notified by the CBSA at the initiation of this expiry review investigation.

INFORMATION CONSIDERED BY THE CBSA

Administrative Record

[52] The information considered by the CBSA for purposes of this expiry review investigation is contained on the administrative record. The administrative record includes the information on the CBSA's exhibit listing, which is comprised of the CITT's administrative record relating to the initiation of the expiry review, the CBSA's exhibits and information submitted by interested parties, including information which the interested parties feel is relevant to the decision as to whether dumping is likely to continue or resume, if the finding is allowed to expire. This information may consist of expert analyst reports, excerpts from trade magazines and newspapers, orders and findings issued by authorities of Canada or of a country other than Canada, documents from international trade organizations such as the World Trade Organization (WTO) and responses to the ERQs submitted by domestic producers, importers and exporters.

[53] For purposes of an expiry review investigation, the CBSA sets a date after which no new information submitted by interested parties may be placed on the administrative record or considered as part of the CBSA's investigation. This is referred to as the closing of the record date. This allows participants time to prepare their case briefs and reply submissions based on the information that is on the record as of the date the record closed. For this expiry review investigation, the record closed on June 28, 2019.

POSITION OF THE PARTIES

Parties Contending that Continued or Resumed Dumping is Likely

[54] Two parties expressed a position of likelihood of continued or resumed dumping. The Canadian producer, Algoma, provided a case brief supporting its position that dumping from the named countries is likely to continue or resume in the event the finding is allowed to expire. The arguments made by Algoma were supported by Evraz, SSAB, and Acier Nova, all of whom produce plate and/or cut-to-length plate in Canada. Algoma also provided a reply submission in response to the case brief submitted by USIMINAS.

[55] The main global factors identified by the parties can be summarized as follows:

- International Market Conditions
- Factor Specific to Named Countries
- Final Safeguard Measures on Heavy Plate
- Canadian Market Conditions

International Market Conditions

[56] Algoma submits that the international market conditions contextualize the macro-economic trends affecting steel plate globally. Algoma argues that these would make the Canadian domestic industry susceptible to resumed dumping if the finding was allowed to expire. These developments are further explained below.

Global Excess Capacity

[57] Algoma submits that the world continues to face a global excess steel production capacity. Algoma also contends that the excess capacity for steel products extends to steel plate as well. Specifically, Algoma argues that it is a crisis that pushes global steel producers to find new markets in which to sell their steel products, including plate, and to price aggressively to secure throughput on their mills.²⁵

[58] Algoma states that global steel overcapacity will continue to be a significant issue affecting global steel trade for years to come.²⁶ Algoma argues that the CRU²⁷ data shows a concerning trend with respect to global production and consumption of steel plate. Specifically, Algoma claims that this trend of increasing oversupply of steel plate globally will be resulting in pressure on producers in the named countries to price aggressively where market opportunities become available. In 2016, 297 million MT of steel plate was produced compared to the 321 million MT forecasted for year 2019. The production is expected to fall to 315 million MT in 2020. The consumption level was 299 million MT in 2016, 318 million MT in 2018 and is expected to fall to 312 million MT in 2020. Algoma states that the consumption failed to keep pace with production, resulting in a widening gap, which is forecasted to grow in 2020.

[59] Algoma submits that these trends in global production and increasing steel plate production capacity demonstrate that the structural imbalance existing in the steel market will remain a major destabilizing factor in the steel plate market for at least the next 12 to 24 months.²⁸

Global Economic Conditions

[60] Algoma states that most major end use industries such as construction, railroad and shipbuilding are facing weak growth and will continue to in the future. As per Algoma's submission, construction growth is expected to show a modest growth of 0.2% from 2019 to 2021.²⁹ Further, Algoma, referring to the April 2019 International Monetary Fund (IMF) report and the Organisation for Economic Co-operation and Development (OECD) Interim Economic Outlook, released in March 2019, claims that the weakening global economic outlook will exacerbate the excess capacity crisis.³⁰ Algoma contends that this pressure will incentivize producers in the named countries to target Canada at low prices to maintain throughput on their mills.³¹

²⁵ Exhibit 50 (NC) – Case brief filed on behalf of Algoma Steel Inc., para. 37.

²⁶ *Ibid.*, at para. 44.

²⁷ CRU is a market researcher specializing in metals.

²⁸ *Ibid.*, at para. 54.

²⁹ *Ibid.*, at para. 63.

³⁰ *Ibid.*, at paras. 55-57.

³¹ *Ibid.*, at para. 59.

Crisis in the European Steel Market

[61] Algoma points to various sources as evidence indicating that the “European steel market is presently in crisis.”³² A May 2019 press release by EUROFER, the European Steel Association, characterizes the market as one with “surging import volumes, stalling economic growth, high and volatile raw material costs and sharply growing carbon costs.”³³ The association reports that European steel safeguards have not worked and projects that steel demand in the EU will decline by 0.4% in 2019.³⁴

[62] Further, Algoma points to an open letter to the EU government, in which 45 CEOs from the European steel industry ask that the steel safeguard measures be tightened in light of the fact that imports have more than doubled since 2013, but particularly accentuated in the wake of the U.S. imposing 25% steel import tariffs in 2018.³⁵

Factors Specific to Named Countries

Brazil

[63] Algoma submits that Brazil is the world’s tenth largest steel exporter and that it is an export-oriented country with over 40% of production exported.³⁶ Algoma, referring to COMTRADE data, argues that exports of steel plate from Brazil increased from 67,952 MT in 2016 to 179,754 MT in 2018. For the first four months of 2019, steel plate exports amounted to 59,660 MT which would annualize to 179,000 MT for 2019.³⁷ Meanwhile, net steel plate exports are projected to increase by 83% from 2018 to 2021. Furthermore, Algoma, referring to the CITT administrative record of Expiry No. LE-2008-009, states that exports of steel to Canada in the first six months of 2018, compared to the same period in 2017, increased by 218% and are projected to further increase between 2018 and 2021.³⁸

[64] Algoma claims that Brazil’s steel plate producers operate with very significant excess production capacity and intense price rivalry will continue to restrict sales profitability.³⁹ Further, Algoma states that production capacity in Brazil has been increasing over the POR and cites the new facility by Gerdau (a steel producer) as an example. Algoma mentions that Gerdau specifically stated that they have idle capacity in Brazil that could be rapidly put into operation.⁴⁰ Algoma argues that the increased production and production capacity of heavy plate in Brazil will be directed to both its domestic and export market.⁴¹

³² *Ibid.*, at paras. 67-77.

³³ *Ibid.*, at para. 68.

³⁴ *Ibid.*, at paras. 67-68.

³⁵ *Ibid.*, at para. 69.

³⁶ *Ibid.*, at para. 79.

³⁷ *Ibid.*, at para. 84.

³⁸ *Ibid.*, at para. 78.

³⁹ *Ibid.*, at paras. 85-86.

⁴⁰ *Ibid.*, at para. 82.

⁴¹ *Ibid.*, at para. 82.

[65] Algoma points to the state of Brazil's economy, stating that it is still recovering from its 2015-2016 recession, and that the country's GDP grew by 1.1% in 2017 and 2018, while the projections of 2.1% in 2018 and 2.5% in 2020 are not expected to lift Brazil off its economic stagnation.⁴² Algoma also points out that steel demand in the EU is declining, with production outpacing demand, while European producers band together to tighten safeguard measures.⁴³ Algoma argues that economic conditions in both Brazil and in the European market will push Brazilian steel producers to export their products to countries such as Canada, should the finding be allowed to expire.

Denmark

[66] Algoma notes that steel plate capacity in Denmark is projected to grow by 38% from 2018 to 2020. Referring to an article characterizing the Danish steel plate market as subdued, Algoma states that the Danish market will likely be unable to absorb the projected capacity increases.⁴⁴

[67] Algoma points to the United Nations COMTRADE database which shows that Danish exports of steel plate have grown from 376,326 MT in 2015 to 531,084 in 2018, an increase of 41%. In the first quarter of 2019, steel plate exports were 152,986 MT, equating to an annualized volume of over 610,000 MT. Algoma notes that NLMK Dansteel A/S's export growth in 2018 and 2019 coincided with the increase in Danish reversing mill capacity that occurred in 2018. It states that, given NLMK's export orientation, one can infer that the company's exports will increase again in 2020 when the company's capacity will increase by another 115,000 MT.⁴⁵

[68] Algoma points to the information on the record indicating that the EU is Denmark's main export market for steel plate and contends that, due to the present crisis in the European steel market, Denmark is likely to export steel plate to other non-European countries, such as Canada, if the finding was allowed to expire.⁴⁶

Indonesia

[69] Algoma submits that the Indonesian economy is expected to grow by 5.2% in 2019 and 5.1% in 2020 but the steel plate production in Indonesia is expected to expand even further.⁴⁷ COMTRADE data demonstrates that this increase in production has been dedicated largely to export markets. In 2015, Indonesia's steel plate exports were listed at 353,000 MT. This figure grew in each year leading up to 2018, when exports were 575,000 MT, or 62% greater than in 2015.⁴⁸

⁴² *Ibid.*, at para. 87.

⁴³ *Ibid.*, at para. 92.

⁴⁴ *Ibid.*, at paras. 94-95.

⁴⁵ *Ibid.*, at paras. 96-97.

⁴⁶ *Ibid.*, at para. 98.

⁴⁷ *Ibid.*, at para. 99.

⁴⁸ *Ibid.*, at paras. 105-106.

[70] Algoma further states that increase in exports follows a general increase in imports of steel products. From 2009 to 2018, steel imports to Indonesia increased by 105%, with exports increasing by 256%. The majority of Indonesia's steel imports are flat and semi-finished products. Three countries that have been found to have dumped steel plate in Canada – Japan, Korea and China – were the largest sources of flat product imports to Indonesia in 2018. Competition with low-priced steel plate imports in its domestic market appears to have pushed Indonesian producers to export markets.⁴⁹

Italy

[71] Italy is the world's 10th largest steel producer and 7th largest steel exporter. In 2018, Italy exported 17.4 million MT of steel, with flat products accounting for the largest share at 35%, or 6.2 million MT, of that total. Italy is highly export-oriented, with 71% of its steel production dedicated to the export market. Further, Italy's steel exports have grown by 42% since 2009.⁵⁰

[72] In 2019, Italy's economy is expected to contract by 0.2% according to the OECD, with a downgraded growth expectation of only 0.5% in 2020. At the end of 2018, Italy formally entered a recession with two consecutive quarters of contraction. This was the third recession Italy has experienced in a decade.⁵¹

[73] The prospects for Italian steel plate exporters are further dimmed by weak conditions in the European market. Italian exporters are heavily reliant on other European countries for their exports, with Germany, France, Spain, Austria and Poland being their top destinations for exports of flat products in 2018. According to CRU, Italy also exports a significant volume of reversing mill plate to India. These exports are likely to be restricted, as the Indian government has used trade barriers to limit imports.⁵²

Japan

[74] Algoma refers to the Japan Iron and Steel Federation report and COMTRADE data, stating that Japan increased its exports of medium and heavy plate to 2.9 million MT in 2018 from 2.1 million MT in 2017, an increase of 39%.⁵³ Algoma states that Japan is operating with significant excess reversing mill capacity which is expected to remain stable below 70% until 2022.⁵⁴

[75] Algoma, referring to the CBSA's research on steel plate pricing in Japan's market in June 2019 and to COMTRADE's data for export prices, which extends to February 2019, claims that the domestic steel plate price amounted to US \$822 per MT while export price amounted to US \$674 per MT, suggesting that Japan recently sold steel plate for export below its domestic market price.⁵⁵

⁴⁹ *Ibid.*, at para. 107.

⁵⁰ *Ibid.*, at para. 112.

⁵¹ *Ibid.*, at para. 110.

⁵² *Ibid.*, at para. 115.

⁵³ *Ibid.*, at para. 118.

⁵⁴ *Ibid.*, at para. 121.

⁵⁵ *Ibid.*, at paras. 144-145.

[76] Algoma argues that Japan's economy is in a fragile state. Referring to the OECD and IMF statement, Algoma indicates that Japan's economy has a projected growth of 1% in 2019 and below 1% for 2020.⁵⁶ Further, steel exports in Japan have also been impacted by the weakening economy of China.⁵⁷

[77] Algoma states that Japan's steel industry is reliant on export and that flat products account for 69% of its exports. Algoma submits that U.S. Section 232 measures led to a decline of 21% in exports to the U.S. in 2018 compared to 2017. Algoma also claims that Japan is likely to face further trade barriers in the U.S. and possible restrictions regarding steel plate imports in India. The U.S. already has 14 anti-dumping measures in place against the Japanese steel market. Algoma argues that these factors will lead Japanese exporters to aggressively pursue exports to open markets, and should the finding be allowed to expire, will be more likely to ship steel plate to Canada and price at a dumped level.⁵⁸

South Korea

[78] Algoma states that South Korea was the world's fourth largest steel exporter in 2017. Since 2009, over 40% of the country's steel production has been exported and its steel exports have increased by 49%. More specifically, between 2017 and 2018, the country's steel exports to Canada increased by 66%.⁵⁹

[79] Algoma refers to Hyundai Canada Inc.'s response to the ERQ and states that the company's response demonstrates that it is well positioned to re-enter the Canadian market for subject plate if the finding is allowed to expire.⁶⁰ It further submits that, in 2018, Canada was South Korea's fifth largest export market for long products and second largest export market for pipe and tube products.⁶¹

[80] Algoma presents CRU data which shows that steel plate production in South Korea has been increasing since 2016 and is projected to continue increasing into 2022.⁶² Algoma points to an OECD report that revised its GDP forecast for South Korea down to 2.6% growth in 2019 and 2020.⁶³ A South Korea Iron and Steel Association report shows a decline in domestic shipbuilding and machinery production from 2017 to 2018 and indicates that the construction industry is experiencing "continuous negative growth rate due to slump in new construction orders."⁶⁴ These conditions, asserts Algoma, will likely lead exporters in that country to rely more heavily on exports to markets such as Canada.⁶⁵

⁵⁶ *Ibid.*, at para. 122.

⁵⁷ *Ibid.*, at para. 123.

⁵⁸ *Ibid.*, at paras. 123 and 117.

⁵⁹ *Ibid.*, at para. 126.

⁶⁰ *Ibid.*, at para. 136.

⁶¹ *Ibid.*, at para. 129.

⁶² *Ibid.*, at paras. 131-132.

⁶³ *Ibid.*, at para. 134.

⁶⁴ *Ibid.*, at para. 135.

⁶⁵ *Ibid.*, at para. 136.

Final Safeguard Measures on Heavy Plate

[81] Algoma states that “the 232 measures as well as resulting measures in other markets are having, or will continue to have, significant effects on the global steel trade.”⁶⁶ Algoma cites the CITT’s statistical summary in the April 2019 safeguard inquiry report which indicates that as of 2018, there were 20 safeguard measures in force on subject steel products, and another 23 had been initiated.⁶⁷ Algoma contends that the named countries have been impacted by the U.S. Section 232 measures and notes that “a significant portion of the steel goods that would have been imported into the U.S. is expected to be shut out of the U.S. and diverted into other markets.”⁶⁸ In addition, Algoma explains that five of the six named countries have seen substantial declines in their exports of steel plate to the U.S., as shown in the U.S. census data.⁶⁹

Canadian Market Conditions

[82] Algoma states that the Canadian economy is forecast to experience slowing growth; TD Bank forecasts GDP growth of 1.3% in 2019 and 1.7% in 2020 while the IMF projects GDP growth of 1.5% for 2019 and 1.9% for 2020. Algoma refers to CRU data and states that steel plate consumption in Canada fell significantly in 2018 and is expected to remain below levels experienced in 2015-17 through 2019 and will only grow slightly in 2020. Algoma contends that given the reduced demand for steel plate and falling prices, exporters in the named countries would have an incentive to compete fiercely on price to regain a foothold in the Canadian steel plate market.

Evrax

[83] Evrax supports Algoma’s position and states that if the finding is allowed to expire, there would be a significant likelihood of resumed dumping of subject goods from Brazil, Japan, Denmark, Indonesia, Italy and South Korea.⁷⁰ Based on information on the record, Evrax states that the named countries have a strong focus on growing their export and that their production capacities have expanded during the POR.⁷¹

Other Canadian Producers

[84] Two Canadian service centres, Acier Nova⁷² and SSAB⁷³ submitted letters endorsing the case brief filed by Algoma, supporting the notion that if the finding was allowed to expire, it would likely result in the continuation and/or resumption of dumping of subject goods from Brazil, Japan, Denmark, Indonesia, Italy and South Korea.

⁶⁶ *Ibid.*, at para. 152.

⁶⁷ *Ibid.*, at para. 153.

⁶⁸ *Ibid.*, at para. 147.

⁶⁹ *Ibid.*, at para. 149.

⁷⁰ Exhibit 54 (NC) – Case Brief Filed on Behalf of Evrax Inc. NA Canada, para. 1.

⁷¹ *Ibid.*, at paras. 4-7.

⁷² Exhibit 58 (NC) – Letter of support for the continuation of the finding filed on behalf of Acier Nova.

⁷³ Exhibit 59 (NC) – Letter of support for the continuation of the finding filed on behalf of SSAB Central Inc.

Parties Contending that Resumed or Continued Dumping is Unlikely

[85] One party expressed a position of unlikelihood of continued or resumed dumping. USIMINAS, a Brazilian steel producer and exporter, provided a response to the Exporter ERQ and made a representation in its case brief opposing the position that dumping from the named countries is likely to continue or resume in the event the finding was allowed to expire. USIMINAS argued that the measures should be removed. The exporter also provided a reply submission to the case brief of Algoma.

[86] The main factors identified by USIMINAS can be summarized as follows:

- Expiry Review Proceeding
- Standard of Evidence and Burden of Proof
- Brazil's Exclusion from the Finding

Expiry Review Proceeding

[87] USIMINAS refers to Article 6.4 of the WTO Anti-dumping Agreement, and states that the authorities should provide timely opportunities for all interested parties to see and prepare presentations and claims that the CBSA's rules, which permitted the parties to file numerous documents a few hours or minutes before the administrative record closed, deprived USIMINAS of the ability to file its own evidence in reply.⁷⁴

Standard of Evidence and Burden of Proof

[88] USIMINAS submits that the determination must be based on an objective examination of positive evidence, and not on allegations, conjectures or speculation.⁷⁵ USIMINAS, indicates that the finding must be allowed to expire unless it can be demonstrated that there is a real likelihood of resumed dumping.⁷⁶

[89] USIMINAS claims that the extensive documentation filed by the Canadian producers relates to steel in general instead of the subject goods, and that there is no evidence which establishes that global trends or conditions will result in USIMINAS returning to the Canadian market at dumped prices, nor at volumes and prices that would cause an injury to the Canadian production.⁷⁷ USIMINAS claims that Algoma has not provided positive evidence indicating that there is likelihood of resumed dumping, and thus, has failed to meet the burden of proof to support the continuation of measures against the subject goods.⁷⁸

⁷⁴ Exhibit 52 (NC) – Case Brief Filed on behalf of Usinas Siderurgicas de Minas Gerais S.A., paras. 6-10.

⁷⁵ *Ibid.*, at para. 13.

⁷⁶ *Ibid.*, at paras. 17-18.

⁷⁷ Exhibit 52 (NC) – Case Brief Filed on behalf of Usinas Siderurgicas de Minas Gerais S.A., para. 14.

⁷⁸ *Ibid.*, at para. 14.

Brazil's Exclusion from the Finding

[90] USIMINAS submits that there is no evidence of dumping of subject goods from Brazil into Canada during the POR and points that there have been no imports of subject goods from Brazil during the POR.⁷⁹ USIMINAS claims that the absence of SIMA duty collection from Brazil supports the expiry of the finding.⁸⁰ It further argues that its exports are higher priced and more profitable than domestic slabs.⁸¹

[91] USIMINAS claims that “the performance of the exporters, foreign producers, brokers and traders including, where applicable, in respect of production, capacity utilisation, cost, sales volumes, prices, inventories, market shares, exports and profit” is an outdated indicator,⁸² and that there is no such information on the record.⁸³ Specifically, USIMINAS argues that it reduced its production to match demand and that there is no evidence on the record that any factor would encourage USIMINAS to re-open its plant in Cubatão to increase its capacity.⁸⁴

[92] USIMINAS submits anti-dumping duties are in effect against Brazilian carbon and alloy steel cut-to-length plate in the U.S. and carbon steel plate in the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei) with margins of 74.52% and 31.10% respectively.⁸⁵ The exporter argues that these measures are not likely to divert dumped goods to Canada. Specifically, USIMINAS claims that the safeguard measures on heavy plate by Canada is preventing diversion.⁸⁶

CONSIDERATION AND ANALYSIS

[93] In making a determination under paragraph 76.03(7)(a) of SIMA whether the expiry of the finding is likely to result in the continuation or resumption of dumping of the goods, the CBSA may consider the factors identified in subsection 37.2(1) of the SIMR, as well as any other factors relevant under the circumstances.

[94] Before presenting the specific analysis with respect to Brazil, Denmark, Indonesia, Italy, Japan, and South Korea concerning the likelihood of the continuation or resumption of dumping in absence of the CITT's finding, there are certain issues listed below that relate to the goods on a broader scale which are addressed as follows:

- Commodity nature of hot-rolled carbon steel plate;
- Capital-intensive nature of steel production; and
- Steel market developments and trends.

⁷⁹ *Ibid.*, at para. 26.

⁸⁰ *Ibid.*, at para. 39.

⁸¹ *Ibid.*, at para. 27.

⁸² *Ibid.*, at para. 29.

⁸³ *Ibid.*, at para. 31.

⁸⁴ *Ibid.*, at para. 43.

⁸⁵ *Ibid.*, at para. 34.

⁸⁶ *Ibid.*, at para. 36.

Commodity Nature of Hot-Rolled Carbon Steel Plate

[95] In general, hot-rolled carbon steel plate produced to a given specification in a given country is physically interchangeable with hot-rolled carbon steel plate produced to the same specification in any other country. As such, goods compete amongst themselves regardless of origin and share the same channels of distribution and the same potential customers. This characteristic means that hot-rolled carbon steel plate must compete in a market that is price sensitive, where price is one of the primary factors affecting the customer's purchasing decision. Furthermore, because of this high degree of price sensitivity, prices in a given market have historically tended to converge over time towards the lowest available price offering.

[96] Given the commodity nature of the subject goods, when measures are in place for one country, other sources of steel plate emerge. This is evident from the number of measures in place in Canada outlined below, both historically and currently, with respect to steel plate.

[97] The first finding regarding certain hot-rolled carbon steel plate dates back to 1983. On December 7, 1983, in Inquiry No. ADT-10-83, the Anti-dumping Tribunal (now the CITT) found that the dumping of steel plates from ten countries, which included Czechoslovakia and Romania, had caused, was causing and was likely to cause material injury to domestic production. On January 26, 1984, in Inquiry No. ADT-13-83, the Anti-dumping Tribunal extended its 1983 material injury finding to include the Netherlands. The finding made by the Anti-dumping Tribunal against the eleven countries was rescinded by the CITT on May 1, 1990 in Review No. RR-89-006.⁸⁷

[98] Since 1992, there have been six other inquiries concerning similar steel plate products, which have resulted in the imposition of either anti-dumping measures or both anti-dumping and countervailing measures against imports from various countries. The measures resulting from four of the six investigations are still in force, which are informally referred to as Plate III, Plate V, Plate VI and Plate VII.⁸⁸

[99] The history of steel plate being dumped into Canada supports the opinion that steel plate is a commodity product and that measures in place preventing one country to export steel plate to Canada, provides an opportunity for other sources of steel plate to emerge.

Capital-Intensive Nature of Steel Production

[100] As previously noted by the CITT, "Steel mills are capital intensive with high fixed costs. In order to recover fixed expenses, steel mills must run at high levels of production capacity. When demand in the domestic market decreases, producers will search out foreign markets to maintain capacity utilization to ensure that these fixed costs are recovered".⁸⁹ This is often referred to as the "economics of steel production." Conditions of overcapacity exacerbate this characteristic as a producer may find it more feasible to sell excess production in foreign markets at depressed prices rather than reduce production, as long as the producer's variable costs are covered.

⁸⁷ *Statement of reasons – Steel Plate 5 Expiry Review*, RR-2008-002, 2008.

<http://www.cbsa-asfc.gc.ca/sima-lmsi/er-rre/rr2008-002/rr2008-002-e08-de-eng.html>

⁸⁸ *Ibid.*

⁸⁹ Tribunal Expiry Review *Statement of Reasons on Certain Hot-Rolled Carbon Steel Plate*, RR-98-004, 1999. p. 13-14. http://www.citt.gc.ca/en/dumping/reviews/orders/archive_rr98004_e –

Steel Market Developments and Trends

[101] According to the OECD, steel market conditions are facing important headwinds in the short and the medium term. While the economic conditions seem to have been improving since late 2015, increased trade actions, the rising number of new capacity investments, the presence of distortive government support and subsidization, and downside risks to world GDP growth, once fiscal and monetary policy stimuli are withdrawn, are likely to have an impact on the steel industry.⁹⁰ According to the World Steel Association, global steel growth rates in 2019 and 2020 are expected to slow down with a slowing global economy. Uncertainties over the trade environment and volatility in the financial markets could pose downside risks to this forecast.⁹¹

[102] In 2017, global steel consumption reached 1,587.4 million MT, an increase of 4.7% compared to the first year of the POR.⁹² In 2018, global steel demand was 1,712.45 million MT, an increase of 1.8% compared to 2017. It is expected to grow by 1.3% in 2019 and 1.0% in 2020, reflecting a deteriorating trade environment.⁹³

[103] According to the OECD, global consumption of flat products increased from 637.5 million MT to 710.5 million MT between 2015 and 2018. This amounts to an average annual growth rate of 3.42%. More specifically, global consumption of steel plate grew from 95.6 million MT to 115.8 million MT over the same period, amounting to an average annual growth rate of 5.8%.⁹⁴

[104] Global crude steel production reached 1,808.6 million MT in 2018, up by 4.6% compared to 2017. Besides the EU, where production decreased by 0.3%, crude steel production increased in all regions of the world in 2018.⁹⁵

[105] Global steelmaking capacity decreased in both 2016 and 2017 and increased in 2018. The OECD stated that global steelmaking capacity amounted to 2,244.9 million MT in 2017, whereas 2018 capacity was projected at 2,290.1 million MT, representing a 2.0% increase.⁹⁶ While there is an increase in global steelmaking capacity, there is also a significant gap with global crude steel production at 1,808.6 million MT⁹⁷ and global crude steel demand at 1,712.45 million MT.⁹⁸ The global excess capacity is estimated at 481.5 million MT when compared to production and 532.45 million MT when compared to demand for the 2018 year.

[106] The gap between production capacity and actual production is expected to narrow, as production continues to increase at a faster rate than capacity. The utilization rate of crude steel production capacity was expected to increase from 75.3% to 76.4% between 2017 and 2018 and is expected to grow to 80% by 2030. However, with investment projects continuing to increase in a number of economies and as steel consumption growth is anticipated to remain moderate, the global imbalance between capacity and demand will continue to pose risks for the industry for the foreseeable future.

⁹⁰ Exhibit 17 (NC) – CBSA Research – Global forecast and analysis based on price assessment Sept 2018, p. 5.

⁹¹ Exhibit 38 (NC) – Research articles – PLA 7 World Steel 2019 projection.

⁹² Exhibit 17 (NC) – CBSA Research – Global forecast and analysis based on price assessment Sept 2018, p. 9.

⁹³ Exhibit 38 (NC) – Research articles – PLA 7 World Steel 2019 projection.

⁹⁴ Exhibit 38 (NC) – Research articles – PLA 7 OECD investment steel, p. 4.

⁹⁵ Exhibit 38 (NC) – Research articles – PLA 7 global output in 2019.

⁹⁶ Exhibit 17 (NC) – CBSA Research – Global forecast and analysis based on price assessment Sept 2018, p. 29.

⁹⁷ Exhibit 38 (NC) – Research articles – PLA 7 global output in 2019.

⁹⁸ Exhibit 38 (NC) – Research articles – PLA 7 World Steel 2019 projection.

[107] On March 8, 2018, the U.S. issued a proclamation regulating imports of steel into the U.S. under Section 232 of the *Trade Expansion Act* of 1962, imposing tariffs of 25% on imports of steel.⁹⁹

[108] Algoma provided evidence on the record demonstrating the reduction of imports to the U.S. following the 232 measures. Import volumes for all steel mill products and steel plates cut-to-length are provided in **Table 4** below.¹⁰⁰

Table 4¹⁰¹
U.S. Imports of Steel Mill Products (Million MT)

Product	Census Data			
	Annual Total Quantity 2016	Annual Total Quantity 2017	Total Quantity Jan through Nov 2017	Total Quantity Jan through Nov 2018
All Steel Mill Products	29.99	34.47	32.25	28.86
Cut-to-Length Steel Plate	1.05	0.69	0.65	0.51

[109] As indicated in the table above, overall steel mill imports declined by 10.5% (3.39 million MT) in January to November 2018 relative to the same period in 2017. With respect to steel plate, imports have been declining prior to 2016 and have continued to decline into 2017 with a drop of 34.9% (0.36 million MT). After the imposition of the 232 measures in 2018, steel plate imports declined again in the U.S. by 20.5% (0.14 million MT) in January to November 2018 relative to the same period in 2017.

[110] The U.S. Section 232 measures created a ripple effect as other countries have put in place safeguard measures. The EU implemented definitive safeguard measures effective February 2, 2019. Steel plate is specifically covered under item 7 of those measures and countries importing within the target quotas are subject to an additional duty rate of 25%.¹⁰²

[111] On April 27, 2018, Turkey initiated its own safeguard investigation on imports of iron and steel products which includes plate products. According to the notification filed under Article 12.1(A) to the WTO, Turkey's safeguard investigation will examine the potential injury and/or threat thereof to domestic producers due to the import taxes imposed by the U.S., the safeguard investigation initiated by the EU and the increasing tendency towards protectionist measures against steel products worldwide.¹⁰³

[112] On July 1, 2018, in response to the U.S. imposition of a 25% tariff against steel imports, including those originating in Canada, Canada imposed its own 25% surtax on imports of certain steel products from the U.S.

⁹⁹ Exhibit 44 (NC) – Close of the Record Documents – Algoma Steel Inc., Public Attachment 13 – US 232 Customs and Border Protection.

¹⁰⁰ *Statement of Reason* – Certain Hot-rolled Carbon Steel Plate – <https://cbsa-asfc.gc.ca/sima-lmsi/er-rre/pla52018/pla52018-de-eng.html>. June 7, 2019

¹⁰¹ *Ibid.*, – Table 3.

¹⁰² *Ibid.*, para 127.

¹⁰³ Exhibit 21 (NC) – Response to Producer ERQ – Evraz Inc. Canada, Public Attachment 12, pages 1039-1041.

[113] Furthermore, with the threat of diversion of exports from the U.S. to Canada due to the 232 measures, the Government of Canada imposed provisional safeguards in the form of tariff rate quotas (TRQs) on seven classes of steel goods, including steel plate products. The provisional safeguards took effect on October 25, 2018. The TRQ's are administered by Global Affairs Canada by way of shipment specific imports permits. On April 3, 2019, the CITT recommended that final safeguards should only be applied on two classes of steel goods - heavy plate and stainless steel wire originating from countries other than South Korea, Panama, Peru, Colombia, Honduras, or countries whose goods are eligible for General Preferential Tariff treatment, for a period of three years. Goods that are not covered by a valid import permit at time of accounting are subject to a surtax.¹⁰⁴ On May 13, 2019, final safeguard measures were imposed on the importation of the two categories of steel goods to October 24, 2021.¹⁰⁵

[114] Due to the geographic proximity of the U.S. to Canada and the size of the U.S. steel market, compounded with the effect of global safeguard measures against steel plate imports, the imposition of section 232 tariff by the U.S. will likely cause steel plate to be diverted to Canada and price pressures already created by existing non-subject sources may result in dumping.

Brazil

[115] As earlier indicated, the CBSA received an ERQ response, a case brief and a reply submission to this expiry review investigation from USIMINAS, a producer and exporter of subject goods in Brazil. The CBSA relied on the information submitted by USIMINAS and other participating parties, as well as other information on the administrative record for the purposes of the expiry review investigation with respect to Brazil.

[116] According to the Ministerial Report on the 2018 Global forum on steel excess capacity, Brazil's steelmaking capacity was 51.5 million MT in both 2016 and 2017.¹⁰⁶ According to the U.S. Department of Commerce, the major Brazilian steel producers are Gerdau SA, which produced the most steel with 26 million MT worldwide; ArcelorMittal Brazil, which produced 11.3 million MT; USIMINAS, which was reported to have produced 9.6 million MT; and CSN with a production of 5.6 million MT.¹⁰⁷

[117] Brazil's steel industry is export-oriented as Brazil exports 40% of its steel production.¹⁰⁸ Brazil's steel exports reached a peak in 2017 with 15.3 million MT.¹⁰⁹ In 2018, its exports decreased by 9% from 2017 to reach 13.9 million MT. However, the value of Brazil's steel exports increased by 10% in 2018 to USD \$ 8.8 billion, from USD \$ 8.0 billion in 2017. Flat products represented 18% (2.5 million MT) of all exported steel products from Brazil.¹¹⁰

¹⁰⁴ Notice to Importers – Steel goods. 2018. <https://www.international.gc.ca/controls-controles/steel-acier/notices-avis/911.aspx?lang=eng>

¹⁰⁵ Final Safeguard Measures Imposed on the Importation of Certain Steel Goods. 2019. <https://www.cbsa-asfc.gc.ca/publications/cn-ad/cn19-08-eng.html>

¹⁰⁶ Exhibit 17 (NC) – CBSA Research – global-forum-on-steel-excess-capacity-180920 – September 2018 , p. 39.

¹⁰⁷ Exhibit 17 (NC) – CBSA Research – Steel Exports Report Brazil – May 2019, p. 6.

¹⁰⁸ Exhibit 17 (NC) – CBSA Research – Steel Exports Report Brazil – May 2019, p. 2.

¹⁰⁹ *Ibid.*

¹¹⁰ *Ibid.*

[118] While Brazil’s exports decreased during the POR, the information on the record indicates that additional production capacity has been put in place by Brazilian producer, Gerdau. Algoma submitted evidence that Gerdau started the production of heavy plate in Minas Gerais, Brazil at the end of 2016, with a capacity of 1.1 million MT per year destined for both domestic and export markets.¹¹¹

[119] With respect to capacity utilization in Brazil, USIMINAS reported that “current level of plate capacity utilization in Brazil is barely above 30%”.¹¹²

[120] Algoma provided evidence of Brazil’s steel plate export price (USD/T) throughout the POR where the average price was US\$ 792.36 in 2016, US\$ 675.86 in 2018, and US\$ 695.81 in the first quarter of 2019.¹¹³ When converted into CAD, Brazilian export price for these years was \$1,049.72, \$875.71, and \$926.66 for the first quarter of 2019 respectively.¹¹⁴ Further examination of Canadian import data and Brazilian export data shows that during the POR, Brazil’s export prices have been significantly below Canada’s import prices. It is likely that Brazilian producers will be willing to price aggressively while pursuing new export markets. **Table 5** below shows a summary of this pricing difference.

Table 5^{115 116}
Canadian Import Prices Compared to Brazilian Export Price

Steel plate	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average Brazilian export selling price	1,049.72	N/A*	875.71	926.66
Average Canadian import price	830.15	872.99	1041.90	1154.37
Average Brazilian export price – Average Canadian import price	+219.57	N/A	-166.19	-227.71

* No data available

[121] CBSA’s analysis of confidential information on the record indicates that Brazilian export prices of subject goods have been significantly lower than prices in their domestic market during the POR.

[122] Based on the CBSA’s pricing analysis, it is evident that average Brazilian export prices are well below average Canadian import prices and that the exporters from Brazil sell at low and potentially dumped prices in other markets. As such, in the event that the current finding was allowed to expire, it is likely that subject goods originating or exported from Brazil would be at prices lower than the domestic Brazilian prices and well below Canadian import prices.

¹¹¹ Exhibit 42 (NC) – Close of Records – Algoma Steel Inc. – Attachment 32 – Gerdau initiates production of heavy plates Sidera Consult Market Access & Expansion, p. 1.

¹¹² Exhibit 27 (NC) – Response to Exporter / Foreign Producer ERQ – USIMINAS_PLA7 2019 ER_ERQ_Exp_Resp (Text)_NCV, Q 34.

¹¹³ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 48 – COMTRADE Brazil Plate Exports.

¹¹⁴ Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹¹⁵ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 48 – COMTRADE Brazil Plate Exports.

¹¹⁶ Exhibit 40 (NC) – Final Statistics.

[123] The propensity of Brazilian exporters to dump steel products in Canada and other markets is further demonstrated by numerous anti-dumping measures imposed against them by Canada and other countries. There are currently 27 trade remedies in effect involving steel mill imports from Brazil.¹¹⁷ Of these trade remedies, 24 involve anti-dumping duties in 8 countries (2 in Canada, 1 in the EU, 1 in India, 9 in Mexico, 1 in Taiwan, 1 in Thailand, 6 in the U.S. and 3 in Vietnam).

[124] Since the CITT's finding, Brazilian exporters have not exported subject goods to Canada. Brazilian exporters continued to show an interest in the Canadian market throughout the POR by maintaining a presence in Canada's flat product market by selling non subject steel plate.¹¹⁸ This demonstrates that Brazilian exporters remain interested in the Canadian market for steel plate but have been unable to compete in the hot-rolled carbon steel plate market during the POR, while the finding is in place. This may indicate an inability to compete in the Canadian market at non-dumped prices.

Determination Regarding Likelihood of Continued or Resumed Dumping for Brazil

[125] Based on the evidence on the record in respect of: the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; steel market developments and trends; Brazil's high export dependency on steel products; Brazil's significant excess production capacity; the fact that Brazilian exporters sell subject goods to other markets at a lower prices than their domestic market; pricing data suggesting Brazilian exporters sell steel plate in other countries at prices below Canadian import prices; the multiple anti-dumping measures imposed by countries other than Canada against steel products from Brazil; and the inability of Brazilian producers to compete in Canada at non-dumped prices, the CBSA determined that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from Brazil.

Denmark

[126] The CBSA did not receive any ERQ responses, case briefs, or reply submissions from exporters in Denmark. The CBSA, therefore, relied on information submitted by participating parties, as well as other information on the administrative record, in considering whether the dumping of subject goods from Denmark is likely to continue if the finding is allowed to expire.

[127] NLMK Dansteel A/S produces steel plate in widths of up to 4,000 mm and in thicknesses ranging from 5 – 200 mm.¹¹⁹ It is the largest producer of steel plate in Denmark with a plant capacity of 520,000 tonnes. Confidential information on the record indicates that NLMK Dansteel's steel plate capacity is projected to increase in 2019 and further in 2020.¹²⁰ The planned production capacity for this single Danish steel plate producer would put its total plate capacity in proximity to the apparent Canadian market for subject goods.

¹¹⁷ Exhibit 17 (NC) – CBSA Research – Steel Exports Report Brazil – May 2019, p. 1, 7.

¹¹⁸ Exhibit 03 (NC) – CBSA Import and Compliance Statistics for the Period of Review.

¹¹⁹ Exhibit 38 (NC) – Research Articles – NLMK DanSteel press release – Dec. 2012.

¹²⁰ Exhibit 41 (PRO) – Close of Records Algoma Steel Inc. – Attachment 01– CRU Capacity Sheets.

[128] NLMK Dansteel is wholly owned by NLMK Group of Russia, one of the world's largest steel producers. NLMK Dansteel receives its slab feedstock from its parent's production facilities in Lipetsk, Russia.¹²¹ Confidential information on the record indicates that NLMK Group intends to increase its steel slab production in Russia.¹²²

[129] Despite a large concentration of steel plate producers in Europe, the region is experiencing a flood of imports according to the European steel industry. Imports have more than doubled since 2013 and the industry itself is described as in crisis.¹²³ The import surge is attributed to the EU becoming a target for dumping for the world's excess steel capacity and steel products being diverted to the EU as a result of the U.S. imposing steel tariffs in 2018. As neither of these issues will be resolved in the near future, EU will likely continue to experience high import volumes for steel plate products.

[130] The crisis in the European market is also being attributed to high prices for raw materials and energy as well as sharply increasing CO₂ emission costs, the latter being borne by EU steel producers but not by steel imports into the EU.¹²⁴ Arcelor Mittal, the world's largest steel maker, has been affected by the weak demand and high imports in the EU and, as a result, has announced cuts to production at several plants in Europe, including France, Germany, Spain and Poland.¹²⁵ EUROFER, the European Steel Association, adds its voice to the concerns over the state of the steel sector by projecting that steel demand in the EU will decline by 0.4% in 2019. Despite steel safeguard measures in place, EUROFER is concerned that they are not adequately protecting against surging import volumes and that the employment gains the steel industry made in 2017 and 2018 will be reversed as European steel producers idle facilities and cut back production.¹²⁶ In light of the challenges mentioned above, it is likely that producers of steel plate in Denmark will be forced to pursue other markets for their products, including Canada.

[131] Based on United Nations COMTRADE data, exports of steel plate from Denmark have grown from 376,326 MT in 2015 to 531,084 MT in 2018, an increase of 41%. In the first quarter of 2019 Danish exports of steel plate were 152,986 MT, which equates to an annualized volume of over 610,000 MT.¹²⁷ With respect to NLMK Dansteel, the company's website states that its main markets are countries in Northern Europe.¹²⁸

¹²¹ Exhibit 38 (NC) – Research Articles – NLMK DanSteel press release – Dec. 2012.

¹²² Exhibit 37 (PRO) – Research Articles – NLMK – FastMarkets, article #1.

¹²³ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 43 – Eurofer open letter.

¹²⁴ *Ibid.*

¹²⁵ Exhibit 38 (NC) – Research Articles – Financial Post article on steel cuts in Europe.

¹²⁶ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 44 – Press Release – Weakness in EU Steel Safeguard and Poor Market Conditions Threaten Sector.

¹²⁷ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 73 – COMTRADE Denmark Plate Exports.

¹²⁸ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. Attachment 37 – NLMK Dansteel A/S company profile.

[132] Algoma provided evidence of Danish steel plate export prices (USD/T) throughout the POR where the average price was US\$ 519 in 2016, US\$ 648 in 2017, US\$ 784 in 2018, and US\$ 759.27 in the first quarter of 2019.¹²⁹ When converted into CAD, Danish export price for these years was \$687.57, \$841.49, \$1015.83 and \$1011.17 for the first quarter of 2019 respectively.¹³⁰ Further examination of Canadian import data and Danish export data shows that throughout the POR, Denmark's export prices were consistently below Canada's import prices. **Table 6** below shows a summary of this pricing difference.

Table 6^{131 132}
Canadian Import Prices compared to Danish Export Prices

Steel plate	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average Danish export selling price	687.57	841.49	1015.83	1011.17
Average Canadian import price	830.15	872.99	1041.90	1154.37
Average Danish export price – Canadian average import price	-142.58	-31.50	-26.07	-143.20

[133] Based on the pricing analysis above, it is evident that average Danish export prices are well below average Canadian import prices. As such, in the event that the current finding was allowed to expire, it is likely that subject goods originating or exported from Denmark would be at prices below Canadian import price.

[134] As shown in Table 1 and 2, a small quantity of hot-rolled carbon steel plate that originated in Denmark was dumped into Canada during the POR. Although the amount may not be considered to be significant, the goods were nonetheless dumped. This indicates that subject goods from Denmark have been dumped into Canada during the POR and that there remains interest for these goods in the Canadian market.

¹²⁹ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 73 – COMTRADE Denmark Plate Exports.

¹³⁰ Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹³¹ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 73 – COMTRADE Denmark Plate Exports.

¹³² Exhibit 40 (NC) – Final Statistics.

Determination Regarding Likelihood of Continued or Resumed Dumping for Denmark

[135] Based on information on the record regarding the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; steel market developments and trends; the planned production capacity increases for steel plate products in Denmark at a time when the European steel market is experiencing decreasing demand, increasing imports and production cutbacks; the fact that a large proportion of steel plate produced in Denmark is exported out of the country and that the volume of these exports is increasing; the current challenges that the steel plate exporters from Denmark continue to face due to increased competition in the European market and restrictive steel tariffs imposed by the U.S.; pricing data suggesting that the Danish exporters sell steel plate to other countries at prices below Canadian import prices; the fact that the exporters from Denmark have shown interest in the Canadian market during the POR; and the fact that exporters from Denmark have continued dumping in the Canadian market during the POR, the CBSA determined that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from Denmark.

Indonesia

[136] The CBSA received an ERQ response from the exporter PT Krakatau Posco (PTKP). No case briefs or reply submissions from exporters in Indonesia were received. The CBSA relied on the information submitted by the exporter, the Canadian producers as well as other information on the administrative record, for the purposes of the expiry review investigation with respect to Indonesia.

[137] Algoma provided evidence of Indonesia’s steel plate export price (USD/MT) throughout the POR where the average price was US\$ 392 in 2016, US\$ 528 in 2017 and US\$ 642 in 2018.¹³³ When converted into CAD, Indonesian export price for these years was \$519.32, \$685.66 and \$831.84 respectively.¹³⁴ Further examination of Canadian import data and Indonesian export data shows that during the POR, Indonesia’s export prices have been significantly below Canada’s import prices. **Table 7** below shows a summary of this pricing difference.

Table 7^{135 136}
Canadian Import Prices compared to Indonesian Export Price

Subject goods	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average Indonesian export selling price	519.32	685.66	831.84	N/A*
Average Canadian import price	830.15	872.99	1041.90	1154.37
Average Indonesian export price – Average Canadian import price	-310.82	-187.33	-210.06	N/A

* No data available.

[138] CBSA’s analysis of confidential information on the record indicates that Indonesian export prices of subject goods have been significantly lower than prices in their domestic market during the POR.

[139] Based on the CBSA’s pricing analysis, it is evident that average Indonesian export prices are well below average Canadian import prices and that Indonesian exporters are selling at low and potentially dumped prices in other markets. As such, in the event that the current finding was allowed to expire, it is likely that subject goods originating or exported from Indonesia would be at prices lower than domestic Indonesian prices and well below Canadian import prices.

[140] During the first three years of the POR (2016, 2017 and 2018), Indonesia’s production of hot-rolled carbon steel plate experienced an increase, along with increased exports of flat steel products. According to the World Steel Association’s Steel Statistical Yearbook issued in 2018, Indonesian production of hot-rolled plate (≥3mm) increased by 29% (1.3 million MT to 1.8 million MT) between 2015 and 2017 which coincided with a 30% increase (2.9 million MT to 4.2 million MT) in exports of flat products during the same period.¹³⁷

¹³³ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 74 – COMTRADE Indonesia Plate Exports.

¹³⁴ Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹³⁵ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 74 – COMTRADE Indonesia Plate Exports.

¹³⁶ Exhibit 40 (NC) – Final Statistics.

¹³⁷ Exhibit 17 (NC) – Research Articles – Steel Statistical Yearbook 2018.

[141] In the ministerial report on the global forum for steel excess capacity, issued on September 20, 2018, Indonesia reported specific targets for increasing crude steel capacity; a target of 25 million MT was announced in 2015 to be reached by 2035.¹³⁸ Indonesia has also indicated that its National Master Plan of Industrial Development 2015-2035 foresees an increase in crude steel capacity.¹³⁹ Additionally, Deputy Governor of Central Java Heru Sudjatmoko said that China-based steel producer Hebei Bishi Steel Group has invested US\$ 2.54 billion to build a steel plant in Kendal regency, Central Java.¹⁴⁰ This plant is being publicized as the biggest steel plant in Asia.¹⁴¹ It should be noted that between 2014 and 2017, the steel production capacity in Indonesia has already increased by 1.2 million MT.¹⁴²

[142] COMTRADE data demonstrates that this increase in production has been dedicated largely to export markets. In 2015, Indonesia's steel plate exports to Canada are listed at 353,198 MT. This figure grew in each year leading up to 2018, when exports were 574,711 MT, or 220,000 MT greater than in 2015. This amounts to a rate of increase of 62%.

[143] During the POR, there were no shipments of steel plate from Indonesia to Canada. The absence of shipments suggests an inability on behalf of the Indonesian steel plate producers to compete in Canada at non-dumped prices.

Determination Regarding Likelihood of Continued or Resumed Dumping for Indonesia

[144] Based on information on the record in respect of the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; steel market developments and trends; pricing data suggesting that Indonesian exporters sell subject goods to other markets at prices lower than their domestic market; pricing data suggesting the Indonesian exporters sell steel plate in other countries at prices below Canadian import prices; the planned production capacity increases for steel plate products in Indonesia despite the prevalent excess capacity in the steel market; the increasing volume of exports; and the current challenges that steel plate exports from Indonesia continue to face due to increased competition in the world market and restrictive steel tariffs imposed by the U.S.; and the inability of Indonesian producers to compete in Canada at non-dumped prices, it is recommended that the CBSA determine that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from Indonesia.

Italy

[145] The CBSA did not receive any ERQ responses, case briefs, or reply submissions from exporters in Italy. The CBSA, therefore, relied on information submitted by participating parties, as well as other information on the administrative record, for the purposes of the expiry review investigation with respect to Italy.

¹³⁸ Exhibit 17 (NC) – Research Articles – Global forum on steel excess capacity, page 10.

¹³⁹ Exhibit 17 (NC) – Research Articles – Global forum on steel excess capacity, page 22.

¹⁴⁰ Exhibit 38 (NC) – Research Articles – PLA 7 Indonesia- biggest steel factory in Asia.

¹⁴¹ *Ibid.*

¹⁴² Exhibit 17 (NC) – Research Articles – Global forum on steel excess capacity, page 38.

[146] According to the European steel industry, imports have more than doubled since 2013 and the European steel industry itself is described as in crisis.¹⁴³ The import surge is attributed to the steel tariffs imposed by the U.S., which has led to the dumping of excess capacity in Europe. Furthermore, the production in the EU is also impacted by high prices for raw materials and energy and increasing costs of CO₂ emission, the latter being borne by EU steel producers but not by steel imports into the EU.¹⁴⁴ As such, the EU will undoubtedly continue to experience high import volumes for steel plate products in the near future.

[147] With respect to Italy, as per the OECD, Italy's economy is expected to contract by 0.2% in 2019.¹⁴⁵ Steel "demand in Italy is expected to fall on weaker fundamentals"¹⁴⁶ including a downward trend in construction industry. Weak demand and high imports have already led Arcelor Mittal to cut production in its European plants, including Arcelor Mittal Italia.

[148] Despite the economic recession in Italy, in 2017, Italy added steel production capacity of 250,000 MT. "Italy produced 24.5 million MT (of crude steel) in 2018, up by 1.7% in 2017."¹⁴⁷ Regarding steel exports, "the steel exports as a share of Italy's production have been decreasing since 2016, from 74.4% to 71%, but are significantly higher than from 2009 to 2013."¹⁴⁸ Flat products accounted for the largest share of the Italian steel exports in 2018 at 35% or 6.2 million MT.¹⁴⁹ Exports further increased in 2018 and between 2017 and 2018, Italian exports to the U.S. saw the largest increase in volume (41%).¹⁵⁰ The weak economic conditions in Italy and the heavy influx of imports into the EU have resulted in Italian steel being directed to other markets.

¹⁴³ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 43 – Eurofer open letter.

¹⁴⁴ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 43 – Eurofer open letter.

¹⁴⁵ Exhibit 42 (NC) – Close of Records Algoma Steel Inc – Attachment 79 – OECD Global Economic Outlook, March 2019.

¹⁴⁶ Exhibit 38 (NC) – Research articles – PLA 7 Italy production status, p. 3.

¹⁴⁷ Exhibit 38 (NC) – Research articles – Global output in 2019, para 2.

¹⁴⁸ Exhibit 38 (NC) – Research articles – PLA 7 Italy steel report May 2019, p. 6.

¹⁴⁹ Exhibit 38 (NC) – Research articles – PLA 7 Italy steel report May 2019, p. 3.

¹⁵⁰ Exhibit 38 (NC) – Research articles – PLA 7 Italy steel report May 2019, p. 2.

[149] Algoma provided evidence of Italy’s steel plate export price (USD/T) throughout the POR where the average price was US\$ 513.49 in 2016, US\$ 650.58 in 2017, US\$ 740.76 in 2018, and US\$ 704.47 in the first quarter of 2019.¹⁵¹ When converted into CAD, Italian export price for these years was \$680.27, \$844.84, \$959.80 and \$938.19 for the first quarter of 2019 respectively.¹⁵² Further examination of Canadian import data and Italian export data shows that during the POR, Italy’s export prices have been consistently below Canada’s import prices. It is likely that Italian producers will be willing to price aggressively while pursuing new export markets. **Table 8** below shows a summary of this pricing difference.

Table 8^{153 154}
Canadian Import Prices Compared to Italian Export Price

Steel plate	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average Italian export selling price	680.27	844.84	959.80	938.19
Average Canadian import price	830.15	872.99	1041.90	1154.37
Average Italian export price – Average Canadian import price	-149.87	-28.15	-82.10	-216.18

[150] Based on the pricing analysis above, it is evident that average Italian export prices are well below average Canadian import prices. As such, in the event that the current finding is allowed to expire, it is likely that subject goods originating or exported from Italy would be at prices below Canadian import prices.

[151] During the POR for this expiry review, there were no shipments of steel plate from Italy to Canada. The absence of shipments suggests an inability on behalf of the Italian steel plate producers to compete in Canada at non-dumped prices.

[152] Evidence on the record reveals that multiple anti-dumping measures were imposed by other countries in respect of steel plate and other steel products from Italy. U.S. has four steel anti-dumping duties and two countervailing duties in effect against the steel industry in Italy.¹⁵⁵ Similarly, Mexico has anti-dumping duties in place against steel plate from Italy.¹⁵⁶ These anti-dumping measures demonstrate a propensity to dump by steel producers in Italy.

¹⁵¹ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 71 – COMTRADE Italy Plate Exports.

¹⁵² Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹⁵³ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 71 – COMTRADE Italy Plate Exports.

¹⁵⁴ Exhibit 40 (NC) – Final Statistics.

¹⁵⁵ Exhibit 38 (NC) – Research articles – PLA 7 Italy steel report May 2019, p. 7.

¹⁵⁶ Exhibit 38 (NC) – Research articles – PLA 7 Mexico imposes duty on plates from Italy.

Determination Regarding Likelihood of Continued or Resumed Dumping for Italy

[153] Based on information on the record regarding the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; the steel market developments and trends; the increase in steel production capacity of Italian producers despite the decreasing demand, increasing imports and production cutbacks in Italy and the EU; the challenges in the European steel market and restrictive steel tariffs imposed by the U.S.; the pricing data suggesting Italian exporters sell steel plate to other countries at prices below Canadian import prices; the inability of Italian producers to compete in Canada at non-dumped prices; and the multiple anti-dumping measures imposed by countries other than Canada against steel products from Italy, the CBSA determined that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from Italy.

Japan

[154] The CBSA did not receive any ERQ responses, case briefs, or reply submissions from exporters in Japan. The CBSA, therefore, relied on information submitted by participating parties, as well as other information on the administrative record, for the purposes of the expiry review investigation with respect to Japan.

[155] The Japanese steel industry is export-oriented. Japan is the world's second largest steel exporter and according to the OECD and the U.S. Department of Commerce¹⁵⁷, Japanese steel exports represented 8% of global steel exports in 2017 with 37.4 million MT.¹⁵⁸ In 2018, the volume of Japanese steel exports decreased by 4% from 2017 to reach 35.8 million MT. Additionally, exports of flat products amounted to 24.5 million MT or 69% of Japan's steel exports in 2018.¹⁵⁹ Meanwhile, the value of Japan's steel exports increased by 6% and amounted to US\$ 30.0 billion in 2018. During the same period, Japan imported 5.9 million MT of steel products resulting in net exports of 29.9 million MT in 2018.¹⁶⁰

[156] **Table 9** below shows a summary of Japan's crude steel imports, exports as well as its production destined to export markets.

Table 9¹⁶¹
Japan's Crude Steel Imports, Exports and Production Destined to Export Markets

Crude Steel	2016	2017	2018
Imports (in million MT)	5.9	6.2	5.9
Exports (in million MT)	40.4	37.4	35.8
Production Destined to Export Markets	38.6%	35.7%	34.3%

¹⁵⁷ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 1.

¹⁵⁸ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 6.

¹⁵⁹ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 2, 3, 5.

¹⁶⁰ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 2.

¹⁶¹ Exhibit 17 (NC) – CBSA Research – Global forecast and analysis based on price assessment Sept 2018, p. 14.

[157] According to the above figures, Japan experienced a sharp decrease in its steel exports (4.6 million MT) during the 2016-2018 period. In 2017, the volume of steel exports decreased in eight of Japan's top 10 steel export markets.¹⁶² Exports to the U.S. decreased by 21% in 2017¹⁶³ and were heavily impacted by Section 232 measures in 2018.¹⁶⁴ During the POR, Japanese steel exports decreased by 11.4%, while the apparent consumption grew by only 5.7%.¹⁶⁵ The growth of Japan's apparent consumption was not enough to offset its decline in exports. Meanwhile, Japan's production remained virtually unchanged (-0.5 million MT) at 104.3 million MT in 2018.¹⁶⁶ Thus, Japan is likely to have accumulated excess steel during the POR and, as such, Japanese producers are likely to pursue new export markets and may price aggressively to secure market shares.

[158] Meanwhile, evidence on the record shows that global exports from Japan contracted for four straight months at the end of the POR.¹⁶⁷ As reported by the OECD, the Japanese economy is expected to grow by only 0.8% for 2019 and 0.7% for 2020.¹⁶⁸

[159] During the POR, Japan's steelmaking capacity slightly declined while actual production remained flat, resulting in a slight reduction in Japan's total excess capacity.¹⁶⁹ However, Japanese producers continuously operated with at least over 27.7 million MT of total steelmaking excess capacity. While this information is regarding crude steel, it should be noted that 69% of Japanese steel exports are flat products which includes subject goods.¹⁷⁰ The excess capacity could be rapidly put into operation by Japanese producers. Given the size of the industry and the information on the record regarding excess production capacity, Japanese producers could easily supply the entire apparent Canadian market of certain hot-rolled carbon steel plate for the entire POR and would still have significant amount of excess capacity.

¹⁶² Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 2, 3, 5.

¹⁶³ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 2, 3, 5.

¹⁶⁴ Exhibit 38 (NC) – Research articles – US CBP guidance on Section 232 tariffs, p. 2.

¹⁶⁵ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 6.

¹⁶⁶ *Ibid.*

¹⁶⁷ Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 99 – Japan exports fall again as Trumps trade policy threatens economic outlook – Reuters, p. 1.

¹⁶⁸ Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 79 – OECD Global Economic Outlook March 2019, p. 7.

¹⁶⁹ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 6.

¹⁷⁰ Exhibit 17 (NC) – CBSA Research – Steel Exports to Japan – April 2018, p. 2, 3, 5.

[160] Algoma provided evidence of Japan’s steel plate export price (USD/T) throughout the POR where the average price was US\$ 447.33 in 2016, US\$ 528.92 in 2017, US\$ 627.44 in 2018, and US\$ 673.57 in the first quarter of 2019.¹⁷¹ When converted into CAD, Japanese export price for these years was \$592.62, \$686.86, \$812.97 and \$897.04 for the first quarter of 2019 respectively.¹⁷² Further examination of Canadian import data and Japanese export data shows that throughout the POR, Japan’s export prices were significantly below Canada’s import prices. **Table 10** below shows a summary of this pricing difference.

Table 10^{173 174}
Canadian Import Prices Compared to Japanese Export Price

Steel plate	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average Japanese export selling price	592.62	686.86	812.97	897.04
Average Canadian import price	830.15	872.99	1041.90	1154.37
Average Japanese export price – Average Canadian import price	-237.52	-186.13	-228.93	-257.33

[161] Based on the pricing analysis above, it is evident that average Japanese export prices are well below average Canadian import prices. As such, in the event that the current finding is allowed to expire, it is likely that subject goods originating or exported from Japan would be at prices significantly below Canadian import price.

[162] The propensity of Japanese exporters to dump steel products in Canada and other markets is further demonstrated by the numerous anti-dumping measures imposed against them by Canada and other countries. There are currently 31 trade remedies in effect involving steel mill imports from Japan.¹⁷⁵ Of these trade remedies, 30 involve anti-dumping duties in 10 countries (three in Canada, three in Australia, two in China, one in the EU, two in India, one in Indonesia, one in Mexico, one in South Korea, two in Thailand and 14 in the U.S.).

[163] Since the CITT’s finding, Japanese exporters have not exported subject goods to Canada. Japanese exporters of steel plate continued to show an interest in selling into the Canadian market throughout the POR by maintaining a presence in Canada’s flat product market by selling non-subject goods.¹⁷⁶ This demonstrates that Japanese exporters remain interested in the Canadian market for subject goods but have been unable to compete in the hot-rolled carbon steel plate market during the POR, while the finding was in place. This indicates an inability to compete in the Canadian market at non dumped prices.

¹⁷¹ Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 72 – COMTRADE Japan Plate Export.

¹⁷² Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹⁷³ Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 72 – COMTRADE Japan Plate Export.

¹⁷⁴ Exhibit 40 (NC) – Final Statistics.

¹⁷⁵ Exhibit 17 (NC) – CBSA Research – Steel Exports Report Japan – March 2019, p. 1, 7.

¹⁷⁶ Exhibit 3 (NC) – CBSA Import and Compliance Statistics for the Period of Review.

Determination Regarding Likelihood of Continued or Resumed Dumping for Japan

[164] Based on the evidence on the record in respect of the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; steel market developments and trends; Japan's significant excess production capacity; Japan's high export dependency on steel products; pricing data suggesting Japanese exporters sell steel plate to other countries at prices below Canadian import prices; the multiple anti-dumping measures imposed by countries other than Canada against steel products from Japan; and the inability of Japanese producers to compete in Canada at non-dumped prices, the CBSA determined that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from Japan.

South Korea

[165] The CBSA did not receive any ERQ responses, case briefs, or reply submissions from exporters in South Korea. The CBSA, therefore, relied on information submitted by participating parties, as well as other information on the administrative record, in considering whether the dumping of subject goods from South Korea is likely to continue if the finding is allowed to expire.

[166] Information on the records shows that South Korea's steel exports increased by 49% from 2009 to 2018 which is the same percentage that the country's crude steel production grew over the same period. In 2017, South Korea was ranked as the world's fourth largest exporter of steel and its exports represented about 7% of all steel exported globally in that year. Over the past ten years, steel manufacturers in South Korea have consistently exported over 40% of their production, indicating a strong reliance on foreign markets to maintain production levels. In terms of South Korea's steel exports to Canada, these increased by 66% between 2017 and 2018.¹⁷⁷

[167] According to a U.S. Department of Commerce report, South Korea's crude steel production grew from 48.6 million MT in 2009 to 72.5 million MT in 2018, an increase of over 49%.¹⁷⁸ South Korea's top three steelmakers – POSCO, Hyundai Steel Company, and Dongkuk Steel Mill Co., Ltd. have a combined production capacity of 12.5 million MT.¹⁷⁹ By way of comparison, the apparent Canadian market for like goods is determined to be approximately 800,000 MT. While the production capacity figures noted above relate to all steel plate products, it is nonetheless worth noting that the excess capacity available to steel plate producers in South Korea is many times larger than the apparent Canadian market for like goods.

¹⁷⁷ Exhibit 38 (NC) – Research Articles - ITA Steel Exports Report – South Korea – May 2019.

¹⁷⁸ Exhibit 38 (NC) – Research Articles - ITA Steel Exports Report – South Korea – May 2019.

¹⁷⁹ Exhibit 38 (NC) – Research Articles: POSCO business report; Hyundai Steel website – plate products; and Dongkuk brochure.

[168] Algoma provided evidence of South Korea’s steel plate export price (USD/MT) during the POR where the average price was US\$ 477 in 2016, US\$ 564 in 2017, US\$ 664.04 in 2018.¹⁸⁰ When converted into CAD, South Korean export price for these years was \$631.93, \$732.41, \$860.34 respectively.¹⁸¹ Further examination of Canadian import data and South Korean export data shows that throughout the POR, South Korea’s export prices were significantly below Canada’s import prices. **Table 11** shows a summary of this pricing difference.

Table 11^{182 183}
Canadian Import Prices compared to South Korean Export Price

Steel plate	2016	2017	2018	2019 Jan. 1 to Mar. 31
Average South Korean export selling price	631.93	732.41	860.34	N/A*
Average Canadian import price	830.15	872.99	1041.90	115.37
Average South Korean export price – Average Canadian import price	-198.22	-140.58	-181.56	N/A

* No data available.

[169] Based on the pricing analysis above, it is evident that average South Korean export prices are well below average Canadian import prices. As such, in the event that the current finding was allowed to expire, it is likely that subject goods originating or exported from South Korea would be at prices below Canadian import price.

[170] The propensity of South Korean exporters to dump steel products in Canada and other markets is further demonstrated by the numerous anti-dumping measures imposed against them by Canada and other countries. According to the WTO, steel products from South Korea are currently subject to 59 trade remedies around the world, 46 of which are anti-dumping duties.¹⁸⁴ In Canada, nine steel-related products from South Korea are currently subject to anti-dumping duty, including flat-rolled products, tubular products, rebar and fabricated industrial steel components.

[171] As indicated earlier in this document, a certain amount of subject hot-rolled carbon steel plate originating in South Korea was assessed anti-dumping duty after being imported into Canada during the POR. Although small in quantity, this indicates that subject goods from South Korea have continued to be dumped into Canada during the POR and that there remains interest in the Canadian market for these goods.

¹⁸⁰ Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 75 – COMTRADE South Korea Plate Exports.

¹⁸¹ Taux de change moyen annuel, Banque du Canada. <https://www.banqueducanada.ca/taux/taux-de-change/taux-de-change-moyens-annuels/>

¹⁸² Exhibit 42 (NC) – Close of Records - Algoma Steel Inc. – Attachment 75 – COMTRADE South Korea Plate Exports.

¹⁸³ Exhibit 40 (NC) – Final Statistics.

¹⁸⁴ Exhibit 38 (NC) – Research Articles - ITA Steel Exports Report – South Korea – May 2019.

[172] The economy in South Korea is currently facing a number of serious challenges including a declining GDP and falling currency values. According to the Bank of Korea, GDP fell 0.3% in the first quarter of 2019, the biggest reduction since 2008. At the same time capital expenditures plunged 10.8%, the worst drop since the Asian financial crisis of 1998.¹⁸⁵ South Korea's construction industry, which is traditionally a major consumer of steel plate products and which comprises almost a fifth of the country's economic output, is also under duress. Investment in this industry fell 8.6% in the third quarter of 2018, the deepest fall since the 1990s.¹⁸⁶ Both the country's shipbuilding industry, which accounts for 7% of exports and employment, and its machinery industry have seen declines from 2017 to 2018.^{187 188}

[173] In South Korea, exports make up more than 40% of the country's GDP, so changes in the global economy have a significant impact on its economy. For example, China is South Korea's largest trade partner, accounting for 27% of its exports. However, these exports are under pressure due to China's economy itself being adversely affected by an escalating trade war with the U.S.¹⁸⁹ Due to the export reliance of steel manufacturers in South Korea, including manufacturers of steel plate products, it is likely that these companies will look increasingly to other foreign markets, including Canada, as both their domestic market and China's domestic market continue to face economic challenges.

Determination Regarding Likelihood of Continued or Resumed Dumping for South Korea

[174] Based on information on the record regarding the commodity nature of hot-rolled carbon steel plate; the capital intensive nature of steel production; steel market developments and trends; the large production capacity and excess capacity associated with steel plate producers in South Korea relative to Canadian producers; the export-oriented nature of steel producers in that country; pricing data suggesting South Korean exporters sell steel plate to other countries at prices below Canadian import price; the multiple anti-dumping measures imposed by countries other than Canada against steel products from South Korea; the fact that exporters from South Korea have continued dumping and shown interest in the Canadian market during the POR; and the current challenges that steel plate producers from South Korea continue to face due to worsening economic conditions in their domestic market, the CBSA determined that the expiry of the finding is likely to result in the continuation or resumption of dumping into Canada of certain hot-rolled carbon steel plate originating in or exported from South Korea.

CONCLUSION

[175] For the purpose of making a determination in this expiry review investigation, the CBSA conducted its analysis within the scope of the factors found under subsection 37.2(1) of the SIMR. Based on the foregoing consideration of pertinent factors and analysis of the information on the administrative record, on October 4, 2019, the CBSA made a determination pursuant to paragraph 76.03(7)(a) of SIMA that the expiry of the CITT's finding made on May 20, 2014, in Inquiry No. NQ-2013-005, in respect of certain hot-rolled carbon steel plate originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan, and South Korea is likely to result in the continuation or resumption of dumping of the goods.

¹⁸⁵ Exhibit 38 (NC) – Research Articles – Nikkei article #2 on South Korean economy.

¹⁸⁶ Exhibit 38 (NC) – Research Articles – Reuters article on South Korean construction sector.

¹⁸⁷ Exhibit 38 (NC) – Research Articles – Reuters article on South Korean shipbuilding industry.

¹⁸⁸ Exhibit 42 (NC) – Close of Records Algoma Steel Inc. – Attachment 66 – Korea Iron and Steel Association, 86th Session of the Steel Committee, March 2019.

¹⁸⁹ Exhibit 38 (NC) – Research Articles – Nikkei article #1 on South Korean economy.

FUTURE ACTION

[176] On October 7, 2019, the CITT commenced its inquiry to determine whether the expiry of the finding with respect to the dumping of certain hot-rolled carbon steel plate originating in or exported from Brazil, Denmark, Indonesia, Italy, Japan, and South Korea is likely to result in injury. The CITT's Expiry Review schedule indicates that it will make its decision by March 12, 2020.

[177] If the CITT determines that the expiry of the finding with respect to the goods is likely to result in injury, the CITT will make an order continuing the finding in respect of those goods, with or without amendment. If this is the case, the CBSA will continue to levy anti-dumping duties on dumped importations of the subject goods.

[178] If the CITT determines that the expiry of the finding with respect to the goods is not likely to result in injury, the CITT will make an order rescinding the finding in respect of those goods. Anti-dumping duties would then no longer be levied on importations of the subject goods, and any anti-dumping paid in respect of goods that were released after the date that the finding was scheduled to expire will be returned to the importer.

INFORMATION

[179] For further information, please contact the officers listed below:

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