



Trade Remedies
Authority

**Preliminary decision following transition review
TD0003 – certain pre- and post-stressing wire
and strands (PSC wire and strands) originating
in the People’s Republic of China**

Preliminary decision of revocation



Executive Summary and Preliminary Decision

On 30 July 2020, the Secretary of State for the Department for International Trade (the “Secretary of State”) published a [notice](#) under Regulation 98 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (the “D&S Regulations”) to transition [Commission Implementing Regulation \(EU\) 2015/865](#) of 4 June 2015 (the “EU trade remedies measure”). The EU trade remedies measure imposed a definitive anti-dumping duty on imports of certain pre- and post-stressing wires and strands of non-alloy steel (PSC wire and strands) originating in the People’s Republic of China. Pursuant to that notice of determination, the Secretary of State also published on 30 July 2020 a notice under Regulation 96(1) of the D&S Regulations to [initiate](#) a transition review of the EU trade remedies measure.

On 30 July 2020, the Secretary of State published a [notice](#) (the “Taxation Notice”) under Regulation 96A(1) of the D&S Regulations to give effect to the EU trade remedies measure in the UK upon replacement of EU trade duty (31 December 2020).

The Trade Remedies Authority, previously the Trade Remedies Investigations Directorate of the Department for International Trade, conducted a transition review to assess whether the anti-dumping duty on PSC wire and strands described above is appropriate for the UK. This was initially conducted under Regulation 97(2)(a) as a transition review of the EU trade remedies measure and was continued as a transition review of a UK trade remedies measure under Regulation 97(2)(b) pursuant to Regulation 97A.

The EU trade remedies measure would have expired on 6 June 2020, but the European Commission initiated an expiry review on 4 June 2020. Consequently, pursuant to Regulation 96B of the D&S Regulations, the period specified in the Taxation Notice for which the anti-dumping amount is to apply, ended 30 days after



replacement of EU trade duty. However, pursuant to Regulation 97C of the D&S Regulations, the UK trade remedies measure continued to apply.

Following the conclusion of this transition review, the Trade Remedies Authority makes a preliminary decision under Regulation 100(1) of the D&S Regulations to revoke the anti-dumping amount with effect from 30 January 2021.



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SECTION A: Introduction

Initiation of case and interest from external parties

Background legislation

The background legislation relevant to this transition review is described in the Executive Summary and Preliminary Decision.

Goods covered by the measure and to which this preliminary decision relates

The measure applies to, and this preliminary decision relates to certain pre and post-stressing wires and wire strands of non-alloy steel (PSC wire and strands) originating in the People's Republic of China.

The goods reviewed and to which this preliminary decision relates are:

Not plated or not coated wire of non-alloy steel, wire of non-alloy steel plated or coated with zinc and stranded wire of non-alloy steel whether or not plated or coated with not more than 18 wires, containing by weight 0.6 % or more of carbon, with a maximum cross-sectional dimension exceeding 3 mm. (Galvanised (but not with any further coating material) seven wire strands in which the diameter of the central wire is identical to or less than 3 % greater than the diameter of any of the 6 other wires are not covered by the measures in force and are not subject to this review.)

These goods fall under the commodity codes 7217109010, 7217209010, 7312106191, 7312106591, 7312106991.

Anti-dumping rates and names of overseas exporters

The rate of anti-dumping duty which currently applies to the goods produced by the relevant companies is summarised below:



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Company	Anti-dumping duty
Kiswire Qingdao, Ltd. Qingdao	0%
Ossen Innovation materials Co. Joint Stock Company Ltd, Maanshan, and Ossen Jiujiang Steel Wire Cable Co. Ltd, Jiujiang	31.1%
All other companies	46.2%



Section B: Summary of the review

Summary of the review

Our review considered whether the application of the anti-dumping amount is necessary or sufficient to offset dumping of the relevant goods in the UK market and whether injury to the UK industry in the relevant goods would occur if the anti-dumping amount were no longer applied to those goods.

We initiated the transition review on 30 July 2020. At this point, we invited external parties with an interest in the goods under review to register their interest in the review. This included all known domestic producers of the relevant goods, trade bodies representing domestic producers of the relevant goods, UK importers of the relevant goods, and overseas exporters.

Registration of interested parties to the review

One UK producer of like goods (goods which, although not alike in all respects, have characteristics closely resembling those of the goods subject to review), Bridon International Ltd., (the “UK Producer”) registered an interest in the case. We could not identify any other UK producers of like goods. One trade association, EEF/UK Steel, representing UK producers of the like goods (the “UK trade association”), also registered. In their registration documents, both the UK producer and the UK trade association stated that only PSC wire, and not PSC strand, is produced in the UK.

We also received registrations of interest from two overseas exporters, Jiangyin Fasten Steel Products Co., Ltd and Silvery Dragon Prestressed Materials Co., Ltd Tianjin. Although neither overseas exporter exported the goods subject to review, to the UK during our period of investigation (POI), they participated in this transition review.



Two UK importers of the goods subject to review, Megasteel Ltd and Kromat Ltd, also registered their interest in the case, though neither imported the goods subject to review in the POI.

We contacted members of the upstream industry and downstream users but despite initial expressions of interest from some, no member from the upstream industry or downstream users chose to participate in the review.

Review parameters

Our period of investigation was: 1 January 2019 to 31 December 2019,

The period for the injury assessment was: 1 January 2016 to 31 December 2019.

Review considerations

Specifically, we considered under Regulation 99A(1)(a) and (1)(b) of the D&S Regulations:

- whether the application of the anti-dumping amount is necessary or sufficient to offset the dumping of the relevant goods in the UK market; and
- whether injury to the UK industry in the relevant goods would occur if the anti-dumping amount were no longer applied to those goods.

Under 99A(2) of the D&S Regulations, we may also consider:

- whether it is appropriate to recalculate the anti-dumping amount;
- whether the goods or the description of the goods to which the anti-dumping amount applies should be varied;
- whether to reassess the dumping margin;
- and whether to reassess the anti-dumping amount adequate to remove the injury to the UK industry.



We did not consider it necessary to do any of the tests under 99A(2) because of the outcome of the tests under 99A(1).



Section C: Reasons for the preliminary decision to revoke

Facts considered during the transition review

During this transition review, we considered a number of facts, some of which were supplied to us by interested parties and some of which we obtained from independent sources. A summary of all facts, and further detail about those facts which formed the basis of the preliminary decision, can be found in the published [Statement of Essential Facts](#)

We consider that the UK industry's withdrawal of interest in maintaining the measure, is the most essential information that has informed our preliminary decision. We consider that it is not appropriate to have regard to the information supplied by the UK industry when making our preliminary decision, because it is not verifiable, given the circumstances of this case. Other information that was supplied to us was either unsuitable to base our decisions on or it was considered as part of our assessment of the factors under Regulation 99A of the D&S Regulations.

Injury likelihood assessment

As part of our analysis, we are required under 99A(1)(b) of the D&S Regulations to consider whether injury to the UK industry in the relevant goods would occur if the antidumping amount were no longer applied (injury likelihood assessment). As part of the injury likelihood assessment, the following essential facts formed the basis of our preliminary decision:

1. The UK industry's withdrawal of interest in maintaining the measure.
2. The fact that information provided to us by UK industry was not verifiable.
3. The lack of publicly available information about the UK domestic market for the relevant goods.



Once the UK industry withdrew its interest in maintaining the measure, we were not in a position to conduct any verification activities with the UK industry. Furthermore, the lack of publicly available information on the UK domestic market for the relevant goods meant we could not verify the information provided in the questionnaire responses through the use of publicly available facts. As the information in the UK industry questionnaires was not verifiable, under Regulation 47(2)(a) we were not required and we did not consider it appropriate, to have regard to it when making our preliminary decision. There was no other evidence presented to us by any other party to show that injury to the UK industry would occur if the measure were no longer applied. As a result of our assessment, we have concluded that there is no evidence that injury would occur to the UK industry in the relevant goods if the anti-dumping amount were no longer applied to those goods.

Necessary or sufficient test

Under Regulation 99A(1)(a)(i) of the D&S Regulations, in a transition review we must also consider whether the application of the anti-dumping amount is necessary or sufficient to offset the dumping of the relevant goods to the UK (necessary or sufficient test). We addressed this test in two parts:

1. An assessment of the imports of the relevant goods subject to review.
2. A recalculation of the anti-dumping amount, or if not appropriate, an explanation why this is the case.

We received [submissions](#) from two cooperating Chinese exporters but neither exported the relevant goods to the UK during the POI. The two cooperating exporters have both provided transaction-by-transaction data of sales to third countries.

After we received the submissions from the overseas exporters, the UK industry advised that they were no longer interested in maintaining the measure. In the light



of this, we considered any further work to verify the exporters' submissions would be disproportionate.

We looked at data from other sources available to us, in order to further assess imports to the UK of the relevant goods. We received some data from HMRC and we also accessed publicly available information from the Office of National Statistics Prodcom database. The HMRC data showed very low levels of imports of the relevant goods from China during the POI and the Prodcom database did not contain data specifically relating to the relevant goods. As a result, these other sources did not provide us with any data that we consider we can use as part of the necessary or sufficient test under Regulation 99A(1)(a).

We consider that the very low level of imports of the relevant goods into the UK indicates that the current measure is sufficient to offset dumping. Based on the UK industry's withdrawal of interest in maintaining the measure, under 99A(1)(b) we consider that injury would not occur to the UK industry if the measure was no longer applied. Given the UK industry's withdrawal of interest in maintaining the measure, our conclusion that injury would not occur if the amount were no longer applied and the very low level of imports of the goods subject to review into the UK, we consider that we do not have sufficient information or data to reach a conclusion on whether the measure is necessary to offset dumping under 99A(1)(a).

Other considerations

We also have discretion under Regulation 99A(2)(a) of the D&S Regulations to consider whether it is appropriate to recalculate the anti-dumping amount and whether the goods or description of the goods to which the anti-dumping amount applies should be varied, or any of the matters of a review conducted under Chapter 2 of Part 7. Given the outcome of the tests under Regulations 99A(1)(a) and 99A(1)(b) of the D&S Regulations we did not consider it appropriate to assess any of the tests under Regulation 99A(2).



Economic Interest Test

As we are making a preliminary determination under Regulation 100(1) that the measure should be revoked, no assessment is needed to determine whether the application of the measure meets the requirements of the Economic Interest Test.



SECTION D: Conclusion

The transition review of the measure was conducted to assess whether the current measure, as applied to imports of PSC wire and strand originating from the People's Republic of China, is necessary or sufficient to offset dumping of the relevant goods and whether there would be injury to UK industry if it was no longer applied.

The UK industry, after initially registering their interest, withdrew their interest in maintaining the measure. Information received from UK industry was not verifiable, given the circumstances of this case, therefore we consider that it is appropriate to have no regard to it when making our preliminary decision. The UK industry therefore provided no verifiable evidence that it was suffering any current injury or that there would be injury should the measure be removed. There was also no other information from which we conclude that removing the measure would lead to injury to the UK industry.

We consider that the low level of imports of the goods subject to review during the injury period was an indication that the measure is sufficient to prevent dumping. However, given the outcome of the tests required in 99A(1)(b) and the lack of data concerning imports of the goods under review to the UK, we do not have sufficient information or data to draw a conclusion as to whether the measure is necessary to offset dumping.

Based on the evidence presented in this case, we are making a preliminary decision under Regulation 100(1) of the D&S Regulations to revoke the application of the anti-dumping amount to the relevant goods with effect from the appropriate date, which is 30 January 2021.



The transition review is of a UK trade remedies measure under Regulations 97 and 97A of the D&S Regulations and continues to apply under Regulation 97C(2).

Pursuant to Regulation 94(1)(b)(ii), the appropriate date is the day of expiry of the measure.

As the relevant EU trade remedies measure specified in the determination notice remained in force pending the outcome of an EU expiry review, the period for which the UK measure was specified to apply in the Taxation Notice, ended 30 days after replacement of EU trade duty, pursuant to Regulation 96B(2).

Replacement of EU trade duty was 31 December 2020. Consequently, the day of expiry of the measure, and the appropriate date from which the application of the anti-dumping amount to the relevant goods is revoked, is 30 January 2021.