

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
**Washington, D.C.**

**In the Matter of**

**CERTAIN CARBON AND ALLOY STEEL  
PRODUCTS**

**Investigation No. 337-TA-1002**

**NOTICE OF COMMISSION DECISION NOT TO REVIEW  
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ") initial determination ("ID") (Order No. 26), extending the target date for completion of the investigation to March 2, 2018.

**FOR FURTHER INFORMATION CONTACT:** Megan M Valentine, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 708-2301. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on June 2, 2016, based on a complaint filed by United States Steel Corporation of Pittsburgh, Pennsylvania ("U.S. Steel"), alleging a violation of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337. 81 *Fed. Reg.* 35381 (June 2, 2016). The notice of investigation named numerous respondents, including the following: Hebei Iron and Steel Group Co., Ltd. of Shijiazhuang City, China, Hebei Iron & Steel Group Hengshui Strip Rolling Co., Ltd. of Hengshui City, China, and Hebei Iron & Steel (Hong Kong) International Trade Co., Ltd. of Hong Kong, China (collectively, "HeSteel"); Shanghai Baosteel Group Corporation of Shanghai, China, Baoshan Iron & Steel Co., Ltd. of Shanghai, China, and Baosteel America Inc. of Montvale, New Jersey (collectively, "Baosteel"); China Shougang International Trade & Engineering Corporation of Beijing, China ("China Shougang"); MaanShan Iron and Steel Co. Ltd. of Maanshan City, China and Magang

(Group) Holding Co. Ltd. of Maanshan City, China (collectively, “Masteel”); Anshan Iron and Steel Group of Anshan City, China (“Anshan”); Angang Group International Trade Corporation of Anshan, China and Angang Group Hong Kong Co. Ltd. of Hong Kong, China (collectively, “Angang”); Wuhan Iron and Steel Group Corp. of Changqian, China and Wuhan Iron and Steel Co., Ltd. of Wuhan City, China (collectively, “Wuhan”); WISCO America Co., Ltd. of Newport Beach, California (“WISCO”); and Jiangsu Shagang Group and Jiangsu Shagang International Trade Co., Ltd. both of Zhangjiagang, China (collectively, “Jiangsu”). *Id.* at 35381-82. The Office of Unfair Import Investigations (“OUII”) was also named as a party. *Id.* at 35382. The alleged violation of section 337 is based upon the importation into the United States, or in the sale of certain carbon and alloy steel products by reason of: (1) a conspiracy to fix prices and control output and export volumes, the threat or effect of which is to restrain or monopolize trade and commerce in the United States; (2) misappropriation and use of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States; or (3) false designation of origin or manufacturer, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* at 35381.

On June 22, 2016, respondents Baosteel moved for a twenty-month target date for completion of the investigation. On June 24, 2016, respondents HeSteel joined the motion. On June 27, 2016, complainant U.S. Steel filed an opposition to the motion. On June 28, 2016, Baosteel filed a reply in support of the motion. On July 5, 2016, OUII filed a response supporting the motion in part.

On July 6, 2016, the presiding ALJ issued, *sua sponte*, an ID (Order No. 19) suspending the investigation pursuant to section 337(b)(3), 19 U.S.C. § 1337(b)(3), and Commission Rule 210.23, 19 C.F.R. § 210.23. On August 5, 2016, the Commission vacated the suspension. Notice (Aug. 5, 2016). On August 10, 2016, the ALJ ordered the parties to file supplemental briefing regarding the target date and procedural schedule. Order No. 21. On August 18, 2016, U.S. Steel, OUII, and respondents Baosteel, China Shougang, HeSteel, Masteel, Anshan, Angang, Wuhan, WISCO, and Jiangsu collectively filed the requested supplemental brief.

On August 29, 2016, the ALJ issued the subject ID (Order No. 26), granting Baosteel’s motion and extending the target date by five months to March 2, 2018. The ALJ found that the extension is warranted due to the complexity of the issues and the number of parties involved. Specifically, the ALJ found that the trade secrets claim should proceed separately from the other claims, which will require holding two separate hearings pursuant to Commission Rule 210.36. The ALJ explained that the hearing on the trade secrets claim will take place in late April 2017, while the hearing on the price fixing and false designation claims will be held four months later to accommodate an extended period of discovery and to allow adequate time between the hearings for the parties to make the necessary pre-hearing filings.

No petitions for review were filed and the Commission has determined not to review the subject ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and in Part 210 of the Commission's Rules of Practice and Procedure (19 C.F.R. Part 210).

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton  
Secretary to the Commission

Issued: September 22, 2016