

**UNITED STATES – LAWS, REGULATIONS AND METHODOLOGY  
FOR CALCULATING DUMPING MARGINS ("ZEROING")**

Recourse to Article 21.5 of the DSU by the European Communities

*Request for the Establishment of a Panel*

The following communication, dated 13 September 2007, from the delegation of the European Communities to the Chairman of the Dispute Settlement Body, is circulated pursuant to Article 21.5 of the DSU.

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On 9 May 2006, the Dispute Settlement Body (the "DSB") adopted the Appellate Body Report and the Panel Report, as modified by the Appellate Body, in the case WT/DS294 *"United States – Laws, Regulations and Methodology for Calculating Dumping Margins ("Zeroing")"*. The resulting DSB rulings found that the United States' administrative practice (the *zeroing* methodology in original investigations in which the weighted-average-to-weighted-average comparison method is used) and other measures (15 original investigations<sup>1</sup> and 16 "administrative reviews"<sup>2</sup> in which zeroing was used), including each of the assessment instructions issued pursuant to any of one of these measures, were inconsistent with Article VI of the General Agreement on Tariff and Trade 1994 ("GATT 1994") and the Agreement on implementation of Article VI of the GATT 1994 (the "AD Agreement"). The DSB recommended that the United States brings those measures into conformity with its obligations under those Agreements.

On 30 May 2006, the United States informed the DSB that it intended to implement the recommendations and rulings of the DSB in a manner consistent with its WTO obligations, but needed a reasonable period of time to do so. The parties agreed under Article 21.3(b) of the Understanding on rules and procedures governing the settlement of disputes ("DSU") that the United States would have until 9 April 2007 to implement the recommendations and rulings of the DSB (WT/DS294/19).

On 27 December 2006, the United States published a notice whereby it announced that it was abandoning "zeroing" in average-to-average comparisons in anti-dumping original investigations (see *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin during an Antidumping Investigation; Final Modification* published in 71 FR 77722). The final modification

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<sup>1</sup> Listed in WT/DS294/7/Rev.1, cases 1 to 15 on pages 5-6.

<sup>2</sup> Listed in WT/DS294/7/Rev.1, cases 16 to 31 on pages 14-15. The term "administrative review" is a term of US municipal law that is not used in the *AD Agreement*. A US "administrative review" involves an investigation into and a re-calculation of the existence and degree of an exporter's margin of dumping during the review investigation period, contemporaneous with the imports for which final liability is being assessed. An "administrative review" investigation also results in the fixing of a new "cash deposit" rate to be applied prospectively to future imports, pending the next "administrative review".

became effective on 22 February 2007 (see *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin in Antidumping Investigations; Change in Effective Date of Final Modification*, published in 72 FR 3783, 26 January 2007).

Subsequently, the US began a recalculation of the margins of dumping in 12 of the 15 original investigations (the anti-dumping measures having been previously revoked in three of the 15 original investigations for reasons other than zeroing<sup>3</sup>). The United States issued its final findings in 11 of the original investigations on 9 April 2007 ("Section 129 determinations")<sup>4</sup> which entered into effect on 23 April 2007 (published in 72 FR 25261, 4 May 2007) and on 20 August 2007 issued its final findings in the one outstanding case<sup>5</sup>. At the DSB meeting of 24 April 2007, and at subsequent DSB meetings, the United States stated that it had implemented the DSB recommendations and rulings in this dispute. The EC did not agree.

On 4 May 2007, the parties concluded an agreement on the procedures under Articles 21 and 22 of the DSU ("sequencing agreement")<sup>6</sup> with a view to facilitating the procedures for a resolution of the dispute.

On 9 July 2007, the European Communities initiated the procedures under Article 21.5 of the DSU by requesting the United States to enter into consultations. The request was circulated in document WT/DS294/22 of 12 July 2007. Consultations were held on 30 July 2007. Consultations have allowed a better understanding of respective positions but have failed to settle the dispute.

Accordingly, "*there is a disagreement as to the existence or consistency with a covered agreement of measures taken to comply with the recommendations and rulings*" of the DSB. Pursuant to Article 6 and Article 21.5 of the DSU, Article 17 of the *AD Agreement*, Article XXIII of GATT 1994 and Paragraph 1 of the sequencing agreement, the EC hereby requests the establishment of a panel.

In particular, the European Communities claims the following:

1. The Section 129 determinations entered into force on 23 April 2007, not on the date of 9 April 2007 as agreed by the parties under Article 21.3(b) of the DSU. This is inconsistent with Article 17(14) and Article 21, including 21.3 and 21.3(b) of the DSU and with the agreement between the parties concerning the reasonable period of time. In particular:
  - Article 17(14) DSU because the United States, by its actions, has not unconditionally accepted the Appellate Body Report.
  - Article 21, including Article 21.3 and 21.3(b) DSU and the agreement between the parties concerning the reasonable period of time because the United States has failed to comply immediately and/or within the reasonable period of time agreed by the parties.

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<sup>3</sup> Cases Number 10, 12 and 13 in the Annex to this Panel Request.

<sup>4</sup> The term "Section 129 determination" is a term of US municipal law that is not used in the *AD Agreement*. It is used in this Panel Request without prejudice to the correct categorisation of the measures at issue under one or more provisions of the *AD Agreement*.

<sup>5</sup> Case Number 11 in the Annex to this Panel Request. *Certain Stainless Steel Sheet and Strip from Italy (A-475-824)* Published on US Commerce Department Web Site on 29 August 2007 <http://ia.ita.doc.gov/download/section129/Italy-SSSS-in-Coils-129-Final-Decision-Memo-08-20-07.pdf>

<sup>6</sup> "Understanding between the United States and the European Communities Regarding Procedures under Articles 21 and 22 of the DSU" (WT/DS294/21, 9 May 2007).

2. The US failed to properly implement the DSB recommendations and rulings with respect to the 16 administrative reviews found to be inconsistent with the US' WTO obligations since "zeroing" was not eliminated in any of the above-mentioned measures. This is inconsistent with Article 2, including 2.1, 2.4 and 2.4.2, Article 9.3 and Article 11, including Article 11.1 and 11.2 of the *AD Agreement* and Article VI:2 of the GATT 1994. In particular:
  - Article 2, including Article 2.1 of the *AD Agreement* and Article VI:2 of the GATT 1994 because the US has not re-calculated margins of dumping for the product as whole.
  - Article 2.4 of the *AD Agreement* because the United States has not made a fair comparison between normal value and export price.
  - Article 2.4.2 of the *AD Agreement* because the United States has used an asymmetrical method of comparison, and zeroed, without determining and demonstrating that the conditions provided for in that provision are met.
  - Article 9.3 of the *AD Agreement* and Article VI:2 of the GATT 1994 because the United States has not re-calculated margins of dumping for the product as a whole, and has failed to ensure that the amount of duty does not exceed the dumping margin, as calculated in conformity with Article 2.
  - Article 11, including Article 11.1 and 11.2, because the re-calculation of the cash deposit rate is also subject to the obligations set out in those provisions, and must be calculated in accordance with the rules in Article 2, as set out above, but has not been so calculated.
3. With respect to Case No. 11 – *Stainless Steel Sheet and Strip in Coils from Italy (A-475-824)*, in its Issues and Decision Memorandum of 20 August 2007 (*Final Results for the Section 129 Determination: Certain Stainless Steel Sheet and Strip in Coils from Italy*), the United States committed (or failed to remove) an obvious calculation error. When calculating an average unit value for a small number of US sales of the exporter in question, to which it applied a "facts available" percentage rate for the purpose of its dumping calculation, the United States erroneously inverted the fraction: instead of dividing total value by total volume, the United States has divided total volume by total value. This error artificially inflated the unit value and therefore the amount of dumping. If, in addition to eliminating zeroing, the United States would correct this obvious calculation error, the dumping margin would fall below *de minimis*, and the measure would be revoked. In respect of this measure there have been a number of subsequent review investigations as well as future review investigations involving zeroing. As regards the obvious calculation error, the European Communities claims that the measure is inconsistent with Articles 2.1 and 2.2 of the *AD Agreement* because there is an obvious calculation error in the determination of normal value (and thus in the dumping margin); and Article 6.8 and Annex II of the *AD Agreement* because the United States has failed to correctly apply facts available. As regards zeroing and failure to revoke the measure, the US failed to properly implement the DSB recommendations and rulings since duties calculated with zeroing continue to be imposed, collected or liquidated. For the reasons set out above, this is inconsistent with Article 2, including 2.1, 2.4 and 2.4.2, Article 5.8 (since the dumping margin is *de minimis* the measure should have been terminated), Article 9.3 and Article 11, including 11.1 and 11.2 of the *AD Agreement* and Article VI:2 of the GATT 1994.
4. With respect to all measures (original investigations and administrative reviews) that were found inconsistent with the US' WTO obligations, the US continues to impose, collect or

liquidate anti-dumping duties at a rate inflated by "zeroing" beyond 9 April 2007. With regard to those measures which were revoked by the Section 129 determinations,<sup>7</sup> the US continues to impose, collect or liquidate anti-dumping duties after 9 April 2007. For the reasons set out above, this is inconsistent with the provisions cited in paragraph 1 of this Panel Request, as well as with Article 2, including 2.1, 2.4 and 2.4.2, Article 5.8 (since the United States did not immediately terminate the measures on evidence that there was no dumping or dumping below *de minimis* level), Article 9.3 and Article 11, including 11.1 and 11.2 of the *AD Agreement* and Articles VI:1 (since the United States imposes, collects or liquidates anti-dumping duties in cases where the imported product is not dumped) and VI:2 of the GATT 1994.

5. In three cases (Case No. 2: *Stainless Steel Bar from France* (A-427-820), Case No. 4: *Stainless Steel Bar from Italy* (A-475-829) and Case No. 5: *Stainless Steel Bar from the United Kingdom* (A-412-822)) in the Section 129 determinations, which concerned original investigations, the US re-determinations led to an unjustified increase in the "all others rate". The United States has imposed an "all others" rate based on rates calculated using a weighted average of exporters with zero or *de minimis* rates and "adverse facts available" rates. This is inconsistent with Article 2 (because there is no relation between the rate imposed and any margin of dumping calculated in accordance with Article 2), Article 6.8 and Annex II (because with respect to the "others" the United States has not correctly applied facts available and has, in particular, applied a rate partly based on "adverse facts available" to exporters which did not seek to impede the investigation and whose behaviour did not warrant the drawing of adverse inferences), Article 9, including 9.2 (because the United States has not imposed rates at an appropriate level nor taken steps to ensure non-discrimination), 9.3 (because the United States has taken no steps to ensure that the amount of duty does not exceed a lawfully calculated margin of dumping) and 9.4 (because the United States has included facts available margins in the calculation of an all others rate), and Article 18.1 (because the United States has taken a specific action against dumping other than in accordance with the provisions of the *AD Agreement*) of the *AD Agreement*.
6. With respect to original investigations in which the recalculation of dumping margins led to the conclusion that some exporters were not dumping or had *de minimis* dumping margins,<sup>8</sup> the US maintained the Anti-Dumping order without establishing whether the remaining amount of dumped imports was causing injury to the domestic industry and whether this volume of dumped imports was not negligible. This is inconsistent with Articles 3.1, 3.2, 3.5, 5.8 of the *AD Agreement* and Article VI:1 of the GATT 1994. In particular:
  - Article 3.1 because it has failed to base its assessment on positive evidence and make an objective examination of the volume of dumped imports, and their effects and impact on the US industry.
  - Article 3.2 because it has not correctly calculated the volume of dumped imports, or any increase, in absolute or relative terms, or their effects in the context of price undercutting.
  - Article 3.5 because the US has not correctly demonstrated that the dumped imports are through the effects of dumping, causing injury, and have failed to properly examine other known factors, including non-dumped imports.

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<sup>7</sup> Cases Number 1, 2 (for Ugitech), 3 (for Einsal), 4 (for Acciaiera Valbruna S.p.A, Acciaiera Foroni S.p.A and Rodacciai S.p.A), 5 (for Corus Engineering Steels Ltd) and 6 in the Annex to this Panel Request.

<sup>8</sup> Cases Number 2, 3, 4 and 5 in the Annex to this Panel Request.

- Article 5.8 because the US has failed to properly examine whether or not the volume of dumped imports is negligible.
  - Article VI:1 of the GATT 1994 because the US has failed to properly establish the existence of injurious dumping.
7. With regard to the 15 original investigations and 16 administrative reviews, the US has continued zeroing in the reviews related to the measures in question. The United States has not eliminated zeroing in these reviews though they determine the cash deposit rate currently applicable, and/or are relied upon to maintain the AD measure or to impose, collect or liquidate anti-dumping duties at a rate inflated by zeroing after 9 April 2007. Details of the reviews in question are set out in the annex. For the reasons set out above, this is inconsistent with Article 2, including 2.1, 2.4 and 2.4.2, Article 9.3, and Article 11, including 11.1, 11.2 and 11.3 (since, by relying on zeroed dumping margins, the United States did not properly determine that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury) of the *AD Agreement* and Articles VI:1 and VI:2 of the GATT 1994.

The European Communities reserves its rights in respect of all other aspects of the United States' purported compliance with its obligations in this case. In particular, the European Communities reserves its right to revisit certain measures in the light of the eventual outcome of challenges to them in United States' courts.

The European Communities requests that the Panel be established with the standard terms of reference set out in Article 7 of the DSU, and asks that this request be placed on the agenda of the meeting of the DSB on 25 September 2007. The European Communities recalls that Article 21.5 DSU provides that this dispute shall be decided through recourse to the DSU, including wherever possible resort to the original panel.

Pursuant to paragraph 2 of the Sequencing Agreement, the European Communities notes that United States shall accept the establishment of the panel at the first DSB meeting at which the European Communities' request for the establishment of an Article 21.5 panel appears on the agenda.

# ANNEX

## **I. Reviews of the measures imposed in the 15 original investigations condemned in DS294**

Product	MS	DOC Case Number (ITC Case No)	DOC Final Determination	ITC Determination	AD Order	Subsequent reviews
1. Certain hot-rolled carbon steel	NL	A-421-807 (A-903)	66 FR 50408, October 3, 2001 (amended: 66 FR 55637, November 2, 2001)	November 2001	66 FR 59565, November 29, 2001	<b>Administrative Reviews</b> 3 May 2001 – 31 Oct 2002 (69FR 43801, July 22 2004) <b>4.8%</b>  1 Nov 2002 – 31 Oct 2003 (70FR 18366, April 11, 2005) <b>4.42%</b>  1 Nov 2004 – 31 Oct 2005 (72FR 34441, June 22, 2007) <b>2.26%</b>
2. Stainless steel bar	F	A-427-820 (A-913)	67 FR 3143, January 23, 2002	February 2002	67 FR 10385, March 7, 2002	<b>Administrative Reviews:</b>  1 March 2003 – 29 February 2004 (70 FR 46482, August 10, 2005) <b>Ugitech 14.98%</b>  1 March 2004 – 28 February 2005 (71 FR 30873, May 31 2006) <b>Ugitech 9.68%</b>  <b>Sunset Review:</b> DOC Final Determination 72 FR 30772, June 4, 2007

Product	MS	DOC Case Number (ITC Case No)	DOC Final Determination	ITC Determination	AD Order	Subsequent reviews
3. Stainless steel bar	G	A-428-830 (A-914)	67 FR 3159, January 23, 2002 (amended: 67 FR 10382, March 7, 2002)	February 2002	67 FR 10382, March 7, 2002	<b>Administrative Reviews:</b>  2 August 2001–28 February 2003 (69 FR 32982, June 14, 2004) <b>BGH 0.52%</b>  1 March 2004–28 February 2005 (71 FR 52063, September 1, 2006) <b>BGH 0.73%</b>  <b>Sunset Review:</b> DOC Preliminary Determination 72 FR 29970, May 30, 2007
4. Stainless steel bar	I	A-475-829 (A-915)	67 FR 3155, January 23, 2002 (amended: 67 FR 8228, February 22, 2002)	February 2002	67 FR 10384, March 7, 2002	<b>Administrative Review:</b>  2 August 2001–28 February 2003 (69 FR 32984, June 14, 2004) <b>Foroni 4.03%</b> <b>Ugine 33%</b>  <b>Sunset Review:</b> DOC Final Determination 72 FR 30772, June 4, 2007

Product	MS	DOC Case Number (ITC Case No)	DOC Final Determination	ITC Determination	AD Order	Subsequent reviews
5. Stainless steel bar	UK	A-412-822 (A-918)	67 FR 3146, January 23, 2002	February 2002	67 FR 10381, March 7, 2002	<b>Administrative review:</b>  1 March 2005 – 28 February 2006(72 FR 15106, March 30, 2007) <b>Enpar Special Alloys 33.87%</b>  <b>Sunset Review:</b> DOC Final Determination 72 FR 30772, June 4, 2007
6. Stainless Steel Wire Rod	SW	A-401-806 (A-774)	63 FR40449, July 29,1998	September 1998	63 FR49329, September 15, 1998	<b>Administrative reviews:</b>  1 Sept. 2004 – 31 August 2005 (72FR 26337, May 9, 2007) <b>Fagersta 19.36%</b>  <b>Sunset Review:</b> Continuation order, 69 FR 50167, August 13, 2004
7. Stainless Steel Wire Rod	E	A-469-807 (A-773)	63 FR40391, July 29,1998	September 1998	63 FR 49330, September 15, 1998	<b>Administrative review:</b>  5 March 1998 – 31 August 1999 (66 FR 10988, February 21, 2001) <b>Roldan SA 0,8%</b>  <b>Sunset Review:</b> Continuation Order 69FR 50167, August 13, 2004
8. Stainless Steel Wire Rod	I	A-475-820 (A-770)	63 FR40422, July 29,1998	September 1998	63 FR 49327, September 15, 1998	<b>Sunset Review:</b> Continuation Order 69FR 50167, August 13, 2004



Product	MS	DOC Case Number (ITC Case No)	DOC Final Determination	ITC Determination	AD Order	Subsequent reviews
9. Certain Stainless Steel Plate in Coils	B	A-423-808 (A-788)	64 FR15476, March 31, 1999	May 1999	64 FR 27756, May 21, 1999 (amended by 68 FR 20114 April 24, 2003)	<b>See case 18 below</b>
10. Stainless Steel Sheet and Strip in Coils	F	A-427-814 (A-797)	64 FR30820, June 8, 1999	July 1999	64 FR 40562, July 27, 1999	See Cases 25 & 26 below  <b>Measure revoked</b> July 2004 (70 FR 44894, August 4, 2005)
11. Stainless Steel Sheet and Strip in Coils	I	A-475-824 (A-799)	64 FR30750, June 8, 1999	July 1999	64 FR 40567, July 27, 1999	See cases 21 & 22 below
12. Stainless Steel Sheet and Strip in Coils	UK	A-412-818 (A-804)	64 FR30688, June 8,1999	July 1999	64 FR 40555, July 27,1999	<b>Measure revoked:</b> July 2004 (70 FR 44894, August 4, 2005)
13. Certain Cut-to-Length Carbon-Quality Steel Plate	F	A-427-816 (A-816)	64 FR73143, December 29,1999	February 2000	65 FR 6585, February 10, 2000	<b>Measure revoked:</b> February 2005 (70 FR 72787, December 7, 2005)
14. Certain Cut-to-Length Carbon-Quality Steel Plate	I	A-475-826 (A-819)	64 FR73234, December 29,1999	February 2000	65 FR 6585, February 10, 2000	<b>Sunset review:</b>  Continuation Order (70FR 72607, December 6, 2005)
15. Certain Pasta	I	A-475-818 A-734)	61 FR30326, June 14, 1996 (amended by 66 FR65889, December 21,2001)	July 1996	61 FR38547 July 24, 1996	See Cases 19 & 20 below

**Reviews subsequent to the 16 administrative reviews condemned in DS294**

Product	MS	No Case	Final Results	Company	Subsequent Reviews
16. Industrial Nitrocellulose	F	A-427-009	66 FR 54213, October 26, 2001	Bergerac NC	Two subsequent Administrative reviews were rescinded, covering the periods: 1 August 2000 – 31 July 2001 1 August 2002 – 31 July 2003  <b>Measure revoked:</b> (69 FR 52231, August 25, 2004)
17. Industrial Nitrocellulose	UK	A-412-803	67 FR 77747, December 19, 2002	Imperial Chemical Industries	Two subsequent Administrative reviews were rescinded, covering the periods: 1 July 2001 – 30 June 2002 1 July 2002 – 30 June 2003  Changed circumstance review (Dec, 2003) confirmed the rate of 3.06% to apply to Troon Investments, successor to ICI  <b>Measure revoked:</b> (69 FR 52231, August 25, 2004)
18. Stainless steel plate in coils	B	A-423-808	67 FR 64352, October 18, 2002	ALZ NV & TrefilARBED (affiliated US importer) – Same company Ugine & ALZ, N.V. Belgium (U&A Belgium).	Two subsequent reviews resulting in change to rate:  1 May 2002 – 30 April 2003 (70FR 2999, January 19, 2005) <b>2.71%</b>  1 May 2003 – 30 April 2004 (70FR 72789, December 7, 2005) <b>2.96%</b>  <b>Sunset Review:</b> Continuation Order 70 FR 41202, July 18, 2005

Product	MS	No Case	Final Results	Company	Subsequent Reviews
19. Certain pasta	I	A-475-818	67 FR 300, January 3, 2002  <u>Amended:</u> 67 FR 5088, February 4, 2002	1) <u>Ferrara</u>  2) <u>Pallante</u>  3) <u>PAM</u>	<u>Ferrara:</u> Order revoked in February 2005 following third consecutive review where the company had <i>de minimis</i> rate (70FR6832, February 9, 2005)  <u>Pallante:</u> Order revoked in November 2005 following third consecutive review where the company had <i>de minimis</i> rate (70 FR71464, November 29, 2005)  <u>PAM:</u> Two subsequent reviews resulting in change to rate:  1 July 2001 – 30 June 2002 (69FR 6255, February 10, 2004) <b>45.49%</b>  1 July 2002 – 30 June 2003 (70FR 6832, February 9, 2005) <b>4.78%</b>  <b>Sunset review:</b> DOC Final Determination 72FR 5266 February 5, 2007
20. Certain pasta	I	A-475-818	68 FR 6882, February 11, 2003	Pastifi Garofalo	One subsequent review resulting in change to rate:  1 July 2001 – 30 June 2002 (69 FR 22761, April 27, 2004) <b>2.57%</b>  One review rescinded covering period: 1 July 2002 – 30 June 2003
21. Stainless steel sheet strip coils	I	A-475-824	67 FR 1715, January 14, 2002	Acciai Speciali Terni SpA	See Case 22

Product	MS	No Case	Final Results	Company	Subsequent Reviews
22. Stainless steel sheet strip coils	I	A-475-824	68 FR 6719, February 10, 2003	Acciai Speciali Terni SpA	Two subsequent reviews resulting in change to rate:  1 July 2001 – 30 June 2002 (68FR 69382, December 12, 2003) <b>1.62%</b>  1 July 2002 – 30 June 2003 (70FR 13009, March 17, 2005) <b>3.73%</b>  <b>Sunset review:</b> Continuation Order 70 FR 44886, August 4, 2005
23. Granular polytetrafluoethylene	I	A-475-703	67 FR 1960, January 15, 2002	Ausimont SpA	See Case 24
24. Granular polytetrafluoethylene	I	A-475-703	68 FR 2007, January 15, 2003	Ausimont SpA	Two subsequent Administrative reviews were rescinded, covering the periods: 1 August 2002 – 31 July 2003 1 August 2003 – 31 July 2004  Changed circumstance review (May,2003) confirmed the rate of 12.08% to apply to Solvay Solexis, successor to Ausimont  1 subsequent review resulting in change to rate:  1 August 2004 – 31 July 2005 (72FR 1980, January 17, 2007) <b>39.13%</b>  <b>Sunset review:</b> Continuation Order 70FR 76026, Dec. 22, 2005
25. Stainless steel sheet strip coils	F	A-427-814	67 FR 6493, February 12, 2002 <u>Amended:</u> 67 FR 12522, March 19, 2002	Ugine	See Case 26

Product	MS	No Case	Final Results	Company	Subsequent Reviews
26. Stainless steel sheet strip coils	F	A-427-814	67 FR 78773, December 26, 2002 <u>Amended:</u> 68 FR 4171, January 28, 2003	Ugine	3 subsequent reviews resulting in change to rate:  1 July 2001 – 30 June 2002 (68FR 69379, December 12, 2003) <b>2.93%</b>  1 July 2002 – 30 June 2003 (70 FR 7240, February 11, 2005) <b>9.65%</b>  1 July 2003 – 30 June 2004 (71 FR 6269, February 7, 2006) <b>12.31%</b>  <b>Measure revoked:</b> 70 FR 44894, August 4, 2005
27. Stainless steel sheet strip coils	G	A-428-825	67 FR 7668, February 20, 2002 <u>Amended:</u> 67 FR 15178, March 29, 2002	KTN	See Case 28
28. Stainless steel sheet strip coils	G	A-428-825	68 FR 6716, February 10, 2003 <u>Amended:</u> 68 FR 14193, March 24, 2003	TKN (successor in interest of KTN)	4 subsequent reviews resulting in change to rate:  1 July 2001 – 30 June 2002 (69FR 6262, February 10, 2004) <b>3.72%</b>  1 July 2002 – 30 June 2003 (69 FR 75930, December 20, 2004) <b>7.03%</b>  1 July 2003 – 30 June 2004 (70 FR 73729 December 13, 2005) <b>9.5%</b>  1 July 2004 – 30 June 2005 (71 FR 74897, December 13, 2006) <b>2.45%</b>  <b>Sunset review:</b> Continuation Order 70 FR 44886, August 4 2005

Product	MS	No Case	Final Results	Company	Subsequent Reviews
29. Ball bearings	F	A-427-801	67 FR 55780, August 30, 2002	SKF France SA and Sarma	<p><u>SKF</u>: 4 subsequent reviews resulting in change to rate:</p> <p>1 May 2001 – 30 April 2002 68 FR 43712, July 24, 2003 <b>6.70%</b></p> <p>1 May 2002 – 30 April 2003 69 FR 55574, September 15, 2004 <b>5.25%</b></p> <p>1 May 2003 – 30 April 2004 70 FR 54711, September 16, 2005 <b>8.41%</b></p> <p>1 May 2004 – 30 April 2005 71 FR 40064, July 14, 2006 <b>12.57%</b></p> <p><b>Sunset Reviews:</b> Continuation Order 71 FR 54469, September 15, 2006</p>
30. Ball bearings	I	A-475-801	67 FR 55780, August 30, 2002	FAG Italia SpA	<p><u>FAG</u>: 4 subsequent reviews resulting in change to rate:</p> <p>1 May 2001 – 30 April 2002 68 FR 35623, June 16, 2003 <b>2.87%</b></p> <p>1 May 2002 – 30 April 2003 69 FR 55574, September 15, 2004 <b>4.79%</b></p> <p>1 May 2003 – 30 April 2004 70 FR 54711, September 16, 2005 <b>5.88%</b></p> <p>1 May 2004 – 30 April 2005 71 FR 40064, July 14, 2006 <b>2.52%</b></p>

Product	MS	No Case	Final Results	Company	Subsequent Reviews
				SKF Industrie SpA	<p><u>SKF</u>: 4 subsequent reviews resulting in change to rate:</p> <p>1 May 2001 – 30 April 2002 68 FR 35623, June 16, 2003 <b>5.08%</b></p> <p>1 May 2002 – 30 April 2003 69 FR 55574, September 15, 2004 <b>1.38%</b></p> <p>1 May 2003 – 30 April 2004 70 FR 54711, September 16, 2005 <b>2.59%</b></p> <p>1 May 2004 – 30 April 2005 71 FR 40064, July 14, 2006 <b>7.65%</b></p> <p><b>Sunset Reviews:</b> Continuation Order 71 FR 54469, September 15, 2006</p>
31. Ball bearings	UK	A-412-801	67 FR 55780, August 30, 2002	<p>NSK Bearings Europe Ltd</p> <p>The Barden Corporation UK</p>	<p><u>NSK Bearings</u>: No subsequent administrative reviews</p> <p><u>Barden</u>: 1 subsequent administrative review rescinded for period: 1 May 2001 – 30 April 2002</p> <p>2 subsequent reviews resulting in change to rate:</p> <p>1 May 2002 – 30 April 2003 69 FR 55574, September 15, 2004 <b>4.10%</b></p> <p>1 May 2003 – 30 April 2004 70 FR 54711, September 16, 2005 <b>2.78%</b></p> <p><b>Sunset Reviews:</b> Continuation Order 71 FR 54469, September 15, 2006</p>