

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**BARIUM CARBONATE FROM CHINA**

**Investigation No. 731-TA-1020 (Preliminary)**

**DETERMINATION AND VIEWS OF THE COMMISSION**

**(USITC Publication No. 3561, November 2002)**

## UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-1020 (Preliminary)

### BARIUM CARBONATE FROM CHINA

#### DETERMINATION

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission (Commission) determines, pursuant to section 733(a) of the Tariff Act of 1930 (the Act),<sup>2</sup> that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from China of barium carbonate, provided for in subheading 2836.60.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

#### COMMENCEMENT OF FINAL PHASE INVESTIGATION

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in section 207.21 of the Commission's rules, upon notice from the U.S. Department of Commerce (Commerce) of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

#### BACKGROUND

On September 30, 2002, a petition was filed with the Commission and Commerce by Chemical Products Corp., Cartersville, GA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of barium carbonate from China. Accordingly, effective September 30, 2002, the Commission instituted antidumping duty investigation No. 731-TA-1020 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of October 4, 2002 (67 FR 62263). The conference was held in Washington, DC, on October 22, 2002, and all persons who requested the opportunity were permitted to appear in person or by counsel.

---

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> 19 U.S.C. § 1673b(a).



**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**BARIUM CARBONATE FROM CHINA**

**Investigation No. 731-TA-1020 (Preliminary)**

**VIEWS OF THE COMMISSION**

Based on the record in this investigation, we find that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports of barium carbonate from China that are allegedly sold in the United States at less than fair value.

The petition in this investigation was filed on September 30, 2002, by Chemical Products Corporation (“CPC”). Other participants in this investigation include Qingdao Red Star Chemical Group (“Red Star”), a Chinese exporter of the subject merchandise; BassTech International (“BassTech”), and Seaforth Mineral & Ore Co. (“Seaforth”), U.S. importers of subject merchandise; and 3M Corporation, \*\*\*.<sup>1</sup>

**I. THE LEGAL STANDARD FOR PRELIMINARY DETERMINATIONS**

The legal standard for preliminary antidumping duty determinations requires the Commission to determine, based upon the information available at the time of a preliminary determination, whether there is a reasonable indication that a domestic industry is materially injured, threatened with material injury, or whether the establishment of an industry is materially retarded, by reason of the allegedly unfairly traded imports.<sup>2</sup> In applying this standard, the Commission weighs the evidence before it and determines whether “(1) the record as a whole contains clear and convincing evidence that there is no material injury

---

<sup>1</sup> Barium carbonate has been the subject of prior antidumping duty investigations in the United States. On September 9, 1980, a petition was filed with the U.S. Department of Commerce (“Commerce”) and the Commission alleging that an industry in the United States was materially injured or threatened with material injury by reason of dumped imports of barium carbonate and strontium carbonate from the Federal Republic of Germany. The petition was filed by CPC, FMC Corp., and Sherwin-Williams Co. On November 6, 1980, the Commission published its affirmative preliminary determination with respect to imports of barium carbonate and a negative preliminary determination with respect to strontium carbonate. 45 Fed. Reg. 73812 (November 6, 1980). On June 4, 1981, the Commission made an affirmative final determination. Precipitated Barium Carbonate From The Federal Republic of Germany, Investigation No. 731-TA-31 (Final), USITC Pub. 1154, June 1981. Commerce then issued an antidumping duty order. 46 Fed. Reg. 32864 (June 25, 1981). In October 1998, as part of a five-year review investigation, Commerce revoked the antidumping duty order effective January 1, 2000, for lack of a domestic industry response to its notice of initiation. 63 Fed. Reg. 64677 (November 23, 1998).

On October 25, 1983, a petition was filed by CPC with Commerce and the Commission alleging that an industry in the United States was materially injured or threatened with material injury by reason of dumped imports of barium chloride and barium carbonate (precipitated) from China. The Commission found barium chloride and barium carbonate to be separate like products and made an affirmative preliminary determination regarding each product. Commerce then reached a negative final antidumping determination regarding imports of barium carbonate and, therefore, the Commission made no final determination as the investigation on barium carbonate had been terminated. Barium Chloride and Barium Carbonate (Precipitated) From The People’s Republic of China, Investigations Nos. 731-TA-149 and 150 (Preliminary), USITC Pub. 1458 (December 1983).

<sup>2</sup> 19 U.S.C. § 1673b(a); see also American Lamb Co. v. United States, 785 F.2d 994, 1001-04 (Fed. Cir. 1986); Aristech Chemical Corp. v. United States, 20 CIT 353, 354-55 (1996). No party argued that the establishment of an industry is materially retarded by reason of the allegedly unfairly traded imports.

or threat of such injury; and (2) no likelihood exists that contrary evidence will arise in a final investigation.”<sup>3</sup>

## II. DOMESTIC LIKE PRODUCT

### A. In General

To determine whether there is a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports of the subject merchandise, the Commission first defines the “domestic like product” and the “industry.”<sup>4</sup> Section 771(4)(A) of the Tariff Act of 1930, as amended (“the Act”), defines the relevant domestic industry as the “producers as a [w]hole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product.”<sup>5</sup> In turn, the Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation ...”<sup>6</sup>

The decision regarding the appropriate domestic like product(s) in an investigation is a factual determination, and the Commission has applied the statutory standard of “like” or “most similar in characteristics and uses” on a case-by-case basis.<sup>7</sup> No single factor is dispositive, and the Commission may consider other factors it deems relevant based on the facts of a particular investigation.<sup>8</sup> The Commission looks for clear dividing lines among possible like products, and disregards minor variations.<sup>9</sup> Although the Commission must accept the determination of Commerce as to the scope of the imported merchandise allegedly sold at less than fair value, the Commission determines what domestic product is like the imported articles Commerce has identified.<sup>10</sup> The Commission must base its domestic like product determination on the record in this investigation. The Commission is not bound by prior

---

<sup>3</sup> American Lamb, 785 F.2d at 1001 (Fed. Cir. 1986); see also Texas Crushed Stone Co. v. United States, 35 F.3d 1535, 1543 (Fed. Cir. 1994).

<sup>4</sup> 19 U.S.C. § 1677(4)(A).

<sup>5</sup> Id.

<sup>6</sup> 19 U.S.C. § 1677(10).

<sup>7</sup> See, e.g., NEC Corp. v. Department of Commerce, 36 F. Supp.2d 380, 383 (Ct. Int’l Trade 1998); Nippon Steel Corp. v. United States, 19 CIT 450, 455 (1995); Torrington Co. v. United States, 747 F. Supp. 744, 749 n.3 (Ct. Int’l Trade 1990), aff’d, 938 F.2d 1278 (Fed. Cir. 1991) (“every like product determination ‘must be made on the particular record at issue’ and the ‘unique facts of each case’”). The Commission generally considers a number of factors including: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) customer and producer perceptions of the products; (5) common manufacturing facilities, production processes, and production employees; and, where appropriate, (6) price. See Nippon, 19 CIT at 455, n.4; Timken Co. v. United States, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996).

<sup>8</sup> See, e.g., S. Rep. No. 96-249, at 90-91 (1979).

<sup>9</sup> Nippon Steel, 19 CIT at 455; Torrington, 747 F. Supp. at 748-49; see also S. Rep. No. 96-249, at 90-91 (1979) (Congress has indicated that the domestic like product standard should not be interpreted in “such a narrow fashion as to permit minor differences in physical characteristics or uses to lead to the conclusion that the product and article are not ‘like’ each other, nor should the definition of ‘like product’ be interpreted in such a fashion as to prevent consideration of an industry adversely affected by the imports under consideration.”).

<sup>10</sup> Hosiden Corp. v. Advanced Display Mfrs., 85 F.3d 1561, 1568 (Fed. Cir. 1996) (Commission may find single domestic like product corresponding to several different classes or kinds defined by Commerce); Torrington, 747 F. Supp. at 748-52 (affirming Commission’s determination of six domestic like products in investigations where Commerce found five classes or kinds).

determinations, pertaining even to the same imported products, but may draw upon previous determinations in addressing pertinent like product issues.<sup>11</sup>

## **B. Product Description and Uses**

Commerce defined the imported merchandise within the scope of these investigations as—

barium carbonate regardless of form or grade, and is covered by subheading 2836.60.00 of the HTS. Although the HTS subheading is provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.<sup>12</sup>

Barium carbonate is a heavy, odorless, white-to-cream colored chemical with the chemical formula  $BaCO_3$ .<sup>13</sup> Barium carbonate is sold commercially in either a powdered or a granular form.<sup>14</sup> These forms of barium carbonate, which typically contain at least 98 percent barium carbonate, have essentially the same chemical composition and similar physical properties but differ principally in their particle size. The smaller the particle size, the greater the total surface area of comparable weights of barium carbonate; surface area maximization is useful in applications requiring high reactivity or dispersability.<sup>15</sup> CPC produces a special Micro-Flo™ grade of barium carbonate, a modified form of the powdered grade. The product is distinguished from other powdered barium carbonate by its flow characteristics, which are useful for feeding into production lines, and (as with the powdered form in general) from the granular product by the dispersability and reactivity of the barium carbonate with soluble sulfates.<sup>16</sup>

The two broad sectors in which barium carbonate is used are: (1) specialty glass, including television glass, and (2) bricks and tiles.<sup>17</sup> In the manufacture of specialty glass, barium carbonate serves as a flux and causes barium (in the form of barium oxide) to become part of the glass structure, which imparts durability, density, brilliance, and x-ray absorption properties. The latter characteristic allows the glass to be used as an x-ray screening agent in television glass and other cathode ray tubes, the largest

---

<sup>11</sup> See also Acciai Speciali Terni S.p.A. v. United States, 118 F. Supp.2d 1298, 1304-05 (Ct. Int'l Trade 2000); Nippon Steel Corp. v. United States, 19 CIT 450, 455 (1995); Asociacion Colombiana de Exportadores de Flores v. United States, 693 F. Supp. 1165, 1169, n.5 (Ct. Int'l Trade 1988) (particularly addressing like product determination); Citrosuco Paulista, S.A. v. United States, 704 F. Supp. 1075, 1087-88 (Ct. Int'l Trade 1988).

<sup>12</sup> 67 FR 65534 (October 25, 2002).

<sup>13</sup> Confidential Report, Memorandum INV-Z-185 (November 7, 2002), as amended by Memorandum INV-Z-188 (November 13, 2002) (Additions and Corrections to the Staff Report), (“CR”) at I-5; Public Report (“PR”) at I-4.

<sup>14</sup> Id.

<sup>15</sup> CR at I-5, PR at I-4.

<sup>16</sup> CR at I-8, PR at I-6.

<sup>17</sup> CR at I-6, PR at I-4. Apart from the principal uses of barium carbonate, *i.e.*, glass (accounting for approximately 75 percent of barium carbonate consumption), and brick and tile production (accounting for approximately 20 percent of barium carbonate consumption), it also is used in the production of other barium chemicals and in the manufacture of hard ferrite magnets used in DC motors, TV tubes, speakers and telephones. CR at I-7, II-1; PR at I-5, II-1. Barium carbonate also is produced in a high-purity form used in the production of \*\*\*. CR at I-5, PR at I-4. The high-purity grade of the product is not produced by CPC, \*\*\*. CR at I-5, PR at I-4; CR and PR at Tables III-1, III-2.

single application of barium carbonate.<sup>18</sup> Because it has a high reflective index, barium carbonate also is used in production of reflective glass for road and runway signs, markers, and license plates. It also is used in production of laboratory glass and specialty glass bottles because of its formability properties.<sup>19</sup> Both granular and powdered barium carbonate are used to produce specialty glass.<sup>20</sup>

In the manufacture of bricks, tiles, and other clay products, barium carbonate's reaction with soluble sulfates prevents formation of white surface deposits known as scum. Only the powdered form of barium carbonate, which is more dispersible, is used in the manufacture of those products.<sup>21</sup>

### C. Analysis

The petitioner argues that there is a single domestic like product corresponding to the scope definition and that powdered and granular forms of barium carbonate are within that single like product.<sup>22</sup> Respondents do not contest that definition of the domestic like product.<sup>23</sup> Based on the record in this preliminary investigation, we define the domestic like product as all barium carbonate, including both the powdered and granular forms of the product.

While there are some differences between powdered and granular barium carbonate with respect to the traditional factors considered by the Commission in defining the domestic like product, we conclude that, on balance, any differences do not warrant defining the powdered and granular products as separate domestic like products. The chemical composition of the two forms of the product is the same, and production of the two forms of the product is identical up to the final stages.<sup>24</sup> The granular product is generally freer flowing than the powdered product. However, CPC's modified powdered Micro-Flo™ product is also free flowing.

Although only the powdered form of barium carbonate is used in brick and tile production, both the powdered and granular forms are used in specialty glass production, including production of television glass. In practice, practical limits on interchangeability between the two forms of barium

---

<sup>18</sup> CR at I-6, PR at I-4. There are only four U.S. producers of television glass: \*\*\*. E.g., Memorandum INV-Z-189 at 2.

<sup>19</sup> CR at I-7, PR at I-5.

<sup>20</sup> The equipment used to convey barium carbonate in the production of television glass, which relies on jets of air and a more free-flowing material, generally requires use of the granular product, but \*\*\* uses a spray-dried powdered product produced by CPC. CR at I-6, PR at I-4. In other specialty glass production, in which the flow properties are not as significant, either the powdered or granular form of the product is used. CR at I-8, PR at I-6.

<sup>21</sup> CR at I-7, PR at I-5. The powdered form of barium carbonate used in brick and tile manufacture divides further into the less-processed powdered form and CPC's air-dried (Micro-Flo™) form. Certain brick and tile producers use different handling equipment than that required for use of the air-dried form of the product; they may use the imported product. This is common particularly with brick and tile facilities located a great distance from CPC's facility in Cartersville, Georgia, notably those on the West Coast, that are able to achieve additional savings in shipping costs by using the imported product. CR at I-9, PR at I-6.

<sup>22</sup> CPC Postconference Brief at 3-5.

<sup>23</sup> Conference Transcript (Lee) at 70.

<sup>24</sup> CR at I-9, PR at I-6. In U.S. production of the granular product, the powdered product undergoes a final calcination step, in which the barium carbonate powder is heated to a temperature below its melting point. Id. & Id., n.35. CPC's Micro-Flo™ grade of the powdered form of barium carbonate, on the other hand, undergoes a final process that includes spray drying. CR at I-8, n.31, PR at I-6, n.31.

carbonate are imposed by the end user's production facilities and equipment.<sup>25</sup> Notwithstanding short term practical limits on interchangeability, a production process can be modified to accommodate a different form or grade of barium carbonate if justified by cost and price differences.<sup>26</sup> We find that there is a significant degree of overlap in end uses and interchangeability between the powdered and granular forms of barium carbonate.<sup>27</sup>

Consequently, we find that there is no clear dividing line between the granular and powdered forms of the product. Accordingly, we define the domestic like product as all barium carbonate.<sup>28</sup>

#### IV. DOMESTIC INDUSTRY

The domestic industry is defined as the "producers as a [w]hole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."<sup>29</sup> In defining the domestic industry, the Commission's general practice has been to include in the industry all domestic production of the domestic like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.<sup>30</sup> Accordingly, we define the domestic industry as CPC and Osram, the only domestic producers of the domestic like product.<sup>31</sup>

<sup>25</sup> CR at I-7, PR at I-5; CPC Postconference Brief at 4-5.

<sup>26</sup> The record indicates that \*\*\*. Memorandum INV-Z-189 at 2.

<sup>27</sup> CPC states that powdered and granular barium carbonate are sold through identical channels of distribution and that sales personnel at CPC sell both forms of the product interchangeably. CPC also asserts that producers and end users view powdered and granular barium carbonate as different formulations of a single chemical, although customers typically draw a distinction between the two in terms of suitability for their specific operations based on manufacturing processes and equipment. CPC Postconference Brief at 4. We note price differences between the two forms (CR & PR at Tables V-1, V-2), but these differences do not outweigh the substantial similarities discussed above.

<sup>28</sup> The Commission must base its domestic like product determination on the record in this investigation and is not bound by prior determinations. Nippon Steel Corp. v. United States, 19 CIT 450, 455 (1995); Asociacion Colombiana de Exportadores de Flores v. United States, 693 F.Supp. 1165, 1169, n. 5 (Ct. Int'l Trade 1988) (addressing like product determination in particular); Citrosuco Paulista, S.A. v. United States, 704 F. Supp. 1075, 1087-88 (Ct. Int'l Trade 1988). However, we note that the Commission "normally does not find separate like products based on different grades of chemical or mineral products." E.g., Bulk Acetylsalicylic Acid (Aspirin) from China, Inv. No. 731-TA-828 (Final), USITC Pub. 3314 at 5-6 (June 2000). Our like product determination in this investigation is consistent with those in past investigations of barium carbonate. In the 1981 final antidumping determination concerning imports of barium carbonate from the Federal Republic of Germany, the Commission defined "all precipitated barium carbonate" as a single like product. Precipitated Barium Carbonate From The Federal Republic of Germany, Investigation No. 731-TA-31 (Final), USITC Pub. 1154, June 1981 at 4-5. In the 1983 preliminary determination concerning barium carbonate from China, the Commission again defined all barium carbonate as a single like product. Barium Chloride and Barium Carbonate (Precipitated) from the People's Republic of China, Inv. Nos. 731-TA-149 and 150 (Preliminary), USITC Pub. 1458 (December 1983) at 4-6. As noted above, the latter investigation was terminated prior to any final determination by the Commission.

<sup>29</sup> 19 U.S.C. § 1677(4)(A).

<sup>30</sup> See United States Steel Group v. United States, 873 F. Supp. 673, 681-84 (Ct. Int'l Trade 1994), aff'd, 96 F.3d 1352 (Fed. Cir. 1996).

<sup>31</sup> CR & PR at III-1. In this investigation, no party argues for exclusion of either producer from the domestic industry. Although CPC purchased subject imports during the period considered (CR & PR at Table III-5), we find that appropriate circumstances do not exist to exclude that producer from the domestic industry. Even if CPC were deemed "related" by virtue of its purchases, the ratio of purchases of subject merchandise to CPC's total production (continued...)



#### IV. CONDITIONS OF COMPETITION<sup>32</sup>

As already noted, the principal uses for barium carbonate are in the production of glass, particularly television glass, and brick and tile production.<sup>33</sup> Glass production accounts for approximately 75 percent of total consumption of barium carbonate in the United States.<sup>34</sup> Television glass production relies primarily upon the granular form of the product, although the powdered product can be and is used; the brick and tile industry relies exclusively upon the powdered form of the product (in either the unprocessed form or the air-dried (Micro-Flo™) form). About \*\*\* of U.S. producers' barium carbonate shipments in 2001 were of the granular product, whereas more than \*\*\* percent of U.S. importers' shipments of the subject imports from China were of the powdered product.<sup>35</sup>

The record data regarding demand show that, when measured by total apparent domestic consumption, U.S. barium carbonate demand increased from \*\*\* short tons in 1999 to \*\*\* short tons in 2000, then declined to \*\*\* short tons in 2001; it was \*\*\* short tons in January through June ("interim") 2002 compared with \*\*\* short tons in interim 2001.<sup>36</sup> There is some divergence among statements on the record concerning demand for barium carbonate. CPC asserts that demand for barium carbonate in the brick and tile segments has shown a modest increase over the period considered, following trends in construction, and that demand for barium carbonate in the specialty glass segment of the market has been consistent with overall economic trends during the period.<sup>37</sup> CPC further asserts that \*\*\* and because three of the four television glass manufacturers in the United States have replaced lead in their television glass with increased quantities of barium carbonate.<sup>38</sup> Two brick and tile producers report no change in demand for their products. Two glass producers report that demand for television glass has declined since 1999. Three importers assert that demand for barium carbonate in the United States has declined. One importer notes that demand for barium carbonate has declined as television sales have declined generally and as demand for liquid crystal display (LCD) products, which do not use barium carbonate, has

---

<sup>31</sup> (...continued)

was relatively \*\*\*. Additionally, CPC reports that the subject merchandise it purchased was not sold commercially \*\*\*. CR at III-5, III-5, n.5; PR at III-3, III-3, n.5; Conference Transcript (Mauldin) at 49.

<sup>32</sup> Subject imports from China were above the statute's negligibility threshold, 19 U.S.C. § 1677(24)(A)(i)(I), during the relevant time period. CR & PR at Table IV-2.

<sup>33</sup> CR at I-6, PR at I-4.

<sup>34</sup> CR & PR at II-1.

<sup>35</sup> The domestic producer's 2001 shipments of granular barium carbonate were used in glass production. Shipments of the powdered form were used in brick and tile production (\*\*\* percent of total domestic shipments of the powdered form), glass production (\*\*\* percent), and production of other products (\*\*\* percent). CR & PR at Table III-4. In 2001, approximately \*\*\* percent of U.S. importers' shipments of the subject imports from China were of the powdered form, used in brick and tile production (\*\*\* percent of total subject import shipments of the powdered form), in glass production (\*\*\* percent), and in the production of other products (\*\*\* percent). The other \*\*\* percent of 2001 shipments of the subject imports were of the granular form, used in glass production (\*\*\* percent of total subject granular imports) and in the production of other products (\*\*\* percent). CR & PR at Table IV-3. \*\*\* percent of nonsubject imports in 2001 were of the granular form; \*\*\* of the nonsubject imports were used in the production of glass. *Id.*

<sup>36</sup> CR & PR at Table C-1.

<sup>37</sup> CPC Posthearing Brief at 6-7.

<sup>38</sup> CR at II-3, PR at II-2.

increased.<sup>39</sup> \*\*\* asserts that demand for televisions, and thus for barium carbonate used in production of television glass, was stable in 1999 and 2000, and then declined in 2001 and the first half of 2002.<sup>40</sup>

There were two domestic producers of barium carbonate during the period of investigation, CPC and Osram, with CPC being by far the larger producer.<sup>41</sup> Domestic supply was supplemented over the period considered by imports of barium carbonate, primarily from China, Mexico, and Germany.<sup>42</sup> Mexico had been the principal source of import supply through 2001, but in interim 2002 the producer in Mexico, Cia. Minera La Valenciana, S.A. (“CMV”), ceased production of barium carbonate, and under an agreement with the Chinese producer, Red Star, and a U.S. importer of the subject merchandise, BassTech, now receives a commission on sales of subject merchandise made by BassTech and Red Star to CMV’s former U.S. customers.<sup>43</sup> This arrangement was followed by a significant decrease in imports from Mexico and a surge in subject imports from China.<sup>44</sup> Specifically, imports from Mexico declined from 5,886 short tons in interim 2001 to 2,060 short tons in interim 2002, while subject imports from China increased from 2,684 short tons in interim 2001 to 6,897 short tons in interim 2002.<sup>45</sup> From 1999 to 2001, nonsubject imports accounted for more than 75 percent of total barium carbonate imports and subject imports from China accounted for less than 25 percent of total imports. However, in the interim 2002 period, subject imports from China alone accounted for 72 percent of total imports.<sup>46 47</sup>

There is a moderate degree of substitution between the domestic barium carbonate and subject imports, with substitution higher with respect to the granular form.<sup>48</sup> The record in this preliminary investigation contains conflicting information concerning the extent to which individual glass producer qualification requirements act as a barrier to subject imports. However, on balance, the record indicates that any such barriers are not particularly high or difficult to surmount.<sup>49</sup>

---

<sup>39</sup> CR at II-3, II-4, PR at II-2 - II-3.

<sup>40</sup> CR at II-3, PR at II-2. \*\*\* states that television assemblers and producers of video glass have moved from the United States to lower-cost sites in Mexico and Southeast Asia. CR at II-4, PR at II-3.

<sup>41</sup> CR & PR at III-1. CPC accounts for \*\*\* percent of domestic production and Osram accounts for \*\*\* percent. Osram, which produces \*\*\* the petition.

<sup>42</sup> CR & PR at Table IV-2.

<sup>43</sup> Conference Transcript (Gutmann) at 74; BassTech and Red Star Postconference Brief at 15; Seaforth Postconference Brief at 5; see also CR at II-9; Id. at II-9, nn.17, 18. \*\*\*. Id. at n. 18.

<sup>44</sup> CR & PR at Table IV-2, see also BassTech and Red Star Postconference Brief at 13; Seaforth Postconference Brief at 5.

<sup>45</sup> CR & PR at Table IV-2.

<sup>46</sup> CR & PR at Table IV-2.

<sup>47</sup> We note that qualification requirements have not prevented the substitution of subject imports from China for previous imports from Mexico.

<sup>48</sup> CR & PR at II-5. Some granular barium carbonate is produced in China using a mechanical, compacting process rather than a thermal process. The lower density of the compacted grade limits its use to lower-end (i.e., not television glass) applications. CR at I-10, n. 38. Otherwise, there is no indication that the actual quality of barium carbonate from China is inferior to the domestic like product (as respondents argue). Indeed, CPC’s purchases of subject merchandise during the period of investigation is indicative of the comparable quality of the Chinese product.

<sup>49</sup> CR at II-6 (\*\*\*), (Memorandum INV-Z-189 (\*\*\*), CPC Postconference Brief at 32, id. at Exhibit 3 (affidavit stating that \*\*\*), id. at Exhibit 4 (affidavit stating that \*\*\*).

Moreover, the Chinese merchandise has increasingly been qualified by U.S. purchasers, including by \*\*\*,  
(continued...)

Approximately \*\*\* percent of sales of the domestic like product in the United States were on a contract basis and \*\*\* percent on a spot basis. CPC reports that contracts are \*\*\*. CPC states that its contracts \*\*\*.<sup>50</sup>

## VI. REASONABLE INDICATION OF THREAT OF MATERIAL INJURY BY REASON OF ALLEGEDLY LESS THAN FAIR VALUE IMPORTS<sup>51</sup>

Sections 733(a) and 771(7)(F)(ii) of the Act direct the Commission to determine whether there is a reasonable indication that the U.S. industry is threatened with material injury by reason of the subject imports by analyzing whether “further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted.”<sup>52</sup> The Commission may not make such a determination “on the basis of mere conjecture or supposition,” and considers the threat factors “as a whole” in making its determination whether dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued.<sup>53</sup> In making our determination, we have considered all statutory factors that are relevant to these investigations, including the rate of the increase in the volume and market penetration of subject imports, unused production capacity in China, inventories of subject merchandise, prices at which subject imports are likely to enter, and the likely effect of subject imports on domestic producers prices and performance and on demand for further subject imports. For the reasons discussed below, we determine that there is a reasonable indication that the domestic industry is threatened with material injury by reason of the subject imports.<sup>54</sup>

---

<sup>49</sup> (...continued)

and by \*\*\*. CR at II-6; *id.*, n.13; \*\*\*. Barium carbonate from China also has been qualified for use by television glass producers in third countries that are related to television glass producers in the United States, indicating a likelihood that the U.S. operations of these firms also would find the Chinese product to be acceptable for use. See Conference Transcript at 72, 76-77.

In the brick and tile markets, in which the powdered product is used, qualification does not appear to be a limitation on the sale of the subject imports, although certain brick and tile producers, particularly those located nearer to CPC’s facility in Cartersville, Georgia, have a preference for, and have put in place equipment to accommodate, CPC’s air-dried powdered product, a fact that may limit the extent to which the Chinese merchandise can compete head-to-head with the U.S. powdered product. CR at II-5, CPC Postconference Brief at 32, BassTech and Red Star Postconference Brief at 21. In any final phase investigation, we will seek additional information on the extent to which subject imports of the powdered product, which have accounted for a large share of total imports from China, threaten to displace CPC’s air-dried Micro-Flo™ product in and brick and tile production.

<sup>50</sup> CR at V-3 (CPC states it has lowered its prices in some instances \*\*\*; see also CPC Postconference Brief at Exhibit 9, and Memorandum INV-X-189 (notes of phone conversation with \*\*\*)).

<sup>51</sup> Commissioner Bragg notes that CPC’s purchases of subject merchandise were equivalent to \*\*\* percent of total subject imports in 1999, \*\*\* percent in 2000, \*\*\* percent in 2001, and \*\*\* percent in interim 2002 compared to \*\*\* percent in interim 2001. CR & PR at Tables III-6 and IV-2.

In light of the trend and relative volume of purchases of subject merchandise by CPC over the period of investigation, Commission Bragg finds that the domestic industry cannot be said to have experienced present material injury by reason of subject imports.

<sup>52</sup> 19 U.S.C. §§ 1673b(a) and 1677(7)(F)(ii).

<sup>53</sup> 19 U.S.C. § 1677(7)(F)(ii).

<sup>54</sup> 19 U.S.C. § 1677(7)(F)(i). Factor VII is inapplicable in these investigations because it does not involve imports of a raw agricultural product.

The volume and market penetration of the subject imports rapidly increased at the end of the period examined, indicating the likelihood of substantially increased imports in the imminent future. After decreasing from 5,948 short tons in 1999 to 5,028 short tons in 2001, subject imports increased in interim 2002 to 6,897 short tons compared with 2,684 short tons in interim 2001, an interim period increase of 157 percent.<sup>55</sup> When measured as a percentage of total U.S. consumption, the subject imports followed a similar trend. The share of the market held by subject imports, after declining from \*\*\* percent in 1999 to \*\*\* percent in 2001, increased to \*\*\* percent in interim 2002, compared with a share of \*\*\* percent in interim 2001.<sup>56</sup> We recognize that the U.S. industry's market share increased during this same period, from \*\*\* percent in 1999 to \*\*\* percent in 2001, and was higher in interim 2002 (\*\*\* percent) than in interim 2001 (\*\*\* percent).<sup>57 58</sup> We also note that subject imports gained market share from nonsubject imports rather than from the domestic industry. However, as discussed below, we find that this recent significantly increased presence of allegedly unfairly traded and lower-priced subject imports is likely to have significant adverse effects on the domestic industry in the imminent future.<sup>59</sup>

The subject producers in China have significant production capacity, and have increased capacity in each full year of the period examined and in the interim period. Specifically, Chinese producers increased capacity from \*\*\* short tons in 1999 to \*\*\* short tons in 2000, and to \*\*\* short tons in 2001. Capacity further increased in interim 2002 to \*\*\* short tons, compared with \*\*\* short tons in interim 2001.<sup>60</sup> \*\*\* provided a projection of production capacity for full year 2002 and full year 2003. \*\*\* projects annual capacity \*\*\*.<sup>61</sup> Thus, the quantity by which Red Star projects its capacity \*\*\* in 2002 and 2003 \*\*\* its reported capacity for 2001 is equivalent to \*\*\* percent of total U.S. imports from China in 2001.<sup>62</sup> Moreover, overall annual capacity in 2002 and 2003 in China will be \*\*\*.<sup>63</sup> The two Chinese

---

<sup>55</sup> CR & PR at Tables IV-2, C-1. U.S. imports in these tables are from Commerce Department import statistics. For purposes of this investigation, in which the relevant HTSUS category includes only barium carbonate, we view official Commerce statistics to be more reliable than import data provided in response to the Commission's questionnaires. Nonetheless, our conclusions in these Views would not differ if we relied on import data from the questionnaire responses, which show the same trends. See CR & PR at Table C-2 (containing import data reported in questionnaire responses).

<sup>56</sup> CR & PR at Table C-1.

<sup>57</sup> CR & PR at Table IV-5.

<sup>58</sup> At least some portion of the interim increase in domestic market share is due to the fact that \*\*\* turned to domestic supply after imports from Mexico exited the U.S. market, \*\*\*. See Memorandum INV-Z-189 at 2.

<sup>59</sup> As discussed above, CPC purchased subject imports during \*\*\*. See CR & PR at Table III-6 and related party discussion, supra. Respondents do not argue, and we do not find, that these past purchases affect the extent to which the interim and future levels of subject imports threaten material injury to the domestic industry. Moreover, we note that those subject imports not purchased by CPC increased over the period examined, rising from \*\*\* short tons in 1999 to \*\*\* short tons in 2001; they were \*\*\* short tons in interim 2002 compared with \*\*\* short tons in interim 2001. CR & PR at Tables III-6, IV-2. The market share of imports other than those purchased by CPC rose from \*\*\* percent in 1999 to \*\*\* percent in 2001; and to \*\*\* percent in interim 2002 compared with \*\*\* percent in interim 2001. CR & PR at Tables III-6, IV-5, C-1.

<sup>60</sup> CR & PR at Table VII-1.

<sup>61</sup> CR & PR at Table VII-1. See also Id. at Table IV-5 (projected annual capacity in 2002 and 2003 for \*\*\* total U.S. consumption in 2001).

<sup>62</sup> CR & PR at Table IV-2 (subject imports in 2001 of 5,028 short tons).

<sup>63</sup> CR & PR at Table VII-1 (total domestic consumption of \*\*\* short tons in 2001).

producers that provided data indicate that \*\*\*.<sup>64</sup> Hebei Xinji's production \*\*\* during the period examined, and Red Star's production \*\*\*.<sup>65</sup> Given that Red Star's production \*\*\*.<sup>66</sup> Thus we do not view reported capacity information or \*\*\* as defining full practical production capacity or likely excess capacity in China. Accordingly, coupled with our finding that the Chinese industry has demonstrated over the period an ability to add capacity and has recently added capacity, we cannot conclude that the Chinese producers will discontinue their current practice of producing quantities \*\*\*.<sup>67</sup>

There were significant inventories of the subject merchandise in China and in the United States at the end of the interim 2002 period.<sup>68</sup> Moreover, \*\*\* firms, \*\*\*, have separately imported or arranged for the importation of a total of \*\*\* short tons of barium carbonate from China for delivery in 2002 after the interim 2002 period.<sup>69</sup> Thus, the record indicates a likelihood of substantially increased imports of the subject merchandise into the United States.<sup>70</sup>

We also find that subject imports are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices, and are likely to increase demand for further imports. Domestically produced and imported barium carbonate are at least moderately interchangeable, and price is a significant factor in purchasing decisions.<sup>71</sup> The record indicates that the subject imports in granular

---

<sup>64</sup> In light of the Chinese producers' \*\*\*, we intend in any final phase investigation to look further at the basis for reported capacity information and will seek to identify the practical production limits for the subject producers.

<sup>65</sup> CR & PR at Table VII-1. Hebei Xinji reported capacity utilization of \*\*\* percent in 1999, \*\*\* percent in 2000, \*\*\* percent in 2001, \*\*\* percent in interim 2001, and \*\*\* percent in interim 2002. Red Star reported capacity utilization of \*\*\* percent in 1999, \*\*\* percent in 2000, \*\*\* percent in 2001, \*\*\* percent in interim 2001, and \*\*\* percent in interim 2002. The two producers' combined capacity utilization ratio was \*\*\* percent in 1999, \*\*\* percent in 2000, \*\*\* percent in 2001, \*\*\* percent in interim 2001, and \*\*\* percent in interim 2002. *Id.*

<sup>66</sup> *Id.* It reported capacity of \*\*\* short tons (\*\*\*) of its projected total capacity of \*\*\* short tons for full year 2002) for the interim, first six months of 2002, and produced \*\*\* percent of that capacity in that period. CR & PR at Table VII-1.

<sup>67</sup> We also note that export markets accounted for approximately \*\*\* percent or more of shipments by the subject producers combined in each full year of the period considered and in the interim period. The subject producers forecast that their dependence on total export markets will \*\*\* to \*\*\* percent in full year 2002 and 2003. CR & PR at Table VII-2.

<sup>68</sup> 19 U.S.C. § 1677(7)(F)(i)(V). Subject producers' ending inventories were \*\*\* short tons at the end of interim 2002 (\*\*\*) percent of production), compared with ending inventories of \*\*\* short tons at the end of interim 2001 (\*\*\*) percent of production). CR & PR at Table VII-2. U.S. importers' inventories of subject imports at the end of the 2002 interim period totaled \*\*\* short tons (\*\*\*) percent of subject imports), compared with \*\*\* short tons in interim 2001 (\*\*\*) percent of subject imports). CR & PR at Table VII-3. That \*\*\* percent of the volume of subject imports in the first six months of 2002 remained in importers' inventories at the end of June 2002 (CR & PR at Tables IV-2 & VII-3) indicates that a significant part of the increased volume of subject imports in 2002 had not yet entered the end user market at the end of June 2002 and, thus, the impact of those imports upon the domestic industry is yet to be fully felt. *See also* CR at VII-5, PR at VII-2 (BassTech, the importer accounting for \*\*\* of inventories of subject merchandise held in inventory in the United States at the end of interim 2002, stating that the merchandise is already committed to customers and, therefore, will enter the U.S. end user market).

<sup>69</sup> CR at IV-8, nn.10, 11, and 12; PR at IV-6, nn.10, 11, and 12.

<sup>70</sup> As discussed above, the record does not indicate significant barriers to increased imports. *See* note 49, *supra*. We also note that India has imposed antidumping duties on imports of barium carbonate from China. CR at VII-5, PR at VII-2.

<sup>71</sup> CR at II-5 & PR at II-3. As noted previously, *see* note 49 *supra*, while qualification requirements may limit interchangeability until it is obtained, the record indicates that qualification is not particularly lengthy or difficult.

(continued...)

form (product 1) undersold the domestic product in 13 of the 14 comparisons, with margins ranging from \*\*\* percent to \*\*\* percent and averaging \*\*\* percent.<sup>72</sup> The second-highest margin of underselling, \*\*\* percent, occurred in the second quarter of 2002, when the volume of subject imports for which data were reported rose dramatically.<sup>73</sup> In the one comparison in which the Chinese merchandise did not undersell the domestic product, the Chinese product was priced \*\*\* percent above the U.S. product.<sup>74</sup> Subject imports at the end of the period were increasingly of granular product, which competes most directly with the domestic like product.<sup>75</sup> The record also indicates that the subject imports in powdered form (product 2) undersold the domestic product in 14 of the 14 comparisons, with margins ranging from \*\*\* percent to \*\*\* percent and averaging \*\*\* percent.<sup>76</sup> Some of the differences in prices between domestic and subject powdered barium carbonate may be attributable to differences between the domestic producer's Micro-Flo™ product and the Chinese powdered product, a factor we will consider further in any final phase investigation.<sup>77</sup> However, for the purpose of our preliminary determination we find that the current levels of underselling would likely continue or worsen in the imminent future, as Chinese imports increase their presence in the U.S. market. Prices of both the domestic and the Chinese granular form of the product (product 1) declined over the 14-quarter period examined. Prices for the domestic granular product declined \*\*\* percent between and first and final quarters, and prices of the Chinese product declined \*\*\* percent.<sup>78</sup> Prices of the domestic powdered product, with includes the specialized Micro-Flo™ product discussed previously, were \*\*\* percent higher in the final quarter of the period than they were in the first quarter of the period, while prices of the Chinese product increased by \*\*\* percent over the 14-quarter period.<sup>79</sup>

While there is mixed evidence of price depression, we note that the declining prices for the granular product, which accounts for more than \*\*\* of the domestic industry's shipments,<sup>80</sup> indicate that subject imports are likely to have a significant adverse effect upon the domestic industry's prices. We note in particular the decline in subject import prices in the final quarter of the period, when the sales of the Chinese merchandise rose to a volume much greater than that in any other single quarter.<sup>81</sup> There is

---

<sup>71</sup> (...continued)

However, we note that, for the powdered form, the differences between the Chinese merchandise and CPC's Micro-Flo™ product may limit the degree to which the products are interchangeable.

<sup>72</sup> CR at V-9 & Table V-1; PR at V-4 & Table V-1.

<sup>73</sup> CR & PR at Tables IV-2, V-1.

<sup>74</sup> Id.

<sup>75</sup> CR & PR at Tables IV-3, V-1, V-2.

<sup>76</sup> Id.

<sup>77</sup> CR at V-9 & Table V-1; PR at V-4 and Table V-1. Apart from its particular flow characteristics, the air-dried Micro-Flo™ product requires the lease of specialized feeding equipment and is accompanied by technical support from CPC. CR at V-9 - V-10; PR at V-4. However, the magnitude of the margins of underselling for the powdered product provides a reasonable indication that subject imports could capture additional market share through increased sales of powdered barium carbonate beyond the western United States. The likelihood and impact of switching by end users from use of the Micro-Flo™ product to use of subject imports remains an issue for any final phase investigation.

<sup>78</sup> CR at V-9, PR at V-5.

<sup>79</sup> CR at V-9, PR at V-4.

<sup>80</sup> CR & PR at Table III-4.

<sup>81</sup> CR & PR at Table V-1 (sales of \*\*\* short tons of the subject imports are reported in the price comparisons for the final quarter for which data was obtained (April-June 2002); prior to that quarter, the highest single-quarter

(continued...)

also some evidence of price suppression as the industry's ratio of cost of goods sold (COGS) to net sales value rose over the period examined.<sup>82</sup> Moreover, even when the Chinese product does not displace the domestic producer in a particular sale, price quotations in the market for the Chinese product have resulted in the domestic producers reducing prices to obtain or retain sales volume.<sup>83</sup>

The volume of importers' inventories of subject merchandise at the end of June 2002 was equivalent to \*\*\* percent of subject imports, and \*\*\* percent of U.S. shipments of subject imports in the first six months of 2002, indicating that the full impact upon domestic producers' prices of the increased volume of subject imports at the end of the period examined has yet to occur.<sup>84</sup> These inventory volumes, together with the likely increasing volume of subject imports and declining prices, support the conclusion that increased imports are likely to suppress or depress future prices to a significant degree.

The record indicates that the likely increased volume of subject imports and the likely adverse price effects will likely adversely impact the domestic industry's condition, including revenues and profitability.

The industry's operating income declined from \$\*\*\* in 1999 to \$\*\*\* in 2000 and to \$\*\*\* in 2001. Operating income increased \*\*\* in interim 2002 to \$\*\*\* compared with \$\*\*\* in interim 2001, but, annualized, remained \*\*\* below the level in any of the full years of the period considered. Operating income as a percentage of net sales declined from \*\*\* percent in 1999 to \*\*\* percent in 2000 and to \*\*\* percent in 2001. Although operating income as a percent of net sales increased to \*\*\* percent in interim 2002, compared with \*\*\* percent in interim 2001, the interim 2002 operating income ratio, like operating income in absolute terms, is below the ratio for each of the full years considered.<sup>85</sup>

The operating income trend was \*\*\* for the industry's granular operations, for which competition with subject imports is most pronounced. Operating income for the granular operations declined from \$\*\*\* in 1999 to \$\*\*\* in 2000 and to \*\*\* in 2001. Operating income for the granular operations declined in interim 2002 to \*\*\* compared with \*\*\* in interim 2001. Operating income as a percentage of net sales of the granular form of the product declined from \*\*\* percent in 1999 to \*\*\* percent in 2000 and to \*\*\*

---

<sup>81</sup> (...continued)

quantity during the period considered was \*\*\* short tons, in the fourth quarter of 1999).

<sup>82</sup> CR & PR at Table VI-1. COGS as a percent of net sales was \*\*\* percent in 1999, \*\*\* percent in 2000, and \*\*\* percent in 2001. Although the ratio was lower in interim 2002 (\*\*\* percent) than in interim 2001 (\*\*\* percent), the interim 2002 level was above that of any full year of the period considered.

COGS as a percent of net sales of the granular product (for which competition with subject imports is most pronounced) increased over the period examined, from \*\*\* percent in 1999 to \*\*\* percent in 2000 and \*\*\* percent in 2001. It was \*\*\* percent in interim 2002 compared with \*\*\* percent in interim 2001. CR & PR at Table C-3. For the powdered form of the product, COGS as a percent of net sales increased from \*\*\* percent in 1999 to \*\*\* percent in 2000, then declined, albeit to a level above that of 1999, to \*\*\* percent in 2001; it was \*\*\* percent in interim 2002 compared with \*\*\* in interim 2001. CR & PR at Table C-4.

<sup>83</sup> E.g. \*\*\*; CR at V-13 - V-14, PR at V-5 (purchaser \*\*\*); CR at V-14, PR at V-5 (\*\*\*); CR at V-15, PR at V-5 (\*\*\*); see also CPC Postconference Brief at Exhibit 9. The record thus demonstrates that, even prior to qualification, subject imports have had a negative effect on prices.

<sup>84</sup> CR & PR at Table VII-3. Importers' inventories in interim 2001 were \*\*\* percent of subject imports and \*\*\* percent of U.S. shipments of subject imports. Id. See also note 68, *supra*.

<sup>85</sup> CR & PR at Table C-1.

percent in 2001, and declined further in the interim 2002 period to \*\*\* percent compared with \*\*\* percent in interim 2001.<sup>86</sup>

Other performance indicators demonstrate the likely adverse impact of increasing subject import volumes and adverse price effects. Capacity utilization declined from \*\*\* percent in 1999 to \*\*\* percent in 2001, then declined further in interim 2002 to \*\*\* percent, compared with \*\*\* percent in interim 2001.<sup>87</sup> The domestic industry reports suffering a substantial loss of efficiency and increased costs if high levels of capacity utilization are not maintained because production kilns in barium carbonate facilities are designed to operate near maximum capacity.<sup>88</sup> Thus, declining levels of capacity utilization, particularly in the interim period, support the view that expected volumes of low-priced subject imports will have an adverse impact upon the domestic industry in the imminent future. The domestic industry's sales, after increasing from \*\*\* short tons in 1999 to \*\*\* short tons in 2000, declined to \*\*\* short tons in 2001, and declined in the interim 2002 period to \*\*\* short tons, compared with \*\*\* short tons in interim 2001.<sup>89</sup> Capital expenditures by the domestic producers, after increasing from \$\*\*\* in 1999 to \$\*\*\* in 2000, declined to \$\*\*\* in 2001, and declined further in the interim period to \$\*\*\*, compared with expenditures of \$\*\*\* in interim 2001.<sup>90</sup> The domestic industry's productivity increased in 2001 compared with 1999, but then declined in the interim period comparisons.<sup>91</sup>

Thus, on the basis of the record in this preliminary investigation, we find that, in light of the current weakened state of the domestic industry, particularly with respect to the granular form of the product in which the competition from the subject imports is most apparent, the likely increasing volume and suppressing and depressing price effects of subject imports will adversely impact the domestic industry.<sup>92</sup>

## CONCLUSION

For the reasons stated above, we determine that there is a reasonable indication that the domestic industry producing barium carbonate is threatened with material injury by reason of subject imports of barium carbonate that are allegedly sold in the United States at less than fair value.

---

<sup>86</sup> CR & PR at Table C-3.

<sup>87</sup> CR & PR at Table III-2. The industry's capacity increased from \*\*\* short tons in 1999 to \*\*\* short tons in 2000 and 2001, and remained flat at \*\*\* short tons in the 2001 and 2002 interim periods. The industry's production increased from \*\*\* short tons in 1999 to \*\*\* short tons in 2000, then declined in 2001 to \*\*\* short tons in 2001 and declined further in interim 2002 to \*\*\* short tons compared with \*\*\* short tons in interim 2001. Id.

<sup>88</sup> CR at III-2, PR at III-2.

<sup>89</sup> CR & PR at Table IV-1.

<sup>90</sup> CR & PR at Table VI-5.

<sup>91</sup> CR & PR at Table C-1.

<sup>92</sup> As discussed earlier, see note 77, supra, we also find a reasonable indication that powdered subject imports pose a threat to the domestic industry.