

## **EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY**

in

*Iron Construction Castings from Brazil, Canada, and China,*  
Inv. Nos. 701-TA-249, 731-TA-262, 263, 265 (Second Review).

On January 4, 2005, the Commission determined that it should proceed to expedited reviews in the subject five-year reviews pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(3)(B).<sup>1</sup>

With regard to each of the reviews, the Commission determined that the domestic interested party group response to the notice of institution was adequate. The Commission received an adequate joint response with company specific data from seven domestic producers: Deeter Foundry, Inc.; East Jordan Iron Works, Inc.; LeBaron Foundry, Inc.; Municipal Castings, Inc.; Neenah Foundry; Tyler Pipe Co.; and U.S. Foundry & Manufacturing Co. Because the Commission received an adequate response from domestic producers accounting for a substantial percentage of U.S. production, the Commission determined that the domestic interested party group response was adequate.

The Commission did not receive a response from any respondent interested parties in the reviews concerning subject imports from Brazil, Canada, or China and therefore determined that the respondent interested party group responses to the notice of institution were inadequate with regard to each of the reviews. In the absence of adequate respondent interested party group responses, the Commission determined to conduct expedited reviews. A record of the Commissioners' votes is available from the Office of the Secretary and the Commission's web site (<http://www.usitc.gov>).

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<sup>1</sup> Vice Chairman Okun and Commissioner Pearson dissent. While they concur with the Commission's determination that the domestic interested party group response was adequate and that the respondent party group responses were inadequate, Vice Chairman Okun and Commissioner Pearson did not exercise their discretion to conduct expedited reviews, but instead voted to conduct full reviews.

The record indicates that since issuance of the original countervailing duty order and antidumping orders, there have been changes in the conditions of competition pertaining to the domestic industry, particularly consolidations. In addition, the Commission currently is conducting a fact-finding investigation at the request of the Ways and Means Committee of the U.S. House of Representatives concerning the competitive conditions facing producers in the larger U.S. foundry industry (*Foundry Products: Competitive Conditions in the U.S. Market*, Inv. 332-460). Conducting full reviews would have allowed the Commission to seek information concerning these changes in conditions of competition.