

PUBLIC VERSION

Chinese merchandise covered by “List 3” was subject to a 10 percent tariff beginning in September 2018,⁴ which subsequently increased to 25 percent on June 15, 2019.⁵

III. Scope of Investigation and Description of the Merchandise

A. Scope of Investigation and Tariff Classification

The products covered by these petitions are brass rod, which is defined as leaded, low-lead, and no-lead solid brass made from alloys such as, but not limited to: Alloys C36000, C37700, C37000, C36300, C27450, C27451, C69300, C35300, C34500, C67600, C35330, C48500, and C67300, and their international equivalents.

The brass rod subject to these orders has a cross-section greater than one quarter of one inch (0.25 inches) outside diameter but less than or equal to 12 inches outside diameter. Brass rod cross-sections may be round, hexagonal, square, or octagonal shapes as well as special profiles (*e.g.*, angles, shapes).

Standard leaded brass rod covered by the scope contains, by weight, 57.0 - 65.0 percent copper; 1.5 - 3.0 percent lead; no more than 0.35 percent iron; and at least 15 percent zinc. No-lead or low-lead brass rod covered by the scope contains by weight 59.0 – 76.0 percent copper; 0 – 1.5 percent lead; no more than 0.35 percent iron; and at least 15 percent zinc. Brass rod may also include other elements.

⁴ See *Notice of Modification of Section 301 Action: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation*, 83 Fed. Reg. 47,974 (Sept. 21, 2018) and Annex A (“List 3”).

⁵ See *Notice of Modification of Section 301 Action: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation*, 84 Fed. Reg. 20,459 (May 9, 2019); *Additional Implementing Modification to Section 301 Action: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation*, 84 Fed. Reg. 26,930 (June 10, 2019).

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Brass rod is covered by these petitions whether it is finished or unfinished. Brass rod may be produced in accordance with ASTM B16, ASTM B124, ASTM B981, ASTM B371, ASTM B453, ASTM B21, ASTM B138, and ASTM B927, but such conformity to an ASTM standard is not required for the merchandise to be included within the scope.

Brass rod is produced by melting and casting into billets or strand casting into rod. Brass rod may or may not be heated, extruded, pickled, or cold-drawn.

The merchandise covered by these petitions is currently classifiable under subheading 7407.21.9000 of the Harmonized Tariff Schedule of the United States (HTSUS). Products subject to the scope may also enter under HTSUS subheadings 7403.21.0000, 7407.21.1500, 7407.21.3000, 7407.21.5000, and 7407.21.7000. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the petitions is dispositive.

B. Physical Characteristics and Uses

Brass rod is a material produced and sold in a variety of alloy designations that reflect the combination of copper and zinc along with other elements to create different alloys with unique characteristics. Brass rod chemistry is produced to established ASTM standards or tighter internal limits, if applicable.⁶ All brass rod products share physical characteristics and uses. The scope of these petitions includes brass rod or bars drawn to a variety of cross-sectional shapes, in diameters in excess of 0.25 inches, but less than or equal to 12 inches, and of any length. Once produced to specification, brass rod is suitable for use in numerous industries. Brass rod supports many aspects of the U.S. economy and is commonly used in (1) building and household

⁶ See [] (Exhibit GEN-2).