



April 24, 2024

Submitted electronically via [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain)

Mr. Seth Renkema  
Chief, Economic Impact Analysis Branch  
U.S. Customs and Border Protection  
Office of Trade, Regulations and Rulings  
90 K Street, N.W., 10<sup>th</sup> Floor  
Washington, DC 20229-177

Re: **OMB Control No. 1651-0022 - Comments of the Specialty Steel Industry of North America (SSINA) Regarding U.S. Customs and Border Protection's Proposed Revision to Entry Summary (Form 7501)**

Dear Mr. Renkema:

On behalf of the Specialty Steel Industry of North America (SSINA),<sup>1</sup> we urge U.S. Customs and Border Protection (CBP) to adopt its proposed modification to CBP Form 7501 with regard to steel imports.

On March 25, 2024, CBP published a notice in the Federal Register seeking comments on its proposal to add the following new data field to Form 7501 with regard to imports of steel entering the United States:

- For certain Harmonized Tariff Schedule (HTS) classifications of steel imports, the country where the steel used in the manufacture of the product was melted and poured; the country where the steel used in the

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<sup>1</sup> SSINA is a trade association representing nearly all North American specialty metals producers, including ATI Inc.; Carpenter Technology Corporation; Crucible Industries; Electralloy; Universal Stainless and Alloy Products; and Valbruna Slater Stainless, Inc. SSINA members produce many different types of products including stainless steels, tool steels, high performance alloy steels and other specialty metals, including nickel-based alloys, superalloys, titanium and titanium alloys, and zirconium and niobium alloys.

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manufacture of the product was melted and poured applies to the original location where the raw steel is first produced in a steel-making furnace in a liquid state; and then poured into its first solid shape.<sup>2</sup>

As indicated in prior comments filed with CBP on June 20, 2023, SSINA strongly supports the proposed revision to Form 7501 to add a new data field to collect information on the country of melt and pour for imported steel products. The required data field will provide CBP with an invaluable tool for ensuring that U.S. trade laws are properly enforced. In addition, as noted below, requiring the new melt and pour data will not create any additional administrative burden on U.S. importers or their suppliers, as they are already obligated to report such information to the U.S. Department of Commerce prior to the entry of steel products into the United States.

The revision proposed by CBP will not only allow the agency to gather additional information concerning import transactions, but will also aid in preventing illegal transshipment of steel products. Certain unscrupulous foreign producers/exporters remain focused on evading antidumping (“AD”) and countervailing (“CVD”) duties, as well as Section 301 tariffs, by shipping steel to the United States through third countries, where the products do not undergo any processing but are merely reloaded into a different container with falsified shipping and entry documentation. With such transshipment activities on the rise, it is important that CBP enhance its tools to prevent these types of duty evasion schemes.

Similarly, the addition of a required field on Form 7501 for the country of melt and pour will also aid CBP’s enforcement of Section 232 quotas and tariffs. Under certain country-specific agreements, steel products must be melted and poured within certain countries to be eligible for duty-free treatment. Specifically, the melted and poured country of origin analysis applies to the agreements with the European Union, Japan, and the United Kingdom.<sup>3</sup> The Steel Import Monitoring and Analysis (SIMA) data gathered by the U.S. Department of Commerce, however, demonstrate that the country of melt and pour information is often misreported in the steel import license applications. For example, there are imports of stainless steel bar from Canada that incorrectly identify Canada as the country of melt and pour, even though there are no stainless bar producers in Canada. Such imports, therefore, are likely entering the United States duty-free, despite the fact that they clearly do not originate in Canada. In addition, the SIMA data also indicate that certain imports of stainless bar from Canada and Mexico were produced from inputs sourced from countries such as Taiwan and Italy. In such instances, the stainless bar

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<sup>2</sup> Agency Information Collection Activities; Revision; Entry Summary (CBP Form 7501), 89 Fed. Reg. 20,673 (CBP Mar. 25, 2024). A similar notice was also published in April 19, 2023. See U.S. Customs and Border Protection – Entry Summary (Form 7501), 88 Fed. Reg. 24,203, 24,204 (CBP Apr. 19, 2023).

<sup>3</sup> See, e.g., Proclamation 10328 of December 27, 2021, 87 Fed. Reg. 11 (Jan. 3, 2022) (“Under the arrangement, steel articles that are melted and poured in the EU are eligible for in-quota treatment.”).

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produced from Taiwanese inputs should be subject to a Section 232 tariff, while articles produced from Italian inputs should be subject to the quota applicable to imports from EU member countries. The current lack of melt and pour reporting requirements in CBP Form 7501 makes it difficult for CBP to enforce properly the Section 232 tariffs and quotas. Indeed, CBP is currently having to review each license application manually to verify that the country of melt and pour matches that recorded on the import license. The addition of the new data field to Form 7501 for country of melt and pour will alleviate this burden and ensure that the product imported under a steel import license matches the information reported to the Department of Commerce prior to entry. Thus, the proposed country of melt and pour reporting requirement in CBP Form 7501 will help to ensure that Section 232 duties are properly assessed and that steel imports entering the United States are being recorded against the appropriate quotas.

Finally, the new data field will not create any additional burden on U.S. importers, as they are already required to report country of melt and pour information in steel import license applications submitted to the U.S. Department of Commerce. While there are currently no consequences for U.S. importers that misreport information on the country of melt in a steel import license application submitted to the Commerce Department, requiring U.S. importers to report the country of melt in Form 7501 will make U.S. importers subject to potential civil penalties under 19 U.S.C. § 1592, if information is reported in a negligent, grossly negligent, or fraudulent manner. Thus, the additional reporting requirement will provide an incentive for U.S. importers to report the country of melt and pour accurately in the entry summary form and, therefore, allow CBP to better enforce the United States' trade laws.

SSINA greatly appreciates CBP's actions to improve CBP Form 7501 and would be pleased to provide any additional information that would assist the agency in implementing the proposed modification to Form 7501.

Respectfully submitted,



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