

NEWS RELEASES

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Husch Blackwell Prevails in Steel Nails Import Matter

Husch Blackwell's International Trade team prevailed in a contentious injury investigation conducted by the U.S. International Trade Commission (ITC) covering the countervailing (CVD) duty investigation on steel nail imports from five countries: India, Oman, Sri Lanka, Thailand, and Turkey. The ITC issued its final negative injury finding on Friday, Sept. 16, 2022, resulting in a total victory for Husch Blackwell's clients, which were some of the largest volume U.S. importers of such nails.

The largest nail manufacturer in the United States filed its Petition at the ITC and Commerce in December 2021 where it alleged the foreign countries were ramping up its imports into the U.S. to the detriment of domestic producers.

The key issues in the investigation focused on the merits of the petition and whether the domestic industry adequately demonstrated that imports from the five countries and those imports alone were the cause of the financial and economic troubles of the U.S. producer. Husch Blackwell effectively challenged the arguments raised by the domestic industry and demonstrated that the cause of the domestic producer's problems were not imports but were rather a host of other issues unrelated to the increase in imports or the result of reduced prices on those imports.

The U.S. government ultimately agreed with Husch Blackwell's arguments and voted unanimously in its negative finding. This is the second recent ITC investigation where Husch Blackwell received a negative determination and in which Husch Blackwell's legal strategies prevailed.

The Husch Blackwell team was led by Nithya Nagarajan, Jeffrey Neeley and Stephen Brophy.