

MESSAGE NO: 3147111 MESSAGE DATE: 05/27/1993
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-210, A-588-211

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/26/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL DETERMINATIONS IN THE ANTIDUMPING DUTY INVESTIGATIONS OF PROFESSIONAL ELECTRIC CUTTING/SANDING/ GRINDING TOOLS FM JAPAN (A-588-210 & A-588-211)

MESSAGE NO: 3147111

DATE: 05 27 1993

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 210

A - 588 - 211

- -

- -

- -

- -

PERIOD COVERED: 05 26 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL DETERMINATIONS IN THE ANTIDUMPING DUTY INVESTIGATIONS OF PROFESSIONAL ELECTRIC CUTTING/SANDING/ GRINDING TOOLS FM JAPAN (A-588-210 & A-588-211)

1. THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ON MAY 26, 1993, NOTICE OF ITS FINAL DETERMINATIONS THAT PECTS AND PESGTS FROM JAPAN ARE BEING, OR ARE LIKELY TO BE SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

2. THESE INVESTIGATIONS COVER TWO CLASSES OR KINDS OF MERCHANDISE, PECTS AND PESGTS. THE TOOLS MAY BE ASSEMBLED OR UNASSEMBLED AND CORDED OR CORDLESS.

THE TERM "ELECTRIC" ENCOMPASSES ELECTROMECHANICAL DEVICES, INCLUDING TOOLS WITH ELECTRONIC VARIABLE SPEED FEATURES.

THE TERM "ASSEMBLED" INCLUDES UNFINISHED OR INCOMPLETE ARTICLES, WHICH HAVE THE ESSENTIAL CHARACTERISTICS OF THE FINISHED OR COMPLETE TOOL.

THE TERM "UNASSEMBLED" MEANS COMPONENTS, WHICH WHEN TAKEN AS A WHOLE, CAN BE CONVERTED INTO THE FINISHED OR UNFINISHED OR INCOMPLETE TOOL THROUGH SIMPLE ASSEMBLY OPERATIONS, E.G., KITS.

PECTS HAVE BLADES OR OTHER CUTTING DEVICES USED FOR CUTTING WOOD, METAL, AND OTHER MATERIALS. PECTS INCLUDE CHOP SAWS, CIRCULAR SAWS, JIG SAWS, RECIPROCATING SAWS, MITER SAWS, PORTABLE BAND SAWS, CUT-OFF MACHINES, SHEARS, NIBBLERS, PLANERS, ROUTERS, JOINERS, JOINTERS, METAL CUTTING SAWS, AND SIMILAR CUTTING TOOLS.

PESGTS HAVE MOVING ABRASIVE SURFACES USED PRIMARILY FOR GRINDING, SCRAPING, CLEANING, DEBURRING, AND POLISHING WOOD, METAL, AND OTHER MATERIALS. PESGTS INCLUDE ANGLE GRINDERS, FINISHING SANDERS, DISC SANDERS, ORBITAL SANDERS, BELT SANDERS, POLISHERS, STRAIGHT GRINDERS, DIE GRINDERS, AND SIMILAR SANDING/GRINDING TOOLS.

THE PRODUCTS SUBJECT TO THESE INVESTIGATIONS INCLUDE ALL HAND-HELD PECTS AND PESGTS AND CERTAIN BENCH-TOP, HAND-OPERATED PECTS.

HAND-OPERATED TOOLS ARE DESIGNED SO THAT ONLY THE FUNCTIONAL OR MOVING PART IS HELD AND MOVED BY HAND WHILE IN USE, THE WHOLE BEING DESIGNED TO REST ON A TABLE TOP, BENCH, OR OTHER SURFACE. BENCH-TOP TOOLS, ARE SMALL STATIONARY TOOLS THAT CAN BE MOUNTED OR PLACED ON A TABLE OR BENCH. THEY ARE GENERALLY

DISTINGUISHABLE FROM OTHER STATIONARY TOOLS BY SIZE AND EASE OF MOVEMENT.

THE SCOPE OF THE PECT INVESTIGATION INCLUDES ONLY THE FOLLOWING BENCH-TOP, HAND-OPERATED TOOLS: CUT-OFF SAWS; PVC SAWS; CHOP SAWS; CUT-OFF MACHINES, CURRENTLY CLASSIFIABLE UNDER SUBHEADING 8461 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS); ALL TYPES OF MITER SAWS, INCLUDING SLIDE COMPOUND MITER SAWS AND COMPOUND MITER SAWS, CURRENTLY CLASSIFIABLE UNDER SUBHEADING 8465 OF THE HTSUS; AND BAND SAWS WITH DETACHABLE BASES, ALSO CURRENTLY CLASSIFIABLE UNDER SUBHEADING 8465 OF THE HTSUS.

THESE INVESTIGATION DO NOT INCLUDE:

PROFESSIONAL ELECTRIC DRILLING/FASTENING TOOLS;
LAWN AND GARDEN TOOLS;
HEAT GUNS;
PAINT AND WALLPAPER STRIPPERS; AND
CHAIN SAWS, CURRENTLY CLASSIFIABLE UNDER SUBHEADING 8508 OF THE HTSUS.

PARTS OR COMPONENTS OF PECTS AND PESGTS WHEN THEY ARE IMPORTED AS KITS, OR AS ACCESSORIES IMPORTED TOGETHER WITH COVERED TOOLS, ARE INCLUDED WITHIN THE SCOPE OF THESE INVESTIGATIONS.

"CORDED" AND "CORDLESS" PECTS AND PESGTS ARE INCLUDED WITHIN THE SCOPE OF THESE INVESTIGATIONS. "CORDED" PROFESSIONAL ELECTRIC POWER TOOLS (PEPTS), WHICH ARE DRIVEN BY ELECTRICAL CURRENT PASSED THROUGH A POWER CORD, ARE, FOR PURPOSES OF THESE INVESTIGATIONS, DEFINED AS POWER TOOLS WHICH HAVE AT LEAST FIVE OF THE FOLLOWING SEVEN CHARACTERISTICS:

(1) THE PREDOMINANT USE OF BALL, NEEDLE OR ROLLER BEARINGS (I.E., A MAJORITY OR GREATER NUMBER OF THE BEARINGS IN THE TOOL ARE BALL, NEEDLE OR ROLLER BEARINGS);

(2) HELICAL, SPIRAL BEVEL OR WORM GEARING:

(3) RUBBER (OR SOME EQUIVALENT MATERIAL WHICH MEETS UL'S SPECIFICATIONS S OR SJ) JACKETED POWER SUPPLY CORD WITH A LENGTH OF 8 FEET OR MORE;

(4) A POWER SUPPLY CORD WITH A SEPARATE CORD PROTECTOR;

(5) EXTERNALLY ACCESSIBLE MOTOR BRUSHES;

(6) THE PREDOMINANT USE OF HEAT TREATED TRANSMISSION PARTS (I.E., A MAJORITY OR GREATER NUMBER OF THE TRANSMISSION PARTS IN THE TOOL ARE HEAT TREATED); AND

(7) THE PRESENCE OF MORE THAN ONE COIL PER SLOT ARMATURE.

IF ONLY SIX OF THE ABOVE SEVEN CHARACTERISTICS ARE APPLICABLE TO A PARTICULAR "CORDED" TOOL, THEN THAT TOOL MUST HAVE AT LEAST FOUR OF THE SIX CHARACTERISTICS TO BE CONSIDERED A "CORDED" PEPT.

"CORDLESS" PEPTS, FOR THE PURPOSES OF THESE PURPOSES OF THESE INVESTIGATIONS, CONSIST OF THOSE CORDLESS ELECTRIC POWER TOOLS HAVING A VOLTAGE OF GREATER THAN 7.2 VOLTS AND A BATTERY RECHARGE TIME OF ONE HOUR OR LESS.

PECTS ARE CURRENTLY CLASSIFIABLE UNDER THE FOLLOWING SUBHEADINGS OF THE HTSUS: 8508.20.00.20, 8508.20.00.70, 8508.20.00.90, 8461.50.00.20, 8465.91.00.35, 8508.80.00.55, 8508.80.00.65 AND 8508.80.00.90.

PESGTS ARE CURRENTLY CLASSIFIABLE UNDER THE FOLLOWING SUBHEADINGS

OF THE HTSUS: 8508.80.00.10, 8508.80.00.15, 8508.80.00.25 AND 8508.80.00.35. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTIONS OF THE

SCOPE OF THESE PROCEEDINGS ARE DISPOSITIVE.

PLEASE SEE PARAGRAPHS 5, 6, 7, 8 AND 9 FOR A LISTING OF

COMPANY-SPECIFIC PRODUCTS EXCLUDED FROM THESE INVESTIGATIONS.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER A-588-823. THIS NUMBER SHOULD BE USED WHEN DEALING WITH THE DEPARTMENT OF COMMERCE ONLY. THE CUSTOMS IDENTIFICATION NUMBERS (BELOW) ARE TO BE USED FOR CUSTOMS IDENTIFICATION PURPOSES.

4. THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF PECTS AND PESGTS FRO JAPAN THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER MAY 26, 1993, AND SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE APPROPRIATE ESTIMATED FINAL MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/PRODUCER/ EXPORTER	IDENTIFICATION NUMBER	WEIGHTED-AVERAGE MARGIN PERCENTGAGE
------------------------------------	--------------------------	--

MAKITA CORPORATION	A-588-210-001	54.43% PECTS
--------------------	---------------	--------------

ALL OTHERS	A-588-210-000	54.43% PECTS
------------	---------------	--------------

MAKITA CORPORATION	A-588-211-001	46.75% PESGTS
--------------------	---------------	---------------

ALL OTHERS	A-588-211-000	46.75% PESGTS
------------	---------------	---------------

5. THE FOLLOWING IS A LIST OF MAKITA'S PRODUCTS EXPORTED TO THE UNITED STATES AND EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS:

CORDLESS CUTTING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	3700D	TRIMMER
	3700DW	TRIMMER

3700DQK	TRIMMER
4307D	JIG SAW
4307DW	JIG SAW

CORDED CUTTING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	4320	JIG SAW

HAND-OPERATED CUTTING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	B180	BAND SAW
	B181	BAND SAW
	KP300	PLANING MACHINE
	LAP300R	PLANING MACHINE
	LAP300S	PLANING MACHINE
	LAP400	PLANING MACHINE
	LA450	PLANING MACHINE
	LA450SP	PLANING MACHINE
	LA451	PLANING MACHINE
	LA451SP	PLANING MACHINE
	LB100	BAND SAW
	LG200	SHAPING MACHINE
	LJ310	PLANING MACHINE
	LJ311	PLANING MACHINE
	LK510	PLANING MACHINE
	LM3001	WOODWORKING MACHINE
	LM450	WOODWORKING MACHINE
	LM450SP	WOODWORKING MACHINE
	LM451	WOODWORKING MACHINE
	LM451SP	WOODWORKING MACHINE
	LPE500	PLANING MACHINE
	LPE650	PLANING MACHINE

LP1802C	WOOD SURFACING MACHINE
LP1802CSP	WOOD SURFACING MACHINE
LP2502C	WOOD SURFACING MACHINE
LP2502CSP	WOOD SURFACING MACHINE
LP2521	WOOD SURFACING MACHINE
LP2523	WOOD SURFACING MACHINE
LP300	WOOD SURFACING MACHINE
NPE450	PLANING MACHINE
PP180	PUNCHER
SJ350	SCROLL SAW
SJ500	SCROLL SAW
SJ700	SCROLL SAW
2004	PLANER/JOINTER
2006	PLANER/JOINTER
2012	PLANER
2012SP	PLANER
2020	PLANER/JOINTER
2030	PLANER/JOINTER
2030N	PLANER/JOINTER
2030NC	PLANER/JOINTER
2032	PLANER/JOINTER
2033	PLANER/JOINTER
2033C	PLANER/JOINTER
2040	PLANER
2114C	BAND SAW
2116A	BAND SAW
2116ASP	BAND SAW
2116A3	BAND SAW
2116A3SP	BAND SAW
2516	STATIONARY ROUTER
2516C	STATIONARY ROUTER
2516CSP	STATIONARY ROUTER
2516N	STATIONARY ROUTER
2516S	STATIONARY ROUTER
2700	TABLE SAW
2700N	TABLE SAW
2700NTP	TABLE SAW
2708	TABLE SAW

2708W	TABLE SAW
2711	TABLE SAW
5500B	TENONING MACHINE
5500S	TENONING MACHINE
5500SSP	TENONING MACHINE
5500T	TENONING MACHINE
5500T3	TENONING MACHINE
5501	TENONING MACHINE
55013	TENONING MACHINE
55013SP	TENONING MACHINE

7001	CHISEL MORTISER
7300S	CHISEL MORTISER
7304	CHISEL MORTISER
7305	CHISEL MORTISER
7305H	CHISEL MORTISER
7305HKI	CHISEL MORTISER
7305L	CHISEL MORTISER
2031	PLANER
2031NC	PLANER

GARDENING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	UH3000	HEDGE TRIMMER
	UH3000D	HEDGE TRIMMER
	UH3000DW	HEDGE TRIMMER
	UH301DW	HEDGE TRIMMER
	UH302DW	HEDGE TRIMMER
	UH3070DW	HEDGE TRIMMER
	UH3500	HEDGE TRIMMER
	UH4500	HEDGE TRIMMER
	UH4510A	HEDGE TRIMMER
	UH4600	HEDGE TRIMMER
	UH6300	HEDGE TRIMMER
	UM1000D	GRASS SHEAR
	UM1000DW	GRASS SHEAR
	UM1070DW	GRASS SHEAR

UM1200D	GRASS TRIMMER
UM120DW	GRASS TRIMMER
UM1270DW	GRASS TRIMMER
UM160DW	GRSSS CUTTER
UM1690DW	GRASS CUTTER
UM1691D	GRASS CUTTER
UM1691DQ	GRASS CUTTER
UM1691DW	GRASS CUTTER
UM170	LAWN MOWER
UM230	LAWN MOWER
UM2301	GRASS CUTTER
UM2320	GRASS CUTTER
UM250	GRASS CUTTER
UM3010	LAWN MOWER
UM3100	LAWN MOWER
UM350	GRASS CUTTER
UM3520	GRASS CUTTER
4601DW	PRUNING SHEAR
4603DW	PRUNING SHEAR
4610D	PRUNING SHEAR
4610DW	PRUNING SHEAR
UH301D	HEDGE TRIMMER
UH6310A	HEDGE TRIMMER

CORDLESS SANDING/GRINDING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	9500D	GRINDER
	9500DW	GRINDER
	9035D	FINISHING SANDER
	9035DW	FINISHING SANDER
	9200D	POLISHER
	9200DW	POLISHER

CORDED SANDING/GRINDING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
--------	--------------	--------------

9035	FINISHING SANDER
9035N	FINISHING SANDER
9036	FINISHING SANDER
9200YBK	WAX-MATE
9200YR	WAX-MATE
9200YV	WAX-MATE
9200Y	WAX-MATE
9514B	FINISHING SANDER
B04550	ORBITAL SANDER
B04550Z	ORBITAL SANDER
B05000	ORBITAL SANDER
M901	FINISHING SANDER
M903	FINISHING SANDER
M904	FINISHING SANDER

HAND OPERATED SANDING/GRINDING TOOLS:

MAKITA	MODEL NUMBER	TYPE OF TOOL
	GL500	KNIFE GRINDING MACHINE
	9300	BENCH GRINDER
	9306	BENCH GRINDER
	9306S	BENCH GRINDER
	9306SW	BENCH GRINDER
	9308	BENCH GRINDER
	9800	BENCH GRINDER
	9803	SAW BLADE SHARPENER
	9804	KNIFE GRINDER
	9820	ELECTRIC SHARPENER
	98201	ELECTRIC SHARPENER
	98202	ELECTRIC SHARPENER

6. THE FOLLOWING IS A LIST OF RYOBI'S PRODUCTS EXPORTED TO THE UNITED STATES AND EXCLUDED FROM THESE INVESTIGATIONS:

CORDLESS SANDING/GRINDING TOOLS

RYOBI	MODEL NUMBER	TYPE OF TOOL
	B0S40	ORBITAL SANDER

HAND-OPERATED CUTTING TOOLS

RYOBI	MODEL NUMBER	TYPE OF TOOL
	AH115	PLANER-JOINTER
	AP10	PLANER-JOINTER
	AP125	PLANER-JOINTER
	BS50N	BAND SAW
	BS1100	BAND SAW
	BT2500	TABLE SAW
	BT3000	WOOD CUTTING SYSTEM
	CM30A	CHAIN MORTISER
	DM25A	CHISEL MORTISER
	JP155	JOINTER-PLANER
	RA200	RADIAL ARM SAW MACHINE
	SC160	SCROLL SAW

7. THE FOLLOWING IS A LIST OF HITACHI'S PRODUCTS EXPORTED TO THE UNITED STATES AND EXCLUDED FROM THESE INVESTIGATIONS:

HAND-OPERATED CUTTING TOOLS

HITACHI	MODEL NUMBER	TYPE OF TOOL
	C12Y	TABLE SAW
	CB75F	BAND SAW
	CB100F	BAND SAW
	CB18FA	BAND SAW
	F1000A	PLANER-JOINTER
	P12R	PLANING MACHINE
	P12RA	PLANING MACHINE
	P100F	PLANING MACHINE

GARDENING TOOLS

HITACHI	MODEL NUMBER	TYPE OF TOOL
	FCH66	HEDGE TRIMMER
	FH35SA	HEDGE TRIMMER
	FH45	HEDGE TRIMMER

HAND-OPERATED SANDING/GRINDING TOOLS

HITACHI	MODEL NUMBER	TYPE OF TOOL
---------	--------------	--------------

NTG150	BENCH GRINDER
GT13	BENCH GRINDER
GT15	BENCH GRINDER
GT21	BENCH GRINDER

ATTACHMENT 2-D

8. THE FOLLOWING IS A LIST OF TOOLS IMPORTED BY AMADA CUTTING TECHNOLOGIES WHICH ARE EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS.

HAND OPERATED CUTTING TOOLS
AMADA CUTTING TECHNOLOGIES

MODEL #	TYPE OF TOOL
HFA-250W	BAND SAW
HFA-400W	BAND SAW
HFA-500	BAND SAW
HFA-700	BAND SAW
HA-250W	BAND SAW
HA-400W	BAND SAW
HA-500	BAND SAW
HA-700	BAND SAW
H-250SA	BAND SAW
H-250D	BAND SAW
H-400	BAND SAW
H-650H	BAND SAW
H-700	BAND SAW
H-1080	BAND SAW
H-1300(L)	BAND SAW
H-650HD	BAND SAW
HK-800	BAND SAW
HKA-800	BAND SAW
H-900HD	BAND SAW

9. THE FOLLOWING IS A LIST OF TOOLS IMPORTED BY PAUL GESSWEIN COMPANY WHICH ARE EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS

HAND HELD CUTTING AND SANDING/GRINDING TOOLS

PAUL GESSWEIN COMPANY

MODEL # TYPE OF TOOL

Z-15X	HIGH TORQUE ROTARY	#510-2170
Z-30X	GENERAL PURPOSE ROTARY	#510-2180
Z-20X	SLIMLINE ROTARY	#510-2177
Z-35X	SLIMLINE ROTARY	#510-2187
Z-55X	SUPER HIGH SPEED ROTARY	#510-2190
RX-15X	RIGHT ANGLE ROTARY	#510-2120
RZ-15X	RIGHT ANGLE ROTARY	#510-2120
SZX	PROFILER	#510-2140
CZ-15X	CONTRA ANGLE ROTARY	#510-2125
BZX	BELT SANDER	#510-2130
Z-2X	RECIPRO	#510-2150
Z-6X	RECIPRO	#510-2160
Z-SLX	SLENDER HEAD	#501-2220
Z-ANX	ANGEL HEAD	#510-2240
Z-CNX	ANGLE HEAD	#510-2250
Z-STX	STANDARD HEAD	#510-2200
Z-ARX	AIR HEAD	#510-2210
Z-HDX	HEAVY DUTY HEAD	#510-2230

Z-M15X	MOTOR ASSEMBLY	#510-2175
Z-M30X	MOTOR ASSEMBLY	#510-2185
Z-M20X	MOTOR ASSEMBLY	#510-2178
Z-M35X	MOTOR ASSEMBLY	#510-2188
Z-M55X	MOTOR ASSEMBLY	#510-2195

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST

DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS VIA E-MAIL
ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED
PARTIES SHOULD CONTACT BRIAN SMITH OF THE OFFICE OF ANTIDUMPING
INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE,
TELEPHONE (202) 482-1766.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party