

MESSAGE NO: 6167211 MESSAGE DATE: 06/16/2006
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-570-900

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/22/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION AND FINAL AFFIRMATIVE CRITICAL CIRCUMSTANCES DETERMINATION FOR DIAMOND SAWBLADES FROM CHINA (A-570-900-000/002)

MESSAGE NO: 6167211

DATE: 06 16 2006

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 900

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PERIOD COVERED: 05 22 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION AND FINAL AFFIRMATIVE CRITICAL CIRCUMSTANCES DETERMINATION FOR DIAMOND SAWBLADES FROM CHINA (A-570-900-000/002)

1. ON 5/22/2006, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER (71 FR 29303) ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND PARTIAL AFFIRMATIVE DETERMINATION OF CRITICAL CIRCUMSTANCES IN THE ANTIDUMPING DUTY INVESTIGATION OF DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC").

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE ALL FINISHED

CIRCULAR SAWBLADES, WHETHER SLOTTED OR NOT, WITH A WORKING PART THAT IS COMPRISED OF A DIAMOND SEGMENT OR SEGMENTS, AND PARTS THEREOF, REGARDLESS OF SPECIFICATION OR SIZE, EXCEPT AS SPECIFICALLY EXCLUDED BELOW. WITHIN THE SCOPE OF THIS INVESTIGATION ARE SEMIFINISHED DIAMOND SAWBLADES, INCLUDING DIAMOND SAWBLADE CORES AND DIAMOND SAWBLADE SEGMENTS. DIAMOND

SAWBLADE CORES ARE CIRCULAR STEEL PLATES, WHETHER OR NOT ATTACHED TO NON-STEEL PLATES, WITH SLOTS. DIAMOND SAWBLADE CORES ARE MANUFACTURED PRINCIPALLY, BUT NOT EXCLUSIVELY, FROM ALLOY STEEL. A DIAMOND SAWBLADE SEGMENT CONSISTS OF A MIXTURE OF DIAMONDS (WHETHER NATURAL OR SYNTHETIC, AND REGARDLESS OF THE QUANTITY OF DIAMONDS) AND METAL POWDERS (INCLUDING, BUT NOT LIMITED TO, IRON, COBALT, NICKEL, TUNGSTEN CARBIDE) THAT ARE FORMED TOGETHER INTO A SOLID SHAPE (FROM GENERALLY, BUT NOT LIMITED TO, A HEATING AND PRESSING PROCESS).

SAWBLADES WITH DIAMONDS DIRECTLY ATTACHED TO THE CORE WITH A RESIN OR ELECTROPLATED BOND, WHICH THEREBY DO NOT CONTAIN A DIAMOND SEGMENT, ARE NOT INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION. DIAMOND SAWBLADES AND/OR SAWBLADE CORES WITH A THICKNESS OF LESS THAN 0.025 INCHES, OR WITH A THICKNESS GREATER THAN 1.1 INCHES, ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. CIRCULAR STEEL PLATES THAT HAVE A CUTTING EDGE OF NON-DIAMOND MATERIAL, SUCH AS EXTERNAL TEETH THAT PROTRUDE FROM THE OUTER DIAMETER OF THE PLATE, WHETHER OR NOT FINISHED, ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. DIAMOND SAWBLADE CORES WITH A ROCKWELL C HARDNESS OF LESS THAN 25 ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. DIAMOND SAWBLADES AND/OR DIAMOND SEGMENT(S) WITH DIAMONDS THAT PREDOMINANTLY HAVE A MESH SIZE NUMBER GREATER THAN 240 (SUCH AS 250 OR 260) ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION.

MERCHANDISE SUBJECT TO THIS INVESTIGATION IS TYPICALLY IMPORTED UNDER HEADING 8202.39.00.00 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). WHEN PACKAGED TOGETHER AS A SET FOR RETAIL SALE WITH AN ITEM THAT IS SEPARATELY CLASSIFIED UNDER HEADINGS 8202 TO 8205 OF THE HTSUS, DIAMOND SAWBLADES OR PARTS

THEREOF MAY BE IMPORTED UNDER HEADING 8206.00.00.00 OF THE HTSUS. THE TARIFF CLASSIFICATION IS PROVIDED FOR CONVENIENCE AND U.S. CUSTOMS AND BORDER PROTECTION PURPOSES; HOWEVER, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

THE FOLLOWING ITEMS ARE COVERED BY THE SCOPE OF THIS INVESTIGATION: 1) CONCAVE AND CONVEX CORES, AND FINISHED DIAMOND SAWBLADES PRODUCED FROM SUCH CORES; 2) METAL BONDED, DIAMOND 1A1R GRINDING WHEELS THAT MEET THE ABOVE PHYSICAL DESCRIPTION; AND 3) GRANITE CONTOUR DIAMOND SAWBLADES. IN ADDITION, THE DEPARTMENT HAS RULED THAT 1) THE ROCKWELL C HARDNESS THRESHOLD LISTED IN THE SCOPE OF THE INVESTIGATION APPLIES ONLY TO CORES, AND NOT TO FINISHED DIAMOND SAWBLADES; 2) TO BE INCLUDED IN THE SCOPE OF THIS INVESTIGATION, THE DIAMOND SEGMENTS MUST BE ATTACHED TO THE OUTER PERIPHERY OF THE CORE; AND 3) THE TERM "SAWBLADE" IS DEFINED AS THOSE PRODUCTS THAT MEET THE 1A1R SPECIFICATION, WHERE THE SEGMENT THICKNESS IS LARGER THAN THE THICKNESS OF THE CORE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-900.

4. THE DEPARTMENT OF COMMERCE CONTINUES TO DETERMINE THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF DIAMOND SAWBLADES AND PARTS THEREOF FROM THE PRC FOR THE ENTITIES LISTED BELOW. THE BUREAU OF CUSTOMS AND BORDER PROTECTION SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 9/30/2005, WHICH IS 90 DAYS PRIOR TO THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER. EFFECTIVE 5/22/2006, FOR SUCH ENTRIES, CBP SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

CASE NUMBER: A-570-900-002 DEPOSIT RATE: 34.19%
EXPORTER: BOSUN TOOLS GROUP CO., LTD.
PRODUCER: BOSUN TOOLS GROUP CO., LTD.

CASE NUMBER: A-570-900-000

DEPOSIT RATE: 164.09%

PRC-WIDE ENTITY

5. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF THE CUSTOMS SERVICE, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:AN).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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