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MESSAGE STATUS: Active CATEGORY: Antidumping
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SUB-TYPE: INSCO-In Scope
FR CITE: 77 FR 46686 FR CITE DATE: 08/06/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-909

EFFECTIVE DATE: 08/04/2012 COURT CASE #: 10-00247

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: Scope redetermination on antidumping duty order on certain steel nails from the People's Republic of China ("PRC") (A-570-909)

1. On 05/09/2012, in response to a remand order from the United States Court of International Trade in *Mid Continent Nail Corp. v. United States*, Slip Op. 12-31, Court No. 10-00247 (March 7, 2012), the Department issued a final scope redetermination pursuant to remand determining that the certain steel nails within six household toolkits containing subject merchandise, imported by Target Corporation, are within the scope of the antidumping duty order on certain steel nails from the PRC (A-570-909).

2. The Department has determined that certain steel nails included within toolkits are within the scope of the order.

3. On 07/25/2012, the U.S. Court of International Trade issued its final decision in this case, entering an order affirming the Department's final redetermination that the nails contained in the tool kits are within the scope of the antidumping duty order on certain steel nails from the PRC.

4. On 08/06/2012, the Department published in the Federal Register the notice of the court decision not in harmony (77 FR 46686). In accordance with Section 516A of the Tariff Act of 1930, as amended, the effective date of that notice was 08/04/2012, 10 days after entry of final judgment by the Court of International Trade.

5. Effective 08/04/2012 (10 days after entry of final judgment by the Court of International Trade), in accordance with Section 516A of the Tariff Act of 1930, as amended, CBP shall suspend liquidation of entries of certain steel nails found within toolkits that are subject to the antidumping duty order covering certain steel nails from the PRC including, but not limited to, those certain steel nails imported by Target Corporation in the six household toolkits described below:

A. The Durabuilt 161 piece household tool kit with 14.4 volt cordless drill contains a total of 161 pieces, including a single fastener set containing 10 thumb tacks, 5 brass plated cup hooks, 10 brass plated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall

anchors. The entire fastener kit is counted as a single item within the tool kit. This product contains a product identification number 085-05-0297 and DPCI number 85-05-297.

B. The Durabuilt 161 piece household tool kit with rechargeable 4.8 volt screwdriver contains a total of 161 pieces, including a single fastener set containing 10 thumb tacks, 5 brass coated cup hooks, 10 brass coated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall anchors. The entire fastener kit is counted as a single item within the tool kit. This product contains a product identification number 085-05-0738 and DPCI number 85-05-738.

C. The Apollo Precision Tools 138 piece household tool kit contains a total of 138 pieces, including a single fastener set containing 10 thumb tacks, 5 brass coated cup hooks, 10 brass coated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall anchors. The entire fastener kit is counted as a single item within the tool kit. This product contains a product identification number 085-05-0004 and DPCI number 85-05-04.

D. The Durabuilt 59 piece home/office tool kit with soft sided bag contains a total of 59 pieces, including a single fastener set containing 10 thumb tacks, 5 brass coated cup hooks, 10 brass coated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall anchors. The entire fastener kit is counted as a single item within the tool kit. This particular tool kit also contains a separate small plastic box with a total of 150 various screws and nuts. The description of the small plastic box with screws and nuts states that it contains an assortment of nails, screws and nuts. This product contains a product identification number 085-05-0852 and a DPCI number 85-05-852.

E. The Durabuilt 144 piece household tool kit contains a total of 144 pieces, including a single fastener set containing 10 thumb tacks, 5 brass coated cup hooks, 10 brass coated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall anchors. The entire fastener kit is counted as a single item within the tool kit. This product contains a product identification number 085-05-1050 and DPCI number 85-05-1050.

F. The Durabuilt 152 piece household tool kit contains a total of 152 pieces, including a single fastener set containing 10 thumb tacks, 5 brass coated cup hooks, 10 brass coated picture hanger hooks, 55 brass coated steel nails, 10 screws, and 10 plastic wall anchors. The entire fastener kit is counted as a single item within the tool kit. This product contains a product identification number 085-05-0597 and DPCI number 85-05-597.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade

Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O9:MR.)

7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

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