

MESSAGE NO: 2086304 MESSAGE DATE: 03/26/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE: AFF-Affirmative
FR CITE: 77 FR 17029 FR CITE DATE: 03/23/2012

REFERENCE
MESSAGE #
(s):

CASE #(s): A-520-804

EFFECTIVE DATE: 03/23/2012 COURT CASE #:
PERIOD OF REVIEW: 01/01/2010 TO 12/31/2010
PERIOD COVERED: 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 in the antidumping duty investigation of certain steel nails from the United Arab Emirates (A-520-804)

1. ON 03/23/2012, COMMERCE PUBLISHED IN THE FEDERAL REGISTER (77 FR 17029) ITS FINAL AFFIRMATIVE DETERMINATION OF SALES AT LESS-THAN-FAIR-VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION INCLUDES CERTAIN STEEL NAILS HAVING A SHAFT LENGTH UP TO 12 INCHES. CERTAIN STEEL NAILS INCLUDE, BUT ARE NOT LIMITED TO, NAILS MADE OF ROUND WIRE AND NAILS THAT ARE CUT. CERTAIN STEEL NAILS MAY BE OF ONE PIECE CONSTRUCTION OR CONSTRUCTED OF TWO OR MORE PIECES. CERTAIN STEEL NAILS MAY BE PRODUCED FROM ANY TYPE OF STEEL, AND HAVE A VARIETY OF FINISHES, HEADS, SHANKS, POINT TYPES, SHAFT LENGTHS AND SHAFT DIAMETERS. FINISHES INCLUDE, BUT ARE NOT LIMITED TO, COATING IN VINYL, ZINC (GALVANIZED, WHETHER BY ELECTROPLATING OR HOT-DIPPING ONE OR MORE TIMES), PHOSPHATE CEMENT, AND PAINT. HEAD STYLES INCLUDE, BUT ARE NOT LIMITED TO, FLAT, PROJECTION, CUPPED, OVAL, BRAD, HEADLESS, DOUBLE, COUNTERSUNK, AND SINKER. SHANK STYLES INCLUDE, BUT ARE NOT LIMITED TO, SMOOTH, BARBED, SCREW THREADED, RING SHANK AND FLUTED SHANK STYLES. SCREW-THREADED NAILS SUBJECT TO THIS INVESTIGATION ARE DRIVEN USING DIRECT FORCE AND NOT BY TURNING THE FASTENER USING A TOOL THAT ENGAGES WITH THE HEAD. POINT STYLES INCLUDE, BUT ARE NOT LIMITED TO, DIAMOND, BLUNT, NEEDLE, CHISEL AND NO POINT. CERTAIN STEEL NAILS MAY BE SOLD IN BULK, OR THEY MAY BE COLLATED INTO STRIPS OR COILS USING MATERIALS SUCH AS PLASTIC, PAPER, OR WIRE.

CERTAIN STEEL NAILS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIED UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 7317.00.55, 7317.00.65, AND 7317.00.75.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE STEEL NAILS SPECIFICALLY

ENUMERATED AND IDENTIFIED IN ASTM STANDARD F 1667 (2011 REVISION) AS TYPE I, STYLE 20 NAILS, WHETHER COLLATED OR IN BULK, AND WHETHER OR NOT GALVANIZED.

ALSO EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE THE FOLLOWING PRODUCTS:

NON-COLLATED (I.E., HAND-DRIVE OR BULK), TWO-PIECE STEEL NAILS HAVING PLASTIC OR STEEL WASHERS ("CAPS") ALREADY ASSEMBLED TO THE NAIL, HAVING A BRIGHT OR GALVANIZED FINISH, A RING, FLUTED OR SPIRAL SHANK, AN ACTUAL LENGTH OF 0.500" TO 8", INCLUSIVE; AN ACTUAL SHANK DIAMETER OF 0.1015" TO 0.166", INCLUSIVE; AND AN ACTUAL WASHER OR CAP DIAMETER OF 0.900" TO 1.10", INCLUSIVE;

NON-COLLATED (I.E., HAND-DRIVE OR BULK), STEEL NAILS HAVING A BRIGHT OR GALVANIZED FINISH, A SMOOTH, BARBED OR RINGED SHANK, AN ACTUAL LENGTH OF 0.500" TO 4", INCLUSIVE; AN ACTUAL SHANK DIAMETER OF 0.1015" TO 0.166", INCLUSIVE; AND AN ACTUAL HEAD DIAMETER OF 0.3375" TO 0.500", INCLUSIVE;

WIRE COLLATED STEEL NAILS, IN COILS, HAVING A GALVANIZED FINISH, A SMOOTH, BARBED OR RINGED SHANK, AN ACTUAL LENGTH OF 0.500" TO 1.75", INCLUSIVE; AN ACTUAL SHANK DIAMETER OF 0.116" TO 0.166", INCLUSIVE; AND AN ACTUAL HEAD DIAMETER OF 0.3375" TO 0.500", INCLUSIVE;

NON-COLLATED (I.E., HAND-DRIVE OR BULK), STEEL NAILS HAVING A CONVEX HEAD (COMMONLY KNOWN AS AN UMBRELLA HEAD), A SMOOTH OR SPIRAL SHANK, A GALVANIZED FINISH, AN ACTUAL LENGTH OF 1.75" TO 3", INCLUSIVE; AN ACTUAL SHANK DIAMETER OF 0.131" TO 0.152", INCLUSIVE; AND AN ACTUAL HEAD DIAMETER OF 0.450" TO 0.813", INCLUSIVE;

CORRUGATED NAILS. A CORRUGATED NAIL IS MADE OF A SMALL STRIP OF CORRUGATED STEEL WITH SHARP POINTS ON ONE SIDE;

THUMB TACKS, WHICH ARE CURRENTLY CLASSIFIED UNDER HTSUS 7317.00.10.00;

FASTENERS SUITABLE FOR USE IN POWDER-ACTUATED HAND TOOLS, NOT THREADED AND THREADED, WHICH ARE CURRENTLY CLASSIFIED UNDER HTSUS 7317.00.20 AND 7317.00.30;

CERTAIN STEEL NAILS THAT ARE EQUAL TO OR LESS THAN 0.0720 INCHES IN SHANK DIAMETER, ROUND OR RECTANGULAR IN CROSS SECTION, BETWEEN 0.375 INCHES AND 2.5 INCHES IN LENGTH, AND THAT ARE COLLATED WITH ADHESIVE OR POLYESTER FILM TAPE BACKED WITH A HEAT SEAL ADHESIVE; AND

FASTENERS HAVING A CASE HARDNESS GREATER THAN OR EQUAL TO 50 HRC, A CARBON CONTENT GREATER THAN OR EQUAL TO 0.5 PERCENT, A ROUND HEAD, A SECONDARY REDUCED-DIAMETER RAISED HEAD SECTION, A CENTERED SHANK, AND A SMOOTH SYMMETRICAL POINT, SUITABLE FOR USE IN GAS-ACTUATED HAND TOOLS.

WHILE THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. THIS INVESTIGATION HAS BEEN ASSIGNED INVESTIGATION NUMBER A-520-804.

4. FOR IMPORTS OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/03/2011. EFFECTIVE 03/23/2012, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS FOR THE PRODUCER AND/OR EXPORTER LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE.

THE DESIGNATION OF "M" IN THE APPENDED TABLE APPLIES WHERE THE MERCHANDISE WAS PRODUCED BY, EXPORTED BY, OR PRODUCED AND/OR EXPORTED BY THE NAMED COMPANY.

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE ALL-OTHERS RATE OF 4.55 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CBP 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, CBP 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.

7. 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 THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O1:DV).

8. 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

Case #	Rate	Party Indicator*	Party ID	Party Name
A-520-804-000	4.55	M		All-Others
A-520-804-001	6.29	M		Dubai Wire FZE
A-520-804-002	2.8	M		Precision Fasteners LLC
A-520-804-003	184.41	E		Tech Fast International Ltd.