

MESSAGE NO: 8053202 MESSAGE DATE: 02/22/2008
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-520-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/23/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY INVESTIGATION OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES (A-520-802-000/001)

MESSAGE NO: 8053202 DATE: 02 22 2008

CATEGORY: ADA TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: A - 520 - 802 - -

- - - -

- - - -

PERIOD COVERED: 01 23 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF A PRELIMINARY DETERMINATION IN AN ANTIDUMPING DUTY INVESTIGATION OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES (A-520-802-000/001)

1. ON JANUARY 23, 2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS AFFIRMATIVE PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND THE POSTPONEMENT OF THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES.

2. FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCTS COVERED ARE 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 PROCEEDING 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. FINISHED 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 PROCEEDING

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 PROCEEDING ARE ROOFING NAILS OF ALL LENGTHS AND DIAMETER, WHETHER COLLATED OR IN BULK, AND WHETHER OR NOT GALVANIZED. STEEL ROOFING NAILS ARE SPECIFICALLY ENUMERATED AND IDENTIFIED IN ASTM STANDARD F 1667 (2005 REVISION) AS TYPE I, STYLE 20 NAILS. ALSO EXCLUDED FROM THE SCOPE OF THIS PROCEEDING ARE CORRUGATED NAILS. A CORRUGATED NAIL IS MADE OF A SMALL STRIP OF CORRUGATED STEEL WITH SHARP POINTS ON ONE SIDE. ALSO EXCLUDED FROM THE SCOPE OF THIS PROCEEDING ARE 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. ALSO EXCLUDED FROM THE SCOPE OF THIS PROCEEDING ARE THUMB TACKS, WHICH ARE CURRENTLY CLASSIFIED UNDER HTSUS 7317.00.10.00. ALSO EXCLUDED FROM THE SCOPE OF THIS PROCEEDING ARE CERTAIN BRADS AND FINISH 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.

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

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-520-802.

4. FOR IMPORTS OF CERTAIN STEEL NAILS FROM THE UNITED ARAB EMIRATES, CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 23, 2008. EFFECTIVE JANUARY 23, 2008, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGIN SHOWN BELOW:

MFR/PRODUCER EXPORTER	CBP ID NUMBER	MARGIN/AD VALOREM PERCENTAGE
--------------------------	------------------	---------------------------------

DUBAI WIRE FZE/

GLOBAL FASTENERS LTD.	A-520-802-001	4.47%
-----------------------	---------------	-------

ALL OTHERS	A-520-802-000	4.47%
------------	---------------	-------

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 OTHER" RATE OF 4.47 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

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

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 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 G102:KJ).

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

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

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