



This document is scheduled to be published in the Federal Register on 06/24/2014 and available online at <http://federalregister.gov/a/2014-14717>, and on FDsys.gov

BILLING CODE: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-900]

Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2011-2012

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On December 20, 2013, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (the PRC). The period of review (POR) is November 1, 2011, through October 31, 2012. For the final results, we continue to find that certain companies covered by this review made sales of subject merchandise at less than normal value.

DATES: EFFECTIVE DATE: (INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*.)

FOR FURTHER INFORMATION CONTACT: Michael Romani or Yang Jin Chun, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0198 or (202) 482-5760, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 20, 2013, the Department published the preliminary results of the administrative review of the antidumping duty order on diamond sawblades from the PRC.¹ We received case and rebuttal briefs with respect to the *Preliminary Results* and, at the request of an interested party, held a hearing on April 23, 2014. We extended the due date for the final results of review to June 18, 2014.² We conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise subject to the order is diamond sawblades. The diamond sawblades subject to the order are currently classifiable under subheadings 8202 to 8206 of the Harmonized Tariff Schedule of the United States (HTSUS), and may also enter under 6804.21.00. The HTSUS subheadings are provided for convenience and customs purposes. A full description of the scope of the order is contained in the Final Decision Memorandum.³ The written description is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Final Decision Memorandum. A list of the issues raised is attached to this notice as an appendix. The Final Decision Memorandum is a public document and is on file electronically *via* Enforcement and Compliance's Antidumping and Countervailing Duty

¹ See *Diamond Sawblades and Parts Thereof From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2011–2012*, 78 FR 77098 (December 20, 2013) (*Preliminary Results*), and the accompanying Preliminary Decision Memorandum.

² See the memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, entitled "Diamond Sawblades and Parts Thereof from the People's Republic of China: Extension of Deadline for Final Results of Antidumping Duty Administrative Reviews" dated April 1, 2014.

³ See the memorandum from Deputy Assistant Secretary Christian Marsh to Acting Assistant Secretary Ronald K. Lorentzen entitled "Issues and Decision Memorandum for the Administrative Review of the Antidumping Duty Order on Diamond Sawblades and Parts Thereof from the People's Republic of China covering the Period November 1, 2011, through October 31, 2012" dated June 18, 2014 (Final Decision Memorandum), which is hereby adopted by this notice, at 3-4.

Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov>. The Final Decision Memorandum is also available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Final Decision Memorandum can be accessed directly on the Enforcement and Compliance website at <http://enforcement.trade.gov/frn/index.html>. The signed and electronic versions of the Final Decision Memorandum are identical in content.

Final Determination of No Shipments

We continue to find that Qingdao Shinhan Diamond Industrial Co., Ltd., and Saint-Gobain Abrasives (Shanghai) Co., which received separate rates in previous segments of the proceeding and are subject to this review, did not have any exports of subject merchandise during the POR.⁴ Consistent with our “automatic assessment” clarification, we will issue appropriate instructions to CBP based on our final results.⁵

Changes Since the Preliminary Results

Based on our analysis of comments received, we made revisions that have changed the results for certain companies, including the valuation of certain factors of production. Additionally, we made calculation programming changes for the final results. For further details on the changes we made for these final results, *see* the company-specific analysis memoranda, the Final Decision Memorandum, and the final surrogate value memorandum dated concurrently with this notice.

Final Results of the Review

⁴ *See Preliminary Results* and the accompanying Preliminary Decision Memorandum at 3.

⁵ *See Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 4, 2011) (*Assessment Practice Refinement*); *see also* the “Assessment” section of this notice, below.

As a result of this administrative review, we determine that the following weighted-average dumping margins exist for the period November 1, 2011, through October 31, 2012:

<u>Company</u> ⁶	<u>Margin (percent)</u>
Bosun Tools Co., Ltd.	4.65
Chengdu Huifeng Diamond Tools Co., Ltd.	4.83
Danyang Huachang Diamond Tools Manufacturing Co., Ltd.	4.83
Danyang NYCL Tools Manufacturing Co., Ltd.	4.83
Danyang Weiwang Tools Manufacturing Co., Ltd.	4.83
Guilin Tebon Superhard Material Co., Ltd.	4.83
Hangzhou Deer King Industrial and Trading Co., Ltd.	4.83
Husqvarna (Hebei) Co., Ltd.	4.83
Huzhou Gu's Import & Export Co., Ltd.	4.83
Jiangsu Fengtai Diamond Tool Manufacture Co., Ltd.	4.83
Jiangsu Inter-China Group Corporation	4.83
Jiangsu Youhe Tool Manufacturer Co., Ltd.	4.83
Qingyuan Shangtai Diamond Tools Co., Ltd.	4.83
Quanzhou Zhongzhi Diamond Tool Co. Ltd.	4.83
Rizhao Hein Saw Co., Ltd.	4.83
Shanghai Jingquan Ind. Trade Co., Ltd.	4.83
Shanghai Robtol Tool Manufacturing Co., Ltd.	4.83
Weihai Xiangguang Mechanical Industrial Co., Ltd.	5.06
Wuhan Wanbang Laser Diamond Tools Co.	4.83

⁶ During this segment of the proceeding, we identified certain name variations for several companies. *See Preliminary Results*, 78 FR at 77099-100, and the accompanying Preliminary Decision Memorandum at 3, 5-6.

Xiamen ZL Diamond Technology Co., Ltd.	4.83
Zhejiang Wanli Tools Group Co., Ltd.	4.83
PRC-Wide Entity ⁷	164.09

Assessment

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries covered by this review. For customers or importers of Weihai Xiangguang Mechanical Industrial Co., Ltd. (Weihai) for which we do not have entered value, we calculated customer-/importer-specific antidumping duty assessment amounts based on the ratio of the total amount of dumping duties calculated for the examined sales of subject merchandise to the total sales quantity of those same sales.⁸ For customers or importers of Bosun Tools Co., Ltd., and Weihai for which we received entered-value information, we have calculated customer/importer-specific antidumping duty assessment rates based on customer-/importer-specific *ad valorem* rates in accordance with 19 CFR 351.212(b)(1).

⁷ The deadline to file a separate rate application, separate rate certification, or a notification of no sales, exports or entries is 60 days after the initiation of the administrative review, which in this review was March 1, 2013. On February 22, 2013, Husqvarna requested an extension to file its SRA. On February 28, 2013, we granted Husqvarna's request and extended the due date to March 8, 2013. Husqvarna submitted its SRA on March 5, 2013. Therefore, as of March 2, 2013, the remaining companies under review that did not demonstrate eligibility for a separate rate without filing a request for an extension of due date for a separate rate application or certification were part of the PRC-wide entity. Also, we are denying ATM Single Entity a separate rate status. See Final Decision Memorandum at Comment 1. See also *Preliminary Results*, 78 FR at 77099 for the names of companies comprising ATM Single Entity. Accordingly, the PRC-wide entity includes the following companies: ATM Single Entity, Central Iron and Steel Research Institute Group, CISRI, Danyang Aurui Hardware Products Co., Ltd., Danyang City Ou Di Ma Tools Co., Ltd., Danyang Dida Diamond Tools Manufacturing Co., Ltd., Danyang Tsunda Diamond Tools Co., Ltd., Electrolux Construction Products (Xiamen) Co. Ltd., Fujian Quanzhou, Hebei Jikai Industrial Group Co., Ltd., Huachang Diamond Tools Manufacturing Co., Ltd., Hua Da Superabrasive Tools Technology Co., Ltd., Jiangsu Fengyu Tools Co., Ltd., Jiangyin Likn Industry Co., Ltd., Protech Diamond Tools, Pujiang Talent Diamond Tools Co., Ltd., Quanzhou Shuangyang Diamond Tools Co., Ltd., Quanzhou Zongzhi Diamond Tool Co. Ltd., Shanghai Deda Industry & Trading Co., Ltd., Shijiazhuang Global New Century Tools Co., Ltd., Sichuan Huili Tools Co., Task Tools & Abrasives, Wanli Tools Group, Wuxi Lianhua Superhard Material Tools Co., Ltd., Zhejiang Tea Import & Export Co., Ltd., Zhejiang Wanda Import and Export Co., Zhejiang Wanda Tools Group Corp., and Zhejiang Wanli Super-hard Materials Co., Ltd.

⁸ See 19 CFR 351.212(b)(1).

For all non-selected respondents that received a separate rate, we will instruct CBP to apply an antidumping duty assessment rate of 4.83 percent⁹ to all entries of subject merchandise that entered the United States during the POR. For all other companies, we will instruct CBP to apply an antidumping duty assessment rate of the PRC-wide entity, 164.09 percent,¹⁰ to all entries of subject merchandise exported by these companies.

The Department announced a refinement to its assessment practice in NME cases.¹¹ Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. In addition, for companies where the Department determined that the exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the PRC-wide rate.

We intend to issue assessment instructions to CBP 15 days after the date of publication of the final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of these final results of review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date as provided by section 751(a)(2)(C) of the Act: (1) For subject merchandise exported by the companies listed above that have separate rates, the cash deposit rate will be the rate established in these final results of review for each exporter as listed above; (2) for previously investigated or reviewed

⁹ See Final Decision Memorandum at 4-5.

¹⁰ See *Diamond Sawblades and Parts Thereof From the People's Republic of China and the Republic of Korea: Antidumping Duty Orders*, 74 FR 57145, 57147 (November 4, 2009).

¹¹ For a full discussion of this practice, see *Assessment Practice Refinement*.

PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity;¹² (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements shall remain in effect until further notice.

Notification

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a

¹² We note that, pursuant to a section 129 determination, the Department announced it would instruct CBP "to discontinue the collection of cash deposits for estimated antidumping duties for AT&M." See *Certain Frozen Warmwater Shrimp From the People's Republic of China and Diamond Sawblades and Parts Thereof From the People's Republic of China: Notice of Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Duty Orders*, 78 FR 18958 (March 28, 2013). However, because of an injunction issued by the U.S. Court of International Trade in CIT Ct. No. 09-00511, the Department also explained that "future entries of such merchandise are subject to suspension of liquidation at the cash deposit rate of zero. Subsequent action will be consistent with the final court decision." *Id.* at 18960, n.20. Thus, while the Department continues to be enjoined from ordering the lifting of suspension of liquidation regarding incoming entries, future entries of such merchandise will continue to be subject to suspension of liquidation at the cash deposit rate of zero and we will instruct CBP accordingly.

sanctionable violation.

These final results of review are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: June 18, 2014.

Ronald K. Lorentzen,
Acting Assistant Secretary
for Enforcement and Compliance.

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[FR Doc. 2014-14717 Filed 06/23/2014 at 8:45 am; Publication Date: 06/24/2014]