



BILLING CODE: 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-580-874]**

**Certain Steel Nails from the Republic of Korea: Final Results of Antidumping Duty Administrative Review; 2016-2017**

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

**SUMMARY:** The Department of Commerce (Commerce) determines that Daejin Steel Co. (Daejin), Koram Inc. (Koram), and Korea Wire Co. Ltd. (Kowire) made sales of certain steel nails (steel nails) from the Republic of Korea (Korea) at less than normal value during the period of review (POR), July 1, 2016, through June 30, 2017.

**DATES:** Applicable **[INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].**

**FOR FURTHER INFORMATION CONTACT:** Maliha Khan (Daejin), Trisha Tran (Koram), or Robert Galantucci (Kowire), AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0895, (202) 482-4852, or (202) 482-2923, respectively.

**SUPPLEMENTARY INFORMATION:**

Background

On July 12, 2018, Commerce published the *Preliminary Results* of the 2016-2017

antidumping duty administrative review of steel nails from Korea.<sup>1</sup> Commerce conducted verification of Koram and Kowire from July 23, 2018 through August 2, 2018. We invited interested parties to comment on the *Preliminary Results* and the verification reports. On September 25, 2018, Daejin, Kowire and Mid Continent Steel & Wire, Inc. (the petitioner) submitted case briefs.<sup>2</sup> On October 1, 2018, the petitioner and Kowire submitted rebuttal briefs.<sup>3</sup> On October 26, 2018, Commerce postponed the final results of this review until December 12, 2018.<sup>4</sup> On December 10, 2018, Commerce postponed the deadline for the final results of this review until January 8, 2019.<sup>5</sup> As a result of the partial government shutdown, the deadline for the final results of this review was revised to February 19, 2019.<sup>6</sup>

### Scope of the Order

The merchandise covered by this order is nails having a nominal shaft length not exceeding 12 inches.<sup>7</sup> Merchandise covered by the order is currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07, 7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60,

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<sup>1</sup> See *Certain Steel Nails from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review and Partial Rescission of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 32265 (July 12, 2018) and accompanying Preliminary Decision Memorandum (*Preliminary Results*).

<sup>2</sup> See Letter, “Certain Steel Nails from Korea: Case Brief on Korea Wire Co., Ltd.,” dated September 25, 2018 (Petitioner Case Brief – Kowire); Letter “Steel Nails from the Republic of Korea – Case Brief,” dated September 25, 2018 (Kowire Case Brief); Letter, “Administrative Review of the Antidumping Duty Order on Certain Steel Nails from Korea – Case Brief of Daejin Steel Co.,” dated September 25, 2018 (Daejin Case Brief).

<sup>3</sup> See Letter, “Certain Steel Nails from Korea: Rebuttal Brief to Daejin Steel Co.’s Case Brief,” dated October 1, 2018 (Petitioner Rebuttal – Daejin); Letter, “Steel Nails from the Republic of Korea – Rebuttal Brief,” dated October 1, 2018 (Kowire Rebuttal Brief).

<sup>4</sup> See Memorandum, “Certain Steel Nails from the Republic of Korea: Extension of Deadline for the Final Results of Antidumping Duty Administrative Review; 2016-2017,” dated October 26, 2018.

<sup>5</sup> See Memorandum, “Certain Steel Nails from the Republic of Korea: Extension of Deadline for the Final Results of Antidumping Duty Administrative Review; 2016-2017,” dated December 10, 2018.

<sup>6</sup> See Memorandum, “Deadlines Affected by the Partial Shutdown of the Federal Government,” dated January 28, 2019. All deadlines in this segment of the proceeding have been extended by 40 days.

<sup>7</sup> The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00.

Nails subject to this order also may be classified under HTSUS subheadings 7907.00.60.00, 8206.00.00.00 or other HTSUS subheadings. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive. For a complete description of the scope of the order, *see* the IDM.<sup>8</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the IDM, which is hereby adopted by this notice. A list of the issues raised is attached to this notice as an Appendix. The IDM is a public document and is on-file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov> and in the Central Records Unit (CRU), room B8024 of the main Department of Commerce building. In addition, a complete version of the IDM can be accessed directly at <http://enforcement.trade.gov/frn/index.html>. The signed IDM and the electronic versions of the IDM are identical in content.

#### Changes Since the Preliminary Results

Based on our review of the record and comments received from interested parties, we made certain revisions to the preliminary margin calculations only for Kowire and Koram. The IDM contains a description of these revisions.<sup>9</sup>

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<sup>8</sup> *See* Memorandum, "Issues and Decision Memorandum for Final Results of the 2016-2017 Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the Republic of Korea," (IDM) dated concurrently with, and hereby adopted by, this notice.

<sup>9</sup> *See also* Memorandum, "Analysis Memorandum for the Final Determination of the Antidumping Duty Administrative Review of Certain Steel Nails from the Republic of Korea: Korea Wire Co. Ltd.," dated concurrently with this notice; Memorandum, "Analysis Memorandum for the Final Determination of the Antidumping Duty Administrative Review of Certain Steel Nails from the Republic of Korea: Koram Inc.," dated concurrently with this notice.

Final Results of the Administrative Review

We have determined the following weighted-average dumping margins to the firms listed below for the period July 1, 2016 through June 30, 2017:

<b>Exporter/Producer</b>	<b>Weighted-Average Dumping Margin (percent)</b>
Daejin Steel Co.	3.02
Koram Inc.	10.64
Korea Wire Co., Ltd.	0.96

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.212(b)(1), Commerce will determine, and U.S. Customs and Border Protections (CBP) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. We will calculate importer-specific assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for each importer's examined sales and the total entered value of the sales in accordance with 19 CFR 351.212(b)(1).

For entries of subject merchandise during the POR produced by each respondent for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. We intend to issue liquidation instructions to CBP 15 days after publication of the final results of this review.

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for the respondents noted above will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this administrative review but covered in a prior segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published for the most recently completed segment of this proceeding; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer is, the cash deposit rate will be the rate established for the most recently completed segment of this proceeding for the producer of the subject merchandise; and (4) the cash deposit rate for all other producers or exporters will continue to be 11.80 percent, the all-others rate established in the investigation.<sup>10</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers Regarding the Reimbursement of Duties

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

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<sup>10</sup> See *Certain Steel Nails from the Republic of Korea: Final Determination of Sales at Less Than Fair Value*, 80 FR 28955 (May 20, 2015).

Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective orders (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 the terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.221(b)(5).

Dated: February 8, 2019.

**Christian Marsh,**

*Deputy Assistant Secretary*

*for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Final IDM

- I. Summary
- II. Background
- III. Scope of the Order
- IV. Changes Since the Preliminary Results
- V. Discussion of the Issues

#### Daejin-Specific Issues

- Comment 1: Scrap Offset
- Comment 2: Cost Variations Not Due to Differences in Physical Characteristics
- Comment 3: SG&A Expenses
- Comment 4: Differential Pricing

#### Kowire-Specific Issues

- Comment 5: Date of Sale
- Comment 6: Relationship with Subcontractor A
- Comment 7: Affiliated Party Transactions

- VI. Recommendation

[FR Doc. 2019-02584 Filed: 2/15/2019 8:45 am; Publication Date: 2/19/2019]