



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-900]

Diamond Sawblades and Parts Thereof from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: The Department of Commerce (Commerce) is simultaneously initiating and issuing the preliminary results of a changed circumstances review (CCR) of the antidumping duty order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (China) to determine whether Protech Diamond Tools Inc. (Protech) is eligible to participate in a certification process because Protech has demonstrated that it can identify diamond sawblades that it produced in Canada using non-Chinese cores and Chinese segments. We invite interested parties to comment on these preliminary results.

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

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5760.

SUPPLEMENTARY INFORMATION:

Background

On February 20, 2020, Commerce found “that diamond sawblades made with Chinese cores and Chinese segments joined in Canada by Protech and then subsequently exported from Canada to the United States are circumventing the antidumping duty order on diamond

sawblades from China.”¹ In the *Final Determination*, Commerce found that diamond sawblades “assembled or completed in Canada using non-Chinese origin cores and/or non-Chinese origin segments are not subject to this anti-circumvention inquiry,” but because Protech was unable “to identify diamond sawblades produced with non-Chinese origin cores and/or non-Chinese origin segments,” Commerce decided not to “implement a certification process for diamond sawblades already suspended,” and required “cash deposits on all entries of diamond sawblades produced and exported by Protech in Canada.”² However, Commerce indicated that Protech could at some future point request reconsideration of Commerce’s denial of the certification process in, e.g., a CCR.³

On August 19, 2020, Protech submitted a request for a CCR, in which Protech claims that it is able to identify and segregate diamond sawblades made with non-Chinese cores and Chinese segments joined in Canada by Protech and then subsequently exported from Canada by Protech, its affiliate Gogo International Inc. (Gogo), or a third party, to the United States.⁴ Protech requests that Commerce find it eligible for certification of these diamond sawblades as non-subject merchandise. On August 26, 2020, Diamond Sawblades Manufacturers’ Coalition (DSMC) submitted a letter supporting the CCR Request.⁵ In response to our request for additional information, Protech submitted its supplemental responses on September 15, 2020,⁶ and October 1, 2020.⁷

Scope of the Order

¹ See *Diamond Sawblades and Parts Thereof from the People’s Republic of China: Final Determination of Anti-Circumvention Inquiry*, 85 FR 9737, 9738 (February 20, 2020) (*Final Determination*); see also *Diamond Sawblades and Parts Thereof from the People’s Republic of China and the Republic of Korea: Antidumping Duty Orders*, 74 FR 57145 (November 4, 2009).

² See *Final Determination*, 85 FR at 9739.

³ *Id.*

⁴ See Protech’s Letters, “Request for Changed Circumstances Review,” dated August 19, 2020 (CCR Request) at 1-2, and “Response of Protech Diamond Tools Inc. to the Department’s September 1, 2020, Supplemental Questionnaire” dated September 15, 2020 (Protech’s First Supplemental Response) at 1.

⁵ See DSMC’s Letter, “Comments in Support of Protech’s Request for Changed Circumstances Review,” dated August 26, 2020. DSMC is the petitioner in this proceeding.

⁶ See Protech’s First Supplemental Response.

⁷ See Protech’s Letter, “Response of Protech Diamond Tools Inc. to the Department’s September 28, 2020, Second Supplemental Questionnaire,” dated October 1, 2020.

The products covered by the order are all finished circular sawblades, whether slotted or not, with a working part that is comprised of a diamond segment or segments, and parts thereof, regardless of specification or size, except as specifically excluded below. Within the scope of the order are semi-finished diamond sawblades, including diamond sawblade cores and diamond sawblade segments. Diamond sawblade cores are circular steel plates, whether or not attached to non-steel plates, with slots. Diamond sawblade cores are manufactured principally, but not exclusively, from alloy steel. A diamond sawblade segment consists of a mixture of diamonds (whether natural or synthetic, and regardless of the quantity of diamonds) and metal powders (including, but not limited to, iron, cobalt, nickel, tungsten carbide) that are formed together into a solid shape (from generally, but not limited to, a heating and pressing process).

Sawblades with diamonds directly attached to the core with a resin or electroplated bond, which thereby do not contain a diamond segment, are not included within the scope of the order. Diamond sawblades and/or sawblade cores with a thickness of less than 0.025 inches, or with a thickness greater than 1.1 inches, are excluded from the scope of the order. Circular steel plates that have a cutting edge of non-diamond material, such as external teeth that protrude from the outer diameter of the plate, whether or not finished, are excluded from the scope of the order. Diamond sawblade cores with a Rockwell C hardness of less than 25 are excluded from the scope of the order. Diamond sawblades and/or diamond segment(s) with diamonds that predominantly have a mesh size number greater than 240 (such as 250 or 260) are excluded from the scope of the order.

Merchandise subject to the order is typically imported under heading 8202.39.00.00 of the Harmonized Tariff Schedule of the United States (HTSUS). When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTSUS, diamond sawblades or parts thereof may be imported under heading 8206.00.00.00 of the HTSUS. On October 11, 2011, Commerce included the 6804.21.00.00 HTSUS classification number to the customs case reference file, pursuant to a request by U.S. Customs and Border

Protection (CBP).⁸ Pursuant to requests by CBP, Commerce included to the customs case reference file the following HTSUS classification numbers: 8202.39.0040 and 8202.39.0070 on January 22, 2015, and 6804.21.0010 and 6804.21.0080 on January 26, 2015.⁹

The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

Initiation of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.216(d), Commerce will conduct a CCR upon receipt of a request from an interested party or receipt of information concerning an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. In accordance with 19 CFR 351.216(d), Commerce finds that Protech provided sufficient information to initiate a CCR. Therefore, we are initiating a CCR pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d) to determine whether Protech is: (1) able to identify diamond sawblades produced in Canada by Protech using non-Chinese cores and Chinese segments and exported to the United States; and (2) eligible for the certification process.

Preliminary Results of Changed Circumstances Review

Commerce is conducting this CCR in accordance with section 751(b)(1) of the Act. We preliminarily determine that, since the publication of the *Final Determination*, Protech has demonstrated in its CCR request that it is able to identify and segregate diamond sawblades produced in Canada by Protech, using non-Chinese cores and Chinese segments and exported to the United States.

Protech claims that, since the publication of the *Final Determination*, it “has implemented numerous safeguards at its production facility to ... ensure that Protech will use

⁸ See *Diamond Sawblades and Parts Thereof from the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review*, 76 FR 76128 (December 6, 2011).

⁹ See *Diamond Sawblades and Parts Thereof from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 64331 (December 14, 2018), and accompanying Issues and Decision Memorandum at 3.

only non-Chinese origin cores in any of its diamond sawblades that are exported to the United States.”¹⁰ Commerce requested Protech to provide a written document describing these implementation plans that were approved by the company, its shareholders, and/or board members, if it is available.¹¹ In response, Protech provided a company meeting memorandum, a shareholder resolution, and a memorandum to its staff that memorialized the company’s new cores coding system.¹² The company meeting and the shareholder resolution took place around the time of the publication of the *Preliminary Determination*.¹³

Protech claims that it can identify non-Chinese cores and Chinese cores with the logos and additional information that the suppliers of cores engraved in the cores, *e.g.*, the part number associated with Protech and the supplier’s order number.¹⁴ Further, Protech explains that it identifies the country of origin of each shipment of these cores using a certificate of origin that identifies the manufacturer of the merchandise and the manufacturer’s address, a commercial invoice that identifies the manufacturer’s country of origin, a bill of lading, and a packing list, as applicable.¹⁵ To support these assertions, Protech provided photos of cores with logos and additional information and documents used to identify the country of origin.¹⁶

Protech claims that it stores: (1) non-Chinese cores separately in manufacturer-specific separate storage zones in its production facility; and (2) Chinese cores on shelves in an entirely separate section of its facility.¹⁷ Protech explains that maintaining these separate storage zones helps to ensure that Protech uses only cores stored in certain areas when it produces and exports

¹⁰ See CCR Request at 2.

¹¹ See Commerce’s First Supplemental Questionnaire to Protech dated September 1, 2020.

¹² See Protech’s First Supplemental Response at 2 and Exhibits 1, 2, and 3.

¹³ See Protech’s First Supplemental Response at 2 (“Shortly after the Department issued its preliminary anti-circumvention determination, Protech held internal meetings . . . Protech recorded the results of its meeting in an internal memorandum, see Exhibit 1, and Protech’s shareholders shortly thereafter issued a resolution adopting this determination, see Exhibit 2.”); see also *Diamond Sawblades and Parts Thereof from the People’s Republic of China: Preliminary Affirmative Determination of Circumvention*, 84 FR 58130 (October 30, 2019) (*Preliminary Determination*).

¹⁴ See CCR Request at 2-3 and Exhibits 1 and 2.

¹⁵ See Protech’s First Supplemental Response at 5 and Exhibit 5.

¹⁶ See CCR Request at Exhibits 1 and 2, and Protech’s First Supplemental Response at Exhibit 4.

¹⁷ See CCR Request at 3 and Exhibit 3 for non-Chinese cores and Exhibit 4 for Chinese cores; see also Protech’s First Supplemental Response at 5-6 and Exhibits 6-9.

diamond sawblades to the United States.¹⁸ To support these assertions, Protech provided photos of these storage zones and the blueprint of the production facility with identification of specific storage zones.¹⁹

Protech claims that it maintains: (1) production records that track the sources of the cores that it incorporates into diamond sawblades that it produces and exports; and (2) a monitoring system that tracks all aspects of its inventory (including cores) and classifies its suppliers, which also provides details on each item in inventory, including cores.²⁰ Specifically, Protech explains that, when it receives a shipment of cores at its warehouse, its staff will input information related to that shipment, *e.g.*, core size, core specifications, core supplier, stock-keeping unit numbers, storage zone in Protech's warehouse, and quantity received, in its inventory database.²¹ Protech also explains that its production orders, work sheets, and material sheets issued for the production of diamond sawblades trace the country of origin of the cores used in the production process.²² To support these assertions, Protech provided production and inventory records and computer screenshots of inventory data maintained in its computer record system showing the inventory of cores on a supplier-specific basis.²³ Protech also reported that, during production and quality control and before shipment of finished diamond sawblades, it conducts multiple checks using production orders, worksheets, and material sheets to identify and confirm the country of origin of cores in the finished diamond sawblades.²⁴ Based on the information provided by Protech, we preliminarily find that Protech is able to identify and effectively segregate diamond sawblades produced in Canada by Protech using non-Chinese cores and Chinese segments from other diamond sawblades produced at its facility.

¹⁸ See CCR Request at 3 and Exhibit 3 for non-Chinese cores and Exhibit 4 for Chinese cores; *see also* Protech's First Supplemental Response at 5-6 and Exhibits 6-9.

¹⁹ See CCR Request at Exhibit 3 for non-Chinese cores and Exhibit 4 for Chinese cores; *see also* Protech's First Supplemental Response at Exhibits 6-9.

²⁰ See CCR Request at 3 and Exhibits 5-6.

²¹ See CCR Request at 3-4 and Exhibits 5-7; *see also* Protech's First Supplemental Response at 6 and Exhibits 10-16.

²² See Protech's First Supplemental Response at 6-7 and Exhibit 11.

²³ See CCR Request at Exhibits 5-7 for non-Chinese cores and Exhibit 4 for Chinese cores; *see also* Protech's First Supplemental Response at Exhibits 10-16.

²⁴ See Protech's First Supplemental Response at 3-4, 6-7, and Exhibits 4, 11.

Based on information provided by Protech, we also preliminarily find that Protech and Gogo are affiliated, in accordance with section 771(33)(F) of the Act and 19 CFR 351.102(b)(3).²⁵ Therefore, we preliminarily find that diamond sawblades produced in Canada by Protech using Chinese cores and Chinese segments and exported by Gogo to the United States are subject to the antidumping duty order on diamond sawblades from China.

If these preliminary results are adopted in our final results of this CCR, effective on the publication date of our final results, Protech, Gogo and their importers will be eligible, where appropriate, to certify that the diamond sawblades produced in Canada by Protech and exported by either Protech or Gogo were produced using non-Chinese cores and Chinese segments. Attached as Appendix I is draft certification language. Commerce also preliminarily determines, based on the request in this CCR, that no other exporters are eligible for this certification process.²⁶

Suspension of Liquidation and Certification Requirements

In accordance with 19 CFR 351.225(l)(3), if the final results of this review remain unchanged from the preliminary results, the suspension of liquidation instructions will remain in effect until further notice. Commerce will direct CBP to suspend liquidation and to require a cash deposit of estimated duties on unliquidated entries of diamond sawblades produced (*i.e.*, assembled or completed) using Chinese cores and Chinese segments by Protech in Canada and exported by Gogo that were entered, or withdrawn from warehouse, for consumption on or after the date of initiation of the CCR.²⁷

Diamond sawblades produced by Protech in Canada using non-Chinese cores and Chinese segments and exported from Canada by either Protech or Gogo are not subject to the

²⁵ See Memorandum, “Diamond Sawblades and Parts Thereof from the People’s Republic of China: Affiliation of Protech Diamond Tools Inc. and Gogo International Inc.” dated concurrently with this notice, for details containing Protech’s business proprietary information.

²⁶ The circumvention determination covered diamond sawblades produced in Canada by Protech with Chinese cores and Chinese segments and exported by Protech. See *Final Determination*, 85 FR at 9738. Other exporters are not covered by the circumvention determination.

²⁷ See *Final Determination*, 85 FR at 9739.

antidumping duty order on diamond sawblades from China. However, imports of such merchandise are subject to certification requirements, and cash deposits may be required if the certification requirements are not satisfied. Accordingly, if an importer imports finished diamond sawblades produced in Canada by Protech and exported from Canada by either Protech or Gogo and claims that the finished diamond sawblades were produced from non-Chinese cores and Chinese segments, in order not to be subject to cash deposit requirements, the importer and exporter are required to meet the certification and documentation requirements described herein and in the certifications contained in Appendix I. Where no certification is provided for an entry of diamond sawblades produced by Protech in Canada and exported by Protech or Gogo to the United States, and the antidumping duty order on diamond sawblades from China potentially applies to that entry, Commerce intends to instruct CBP to suspend the entry and collect cash deposits at the China-wide rate of 82.05 percent of the entered value of the merchandise.²⁸ For shipments and/or entry summaries made on or after the date of publication of the initiation of the CCR through 30 days after the date of publication of the final results of CCR for which certifications are required, importers and exporters should complete the required certification within 30 days after the publication of the final results of this CCR in the *Federal Register*. Accordingly, where appropriate, the relevant bullet in the certification should be edited to reflect that the certification was completed within the time frame specified above. For such entries/shipments, importers and exporters each have the option to complete a blanket certification covering multiple entries/shipments, individual certifications for each entry/shipment, or a combination thereof. For shipments and/or entries made on or after 31 days after the date of publication of the final results of this CCR in the *Federal Register*, for which certifications are required, importers should complete the required certification at or prior to the

²⁸ See, e.g., *Diamond Sawblades and Parts Thereof from the People's Republic of China: Final Results of Antidumping Duty Administrative Review; 2016-2017*, 83 FR 64331, 64332 (December 14, 2018).

date of entry summary, and exporters should complete the required certification and provide it to the importer at or prior to the date of shipment.

Public Comment

Interested parties may submit case briefs no later than 14 days after the publication of this notice.²⁹ Rebuttal briefs, which must be limited to issues raised in case briefs, may be filed not later than seven days after the deadline for filing case briefs.³⁰ Commerce has modified certain of its requirements for serving documents containing business proprietary information until further notice.³¹ Parties who submit case briefs or rebuttal briefs in this changed circumstance review are requested to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities. Interested parties that wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically via ACCESS, within 14 days of publication of this notice.³² The hearing request should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations at the hearing will be limited to issues raised in the briefs. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

All submissions, with limited exceptions, must be filed electronically using Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <http://access.trade.gov>. An

²⁹ See 19 CFR 351.309(c)(1)(ii). ("Any interested party may submit a 'case brief' within ...30 days after the date of publication of the preliminary results of {a changed circumstances} review, *unless the Secretary alters the time limit ...*") (Emphasis added).

³⁰ See 19 CFR 351.309(d).

³¹ See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020).

³² See 19 CFR 351.310(c) ("Any interested party may request that the Secretary hold a public hearing on arguments to be raised in case or rebuttal briefs within 30 days after the date of publication of the ... preliminary results of review, *unless the Secretary alters this time limit ...*") (Emphasis added); see also 19 CFR 351.303 for general filing requirements.

electronically filed document must be received successfully in its entirety by no later than 5:00 p.m. Eastern Time on the date the document is due.

Notifications to Interested Parties

Consistent with 19 CFR 351.216(e), we intend to issue the final results of this CCR no later than 270 days after the date on which this review was initiated, or within 45 days after the publication of the preliminary results if all parties in this review agree to our preliminary results. The final results will include Commerce's analysis of issues raised in any written comments.

We are issuing and publishing this initiation and preliminary results notice in accordance with sections 751(b)(1) and 777(i) of the Act, 19 CFR 351.216, and 19 CFR 351.221(c)(3)(i).

Dated: November 16, 2020.

Jeffrey I. Kessler,

Assistant Secretary

for Enforcement and Compliance.

Appendix I

EXPORTER CERTIFICATION

Special Instructions: The party that made the sale to the United States should fill out the exporter certification. Only Protech Diamond Tools Inc., and Gogo International Inc., are eligible for this certification process.

I hereby certify that:

A) My name is {COMPANY OFFICIAL'S NAME} and I am an official of {NAME OF EXPORTING COMPANY}, located at {ADDRESS};

B) I have direct personal knowledge of the facts regarding the production and exportation of the finished diamond sawblades identified below. "Direct personal knowledge" refers to facts the certifying party is expected to have in its own books and records. For example, an exporter should have direct personal knowledge of the producer's identity and location.

C) Finished diamond sawblades produced in Canada and covered by this certification were not manufactured using cores produced in China.

D) This certification applies to the following sales to {NAME OF U.S. CUSTOMER}, located at {ADDRESS OF U.S. CUSTOMER}. (repeat this block as many times as necessary):

Foreign Seller's Invoice # to U.S. Customer:

Foreign Seller's Invoice to U.S. Customer Line item #:

Producer Name: Protech Diamond Tools Inc.

Producer's Address: Unit 105, 1626 -115 Avenue NE, Calgary, Alberta, Canada T3K 2E4

Producer's Invoice # to Foreign Seller: (If the foreign seller and the producer are the same party, put NA here.)

E) The finished diamond sawblades covered by this certification were shipped to {NAME OF U.S. PARTY TO WHOM MERCHANDISE WAS SHIPPED}, located at {U.S. ADDRESS TO WHICH MERCHANDISE WAS SHIPPED}.

F) I understand that {NAME OF EXPORTING COMPANY} is required to maintain a copy of this certification and sufficient documentation supporting this certification (i.e., documents maintained in the normal course of business, or documents obtained by the certifying party, for example, mill certificates, production records, invoices, *etc.*) for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries.

G) I understand that {NAME OF EXPORTING COMPANY} must provide a copy of this Exporter Certification to the U.S. importer by the date of shipment.

H) I understand that {NAME OF EXPORTING COMPANY} is required to provide a copy of this certification and supporting records, upon request, to U.S. Customs and Border Protection (CBP) and/or the Department of Commerce (Commerce).

I) I understand that the claims made herein, and the substantiating documentation are subject to verification by CBP and/or Commerce.

J) I understand that failure to maintain the required certification and/or failure to substantiate the claims made herein, and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a *de facto* determination that all sales to which this certification applies are within the scope of the antidumping duty order on diamond sawblades and parts thereof from the People's Republic of China. I understand that such finding will result in:

i) suspension of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met; and

ii) the requirement that the importer post applicable antidumping duty cash deposits (as appropriate) equal to the rates as determined by Commerce; and

iii) the revocation of {NAME OF EXPORTING COMPANY}'s privilege to certify future exports of finished diamond sawblades from Canada as not manufactured using cores from China.

K) This certification was completed at or prior to the date of shipment;

L) I am aware that U.S. law (including, but not limited to, 18 U.S.C. section 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

Signature

NAME OF COMPANY OFFICIAL

TITLE

DATE

IMPORTER CERTIFICATION

I hereby certify that:

A) My name is {IMPORTING COMPANY OFFICIAL'S NAME} and I am an official of {NAME OF IMPORTING COMPANY}, located at {ADDRESS OF IMPORTING COMPANY}.

B) I have direct personal knowledge of the facts regarding the importation into the Customs territory of the United States of finished diamond sawblades produced in Canada that entered under entry summary number(s) identified below and are covered by this certification. "Direct personal knowledge" refers to facts the certifying party is expected to have in its own records.

For example, the importer should have direct personal knowledge of the importation of the product (e.g., the name of the exporter) in its records.

C) If the importer is acting on behalf of the first U.S. customer, complete this paragraph, if not put “NA” at the end of this paragraph: finished diamond sawblades covered by this certification were imported by {NAME OF IMPORTING COMPANY} on behalf of {NAME OF U.S. CUSTOMER}, located at {ADDRESS OF U.S. CUSTOMER}.

D) Finished diamond sawblades covered by this certification were shipped to {NAME OF PARTY TO WHOM MERCHANDISE WAS FIRST SHIPPED IN THE UNITED STATES}, located at {ADDRESS OF SHIPMENT}.

E) I have personal knowledge of the facts regarding the production of the finished diamond sawblades identified below. “Personal knowledge” includes facts obtained from another party, (e.g., correspondence received by the importer (or exporter) from the producer regarding the country of manufacture of the imported products).

F) Finished diamond sawblades covered by this certification were not manufactured using cores produced in China.

G) This certification applies to the following entries (repeat this block as many times as necessary):

Entry Summary #:

Entry Summary Line Item #:

Foreign Seller:

Foreign Seller’s address:

Foreign Seller’s Invoice #:

Foreign Seller’s Invoice Line Item #:

Producer: Protech Diamond Tools Inc.

Producer’s Address: Unit 105, 1626 -115 Avenue NE, Calgary, Alberta, Canada T3K 2E4

H) I understand that {NAME OF IMPORTING COMPANY} is required to maintain a copy of this certification and sufficient documentation supporting this certification (i.e., documents maintained in the normal course of business, or documents obtained by the certifying party, for example, mill certificates, production records, invoices, *etc.*) for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in the United States courts regarding such entries.

I) I understand that {NAME OF IMPORTING COMPANY} is required to provide this certification and supporting records to U.S. Customs and Border Protection (CBP) and/or the Department of Commerce (Commerce), upon request by the respective agency.

J) I understand that {NAME OF IMPORTING COMPANY} is required to maintain a copy of the exporter’s certification (attesting to the production and/or export of the imported merchandise

identified above), and any supporting records provided by the exporter to the importer, for the later of (1) a period of five years from the date of entry or (2) a period of three years after the conclusion of any litigation in United States courts regarding such entries.

K) I understand that {NAME OF IMPORTING COMPANY} is required, upon request, to provide a copy of the exporter's certification and any supporting records provided by the exporter to the importer, to CBP and/or Commerce.

L) I understand that the claims made herein, and the substantiating documentation, are subject to verification by CBP and/or Commerce.

M) I understand that failure to maintain the required certifications, and/or failure to substantiate the claims made herein, and/or failure to allow CBP and/or Commerce to verify the claims made herein, may result in a *de facto* determination that all entries to which this certification applies are within the scope of the antidumping duty order on diamond sawblades and parts thereof from the People's Republic of China. I understand that such finding will result in:

i) suspension of liquidation of all unliquidated entries (and entries for which liquidation has not become final) for which these requirements were not met;

ii) the requirement that the importer post applicable antidumping duty cash deposits (as appropriate) equal to the rates determined by Commerce; and

iii) the revocation of {NAME OF IMPORTING COMPANY}'s privilege to certify future imports of diamond sawblades from Canada as not manufactured using cores from China.

N) I understand that agents of the importer, such as brokers, are not permitted to make this certification. Where a broker or other party was used to facilitate the entry process, {NAME OF IMPORTING COMPANY} obtained the entry summary number and date of entry summary from that party.

O) This certification was completed at or prior to the date of entry summary.

P) I am aware that U.S. law (including, but not limited to, 18 U.S.C. section 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. government.

Signature

NAME OF COMPANY OFFICIAL

TITLE

DATE

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