



DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-008]

Gas Powered Pressure Washers from the Socialist Republic of Vietnam: Antidumping Duty Order

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

SUMMARY: Based on affirmative final determinations by the U.S. Department of Commerce
(Commerce) and the U.S. International Trade Commission (ITC), Commerce is issuing an
antidumping duty order on gas powered pressure washers (pressure washers) from the Socialist
Republic of Vietnam (Vietnam).

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

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(202) 482-4243 and (202) 482-1678, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 29, 2023, Commerce published its affirmative final determination in the less-
than-fair-value (LTFV) investigation of pressure washers from Vietnam.¹ On October 13, 2023,
the ITC notified Commerce of its final determination, pursuant to section 735(d) of the Tariff
Act of 1930, as amended (the Act), that an industry in the United States is materially injured

¹ See *Gas Powered Pressure Washers from the Socialist Republic of Vietnam: Final Affirmative Determination of
Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, 88 FR 59503
(August 29, 2023).

within the meaning of section 735(b)(1)(A)(i) of the Act by reason of LTFV imports of pressure washers from Vietnam.²

Scope of the Order

The products covered by this order are gas powered pressure washers from Vietnam. For a complete description of the scope of this order, *see* the appendix to this notice.

Antidumping Duty Order

On October 13, 2023, in accordance with section 735(d) of the Act, the ITC notified Commerce of its final determination in this investigation, in which it found that an industry in the United States is materially injured by reason of imports of pressure washers from Vietnam.³ Therefore, in accordance with section 735(c)(2) of the Act, Commerce is issuing this antidumping duty order. Because the ITC determined that imports of pressure washers from Vietnam materially injure a U.S. industry, unliquidated entries of such merchandise from Vietnam, entered or withdrawn from warehouse for consumption, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by Commerce, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of pressure washers from Vietnam. Antidumping duties will be assessed on unliquidated entries of pressure washers from Vietnam entered, or withdrawn from warehouse, for consumption, on or after June 15, 2023, the date of publication of the *Preliminary Determination* in the *Federal Register*, except as noted in the “Provisional Measures” section below.⁴

² See ITC’s Letter, Notification Letter: Investigation No. 731-TA-1598 (Final), dated October 13, 2023.

³ *Id.*

⁴ See *Gas Powered Pressure Washers from the Socialist Republic of Vietnam: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Determination of Critical Circumstances*, 88 FR 39221 (June 15, 2023) (*Preliminary Determination*).

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, Commerce will instruct CBP to continue to suspend liquidation on all relevant entries of pressure washers from Vietnam, except as noted below. These instructions suspending liquidation will remain in effect until further notice.

Commerce will also instruct CBP to require cash deposits equal to the estimated weighted-average dumping margin indicated in the table below. Accordingly, effective on the date of publication in the *Federal Register* of the notice of the ITC's final affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated duties on subject merchandise, a cash deposit equal to the rate listed below.

Estimated Weighted-Average Dumping Margin

The estimated weighted-average dumping margin is as follows:

Exporter/Producer	Estimated Weighted-Average Dumping Margin (percent)
Vietnam-Wide Entity	225.86

Critical Circumstances

With respect to the ITC's negative critical circumstances determination on imports of pressure washers from Vietnam, Commerce intends to instruct CBP to lift suspension and to refund any cash deposits made to secure the payment of estimated antidumping duties with respect to entries of the subject merchandise from Vietnam entered, or withdrawn from warehouse, for consumption on or after March 17, 2023 (*i.e.*, 90 days prior to the date of the publication of the *Preliminary Determination*), but before June 15, 2023 (*i.e.*, the date of publication of the *Preliminary Determination*).

Provisional Measures

Section 733(d) of the Act states that suspension of liquidation pursuant to an affirmative preliminary determination may not remain in effect for more than four months, except where exporters representing a significant proportion of exports of the subject merchandise request that

Commerce extend the four-month period to no more than six months. None of the exporters of pressure washers requested Commerce to extend the four-month period to six months in this investigation.

The provisional measures period, beginning on the date of publication of the *Preliminary Determination*, ended on October 12, 2023. Therefore, in accordance with section 733(d) of the Act, Commerce will instruct CBP to terminate the suspension of liquidation and to liquidate, without regard to antidumping duties, unliquidated entries of pressure washers from Vietnam entered, or withdrawn from warehouse, for consumption after October 12, 2023, the final day on which the provisional measures were in effect, until and through the day preceding the date of publication of the ITC's final affirmative injury determinations in the *Federal Register*. Suspension of liquidation and the collection of cash deposits will resume on the date of publication of the ITC's final determination in the *Federal Register*.

Establishment of the Annual Inquiry Service Lists

On September 20, 2021, Commerce published the final rule titled “*Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*” in the *Federal Register*.⁵ On September 27, 2021, Commerce also published the notice titled “*Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*” in the *Federal Register*.⁶ The *Final Rule* and *Procedural Guidance* provide that Commerce will maintain an annual inquiry service list for each order or suspended investigation, and any interested party submitting a scope ruling application or request for circumvention inquiry shall serve a copy of the application or request on the persons on the annual inquiry service list for that order, as well as any companion order covering the same merchandise from the same country of origin.⁷

⁵ See *Regulations to Improve Administration and Enforcement of Antidumping and Countervailing Duty Laws*, 86 FR 52300 (September 20, 2021) (*Final Rule*).

⁶ See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021) (*Procedural Guidance*).

⁷ *Id.*

In accordance with the *Procedural Guidance*, for orders published in the *Federal Register* after November 4, 2021, Commerce will create an annual inquiry service list segment in Commerce’s online e-filing and document management system, Antidumping and Countervailing Duty Electronic Service System (ACCESS), available at <https://access.trade.gov>, within five business days of publication of the notice of the order. Each annual inquiry service list will be saved in ACCESS, under each case number, and under a specific segment type called “AISL-Annual Inquiry Service List.”⁸

Interested parties who wish to be added to the annual inquiry service list for an order must submit an entry of appearance to the annual inquiry service list segment for the order in ACCESS within 30 days after the date of publication of the order. For ease of administration, Commerce requests that law firms with more than one attorney representing interested parties in an order designate a lead attorney to be included on the annual inquiry service list. Commerce will finalize the annual inquiry service list within five business days thereafter. As mentioned in the *Procedural Guidance*,⁹ the new annual inquiry service list will be in place until the following year, when the *Opportunity Notice* for the anniversary month of the order is published.

Commerce may update an annual inquiry service list at any time as needed based on interested parties’ amendments to their entries of appearance to remove or otherwise modify their list of members and representatives, or to update contact information. Any changes or announcements pertaining to these procedures will be posted to the ACCESS website at <https://access.trade.gov>.

Special Instructions for Petitioners and Foreign Governments

⁸ This segment will be combined with the ACCESS Segment Specific Information (SSI) field which will display the month in which the notice of the order or suspended investigation was published in the *Federal Register*, also known as the anniversary month. For example, for an order under case number A-000-000 that was published in the *Federal Register* in January, the relevant segment and SSI combination will appear in ACCESS as “AISL-January Anniversary.” Note that there will be only one annual inquiry service list segment per case number, and the anniversary month will be pre-populated in ACCESS.

⁹ See *Procedural Guidance*.

In the *Final Rule*, Commerce stated that, “after an initial request and placement on the annual inquiry service list, both petitioners and foreign governments will automatically be placed on the annual inquiry service list in the years that follow.”¹⁰ Accordingly, as stated above, the petitioner and Government of Vietnam should submit their initial entries of appearance after publication of this notice in order to appear in the first annual inquiry service lists for this order. Pursuant to 19 CFR 351.225(n)(3), the petitioner and the Government of Vietnam will not need to resubmit their entries of appearance each year to continue to be included on the annual inquiry service list. However, the petitioner and the Government of Vietnam are responsible for making amendments to their entries of appearance during the annual update to the annual inquiry service list in accordance with the procedures described above.

Notification to Interested Parties

This notice constitutes the antidumping duty order with respect to pressure washers from Vietnam pursuant to section 736(a) of the Act. Interested parties can find a list of antidumping duty orders currently in effect at <https://enforcement.trade.gov/stats/iastats1.html>.

This antidumping duty order is published in accordance with sections 735(e) and 736(a) of the Act and 19 CFR 351.224(e) and 19 CFR 351.211(b).

Dated: October 19, 2023.

Abdelali Elouaradia,
*Deputy Assistant Secretary
for Enforcement and Compliance.*

¹⁰ See *Final Rule*, 86 FR at 52335.

Appendix

Scope of the Order

The merchandise covered by this order is cold water gas powered pressure washers (also commonly known as power washers), which are machines that clean surfaces using water pressure that are powered by an internal combustion engine, air-cooled with a power take-off shaft, in combination with a positive displacement pump. This combination of components (*i.e.*, the internal combustion engine, the power take-off shaft, and the positive displacement pump) is defined as the “power unit.” The scope of this order covers cold water gas powered pressure washers, whether finished or unfinished, whether assembled or unassembled, and whether or not containing any additional parts or accessories to assist in the function of the “power unit,” including, but not limited to, spray guns, hoses, lances, and nozzles. The scope of this order covers cold water gas powered pressure washers, whether or not assembled or packaged with a frame, cart, or trolley, with or without wheels attached.

For purposes of this order, an unfinished and/or unassembled cold water gas powered pressure washer consists of, at a minimum, the power unit or components of the power unit, packaged or imported together. Importation of the power unit whether or not accompanied by, or attached to, additional components including, but not limited to a frame, spray guns, hoses, lances, and nozzles constitutes an unfinished cold water gas powered pressure washer for purposes of this scope. The inclusion in a third country of any components other than the power unit does not remove the cold water gas powered pressure washer from the scope. A cold water gas powered pressure washer is within the scope of this order regardless of the origin of its engine. Subject merchandise also includes finished and unfinished cold water gas powered pressure washers that are further processed in a third country or in the United States, including, but not limited to, assembly or any other processing that would not otherwise remove the merchandise from the scope of this order if performed in the country of manufacture of the in-scope cold water gas powered pressure washers.

The scope excludes hot water gas powered pressure washers, which are pressure washers that include a heating element used to heat the water sprayed from the machine.

Also specifically excluded from the scope of this order is merchandise covered by the scope of the antidumping and countervailing duty orders on certain vertical shaft engines between 99cc and up to 225cc, and parts thereof from the People’s Republic of China. *See Certain Vertical Shaft Engines Between 99 cc and Up to 225cc, and Parts Thereof from the People’s Republic of China: Antidumping and Countervailing Duty Orders*, 86 FR 023675 (May 4, 2021).

The cold water gas powered pressure washers subject to this order are classified in the Harmonized Tariff Schedule of the United States (HTSUS) at subheadings 8424.30.9000 and 8424.90.9040. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

[FR Doc. 2023-23612 Filed: 10/24/2023 8:45 am; Publication Date: 10/25/2023]