and selling functions FENC performed for selling to home-market customers did not vary by individual customers, we preliminarily determine that all of FENC’s home-market sales constitute a single level of trade.

We found that the export-price level of trade was similar to the home-market level of trade in terms of selling activities. Specifically, the levels of expense were similar for the selling functions FENC provided in both markets. Accordingly, we considered the export-price level of trade to be similar to the home-market level of trade and not at a different stage of distribution than the home-market level of trade. Therefore, we matched export-price sales to sales at the same level of trade in the home market and no level-of-trade adjustment under section 773(a)(7)(A) of the Act is necessary.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that a dumping margin of 2.92 percent exists for FENC for the period May 1, 2009, through April 30, 2010.

Public Comment

We will disclose the documents resulting from our analysis to parties in this review within five days of the date of publication of this notice. See 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the publication of this notice in the Federal Register. See 19 CFR 351.310(c). If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 35 days after the date of publication of this notice. Parties who submit case briefs or rebuttal briefs in this review are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument with an electronic version included.

We intend to issue the final results of this review within 60 days after publication of this notice. Failure to comply with this requirement could result in the Secretary’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: April 14, 2011.

Ronald K. Lorenzen,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011–9716 Filed 4–20–11; 8:45 am]

BILLING CODE 3510–05–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–909]

Certain Steel Nails From the People’s Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

DATES: Effective Date: April 21, 2011.

SUMMARY: On February 11, 2011, the Department of Commerce (“Department”) received a request on behalf of Mid Continent Nail Corporation (“Petitioner”) for a changed circumstances review and a request to revoke, in part, the antidumping duty order on certain steel nails from the People’s Republic of China (“PRC”) with respect to four types of steel nails, Petitioner expressed lack of interest in antidumping duty relief from imports of these four specific types of steel nails. In addition to the four physical descriptions of steel nails, Petitioner requested three of the nails include the labels “roof” or “roofing” on the packaging. The Department is preliminarily not adopting Petitioner’s labeling request as an absolute requirement. However, we are preliminarily notifying the public of our intent to revoke, in part, the antidumping duty order as it relates to imports of four specific types of steel nails described below. The Department invites interested parties to comment on these preliminary results.
Scope of the Order

The merchandise covered by this proceeding includes 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 that are 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 thumbscrews, 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. Also excluded from the scope of this proceeding are fasteners having a case hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a round head, a secondary reduced-diameter raised head section, a centered shank, and a smooth symmetrical point, suitable for use in gas-actuated hand tools. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

Initiation and Preliminary Results of Changed Circumstances Review, and Intent To Revoke Order in Part

At the request of Petitioner, and in accordance with sections 751(b)(1) and (d)(1) of the Tariff Act of 1930, as amended ("Act"), and 19 CFR 351.216, the Department is initiating a changed circumstances review of certain steel nails from the PRC to determine whether partial revocation of the antidumping duty order is warranted with respect to the following four types of steel nails:

1. Non-collated (i.e., hand-driven or bulk), two-piece steel nails having plastic or steel washers (caps) already assembled to the nail, having a bright or galvanized finish, a ring, fluted or spiral shank, an actual length of 0.500" to 8", inclusive; and an actual shank diameter of 0.1015" to 0.166", inclusive; and an actual washer or cap diameter of 0.900" to 1/16", inclusive.

2. Non-collated (i.e., hand-driven or bulk), steel nails having a bright or galvanized finish, a smooth, barbed or ringed shank, an actual length of 0.500" to 4", inclusive; an actual shank diameter of 0.1015" to 0.166", inclusive; and an actual head diameter of 0.3375" to 0.500", inclusive.

3. Wire collated steel nails, in coils, having a galvanized finish, a smooth, barbed or ringed shank, an actual length of 0.500" to 1.75", inclusive; an actual shank diameter of 0.116" to 0.166", inclusive; and an actual head diameter of 0.3375" to 0.500", inclusive.

4. Non-collated (i.e., hand-driven or bulk), steel nails having a convex head (commonly known as an umbrella head), a smooth or spiral shank, a galvanized finish, an actual length of 1.75" to 3", inclusive; an actual shank diameter of 0.131" to 0.152", inclusive; and an actual head diameter of 0.450" to 0.813", inclusive.

In addition to the physical descriptions of the steel nails subject to this exclusion request, Petitioner included in its request that the following language regarding labeling be
In accordance with section 751(b) of the Act, and 19 CFR 351.216(b), we are initiating this changed circumstances review. Petitioner stated in its February 11, 2011, request that itself, Maze Nails (a division of W.H. Maze Company) (“Maze”), and Davis Wire (a Heico Wire Group company) (“Davis”), the remaining three producers from the original group of Petitioners, account for substantially all domestic like product production. Petitioner further stated that Maze and Davis support the request for a changed circumstances review as filed by Petitioner on February 11, 2011. In accordance with section 751(b) of the Act and 19 CFR 351.222(g)(1)(i), we find that Petitioner, along with the other domestic producers supporting the request, comprise substantially all of the production of the domestic like product. See Petitioner’s Request for Changed Circumstances Review dated February 11, 2011. Petitioner has expressed a lack of interest in the order, in part, with respect to the four specific steel nails identified above. Moreover, pursuant to 19 CFR 351.221(c)(3)(ii), the Department has determined that expedited action is warranted due to the expression of no interest by Petitioner and the supporting domestic producers in applying the antidumping duty order to the specific four nails identified in this request.

Based on the expression of no interest by Petitioner and the supporting domestic producers, and absent any objection by any other interested parties, we have preliminarily determined that the domestic producers of the like product have no interest in the continued application of the antidumping duty order on certain steel nails with respect to the merchandise that is subject to this request. Accordingly, we are notifying the public of our preliminarily results to revoke, in part, the antidumping duty order as it relates to imports of the four specific types of steel nails identified above. Therefore, we intend to change the scope of the order on certain steel nails from the PRC to include the following exclusion:

Excluded from the scope are steel roofing nails of all lengths and diameter, whether collared or in bulk, and whether or not galvanized. Steel roofing nails that are specifically enumerated and identified in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails. Also excluded from the scope are the following steel nails: (1) Non-collated (i.e., hand-driven or bulk), two-piece steel nails having plastic or steel washers (caps) already assembled to the nail, having a bright or galvanized finish, a ring, fluted or spiral Shank, an actual length of 0.500″ to 8″, inclusive; and an actual Shank diameter of 0.1015″ to 0.166″, inclusive; and an actual washer or cap diameter of 0.900″ to 1.10″, inclusive; (2) Non-collated (i.e., hand-driven or bulk), steel nails having a bright or galvanized finish, a smooth, barbed or ringed Shank, an actual length of 0.500″ to 4″, inclusive; an actual Shank diameter of 0.1015″ to 0.166″, inclusive; and an actual head diameter of 0.3375″ to 0.500″, inclusive; (3) Wire collated steel nails, in coils, having a galvanized finish, a smooth or spiral Shank, an actual length of 0.500″ to 1.75″, inclusive; an actual Shank diameter of 0.116″ to 0.166″, inclusive; and an actual head diameter of 0.3375″ to 0.500″, inclusive; and (4) Non-collated (i.e., hand-driven or bulk), steel nails having a convex head (commonly known as an umbrella head), a smooth or spiral Shank, a galvanized finish, an actual length of 1.75″ to 3″, inclusive; an actual Shank diameter of 0.131″ to 0.152″, inclusive; and an actual head diameter of 0.450″ to 0.813″, inclusive.

Public Comment

Interested parties are invited to comment on these preliminary results. Written comments may be submitted no later than 14 days after the date of publication of these preliminary results. Rebittals to written comments, limited to issues raised in such comments, may be filed no later than 21 days after the date of publication of these preliminary results. The Department will issue the final results of this changed circumstances review, which will include its analysis of any written comments, no later than 270 days after the date on which this review was initiated, or within 45 days if all parties agree to our preliminary results. See 19 CFR 351.216(e).

If final partial revocation occurs, we will instruct U.S. Customs and Border Protection (“CBP”) to liquidate, without regard to applicable antidumping duties, all unliquidated entries of nails that meet the above-noted specifications, and to refund any estimated antidumping duties collected on such merchandise entered, or withdrawn from warehouse, for consumption on or after August 1, 2009, the day after the most recent period for which an administrative review was completed. See 19 CFR 351.222(g)(4). The Department will further instruct CBP to refund with interest any estimated duties collected with respect to unliquidated entries of nails from the PRC entered, or withdrawn from warehouse, for consumption on or after August 1, 2009, in accordance with section 778 of the Act.

This initiation and preliminary results of review and notice are in accordance with sections 751(b) and 777(i) of the Act.

6 Signed statements of support from Maze and Davis are included in Petitioner’s Request for Changed Circumstances Review dated February 11, 2011, at Attachment 1.

Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011–9717 Filed 4–20–11; 8:45 am]

BILLING CODE 3510–05–P

DEPARTMENT OF COMMERCE
International Trade Administration

[FR Doc. 2011–9717 Filed 4–20–11; 8:45 am]

SUMMARY: In response to requests from interested parties, the Department of Commerce (the Department) is conducting administrative reviews of the antidumping duty orders on ball bearings and parts thereof from France, Germany, Italy, Japan, and the United Kingdom for the period May 1, 2009, through April 30, 2010. We have preliminarily determined that sales have been made below normal value by certain companies subject to these reviews. We have also preliminarily determined that Schaeffler Technologies GmbH & Co. KG is the successor-in-interest to Schaeffler KG with respect to the order on ball bearings and parts thereof from Germany.

We invite interested parties to comment on these preliminary results. Parties who submit comments in these reviews are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

DATES: Effective Date: April 21, 2011.


SUPPLEMENTARY INFORMATION:

Background

On May 15, 1989, the Department published the antidumping duty orders on ball bearings and parts thereof from France (54 FR 20900), Italy (54 FR 20903), Japan (54 FR 20904), and the United Kingdom (54 FR 20910) in the Federal Register. On June 30, 2010, in accordance with 19 CFR 351.221(b), we published a notice of initiation of administrative reviews of 133 companies subject to these orders. See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part, 75 FR 37759 (June 30, 2010) (Initiation Notice).

Subsequent to the initiation of these reviews we published in the Federal Register the final results of the 2008–2009 administrative reviews of the orders, in which we revoked the antidumping duty order on ball bearings and parts thereof from the United Kingdom, in part, with respect to merchandise exported or sold by The Barden Corporation (U.K.) Limited and Schaeffler (U.K.) Limited (The Schaeffler Group) effective May 1, 2009.1 As a result we rescinded the 2009–2010 administrative review of the order on merchandise from the United Kingdom.2 We have also rescinded the administrative reviews with respect to 34 other companies based on the withdrawals of the applicable requests for reviews. See Rescission.


The period of review is May 1, 2009, through April 30, 2010. The Department is conducting these administrative reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Orders

The products covered by the orders are ball bearings and parts thereof. These products include all antifriction bearings that employ balls as the rolling element. Imports of these products are classified under the following categories: Antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof, and housed or mounted ball bearing units and parts thereof.

Imports of these products are classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 9306.90.45, 4016.93.10, 4016.93.50, 6909.19.50.10, 8414.90.41.75, 8431.20.00, 8431.39.00.10, 8482.10.10, 8482.10.50, 8482.90.00, 8482.91.00, 8482.99.05, 8482.99.55, 8482.99.25.80, 8482.99.65.95, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.60, 8708.93.30, 8708.93.60.00, 8708.99.06, 8708.99.31.00, 8708.99.40.00, 8708.99.49.60, 8708.99.58, 8708.99.80.15, 8708.99.80.80, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, 8803.90.90, 8708.30.50.90, 8708.40.75.70, 8708.40.75.80, 8708.50.79.00, 8708.50.89.00, 8708.50.91.50, 8708.50.99.00, 8708.70.60.60, 8708.80.65.90, 8708.93.75.00, 8708.94.75, 8708.95.20.00, 8708.99.55.00, 8708.99.68, and 8708.99.81.80.

Although the HTSUS item numbers above are provided for convenience and customs purposes, the written descriptions of the scope of the orders remain dispositive.

The size or precision grade of a bearing does not influence whether the bearing is covered by one of the orders. The orders cover all the subject bearings and parts thereof (inner race, outer race, cage, rollers, balls, seals, shields, etc.) outlined above with certain limitations. With regard to finished parts, all such parts are included in the scope of the orders. For unfinished parts, such parts are included if they have been heat-treated or if heat treatment is not required to be performed on the part. Thus, the only unfinished parts that are not covered by the orders are those that will be subject to heat treatment after importation. The ultimate application of a bearing also does not influence whether the bearing is covered by the orders. Bearings designed for highly specialized applications are not excluded. Any of the subject bearings, regardless of whether they may ultimately be utilized in aircraft,