

above 0.50 percent). Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (i.e., less than 0.50 percent). The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

The Department clarified its “automatic assessment” regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*). This clarification will apply to entries of subject merchandise during the POR produced by the company included in these final results of review for which the reviewed company did not know that the merchandise it sold to the intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate effective during the POR if there is no rate for the intermediary involved in the transaction. See *Assessment Policy Notice* for a full discussion of this clarification.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the company listed above will be that established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not participating in this review, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a previous review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 23.21 percent, the all-others rate made effective by the LTFV investigation. See

Citric Acid and Certain Citrate Salts from Canada and the People's Republic of China: Antidumping Duty Orders, 74 FR 25703 (May 29, 2009). These deposit requirements shall remain in effect until further notice.

Notification to Importers

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 this review period. 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.

Notification to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/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.

This administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: April 17, 2012.

Paul Piquado,

Assistant Secretary for Import Administration.

[FR Doc. 2012-9826 Filed 4-23-12; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-909]

Certain Steel Nails From the People's Republic of China: Amended Final Results of the Second Antidumping Duty Administrative Review

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

DATES: *Effective Date:* April 24, 2012.

FOR FURTHER INFORMATION CONTACT: Ricardo Martinez Rivera, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution

Avenue NW., Washington, DC 20230; telephone: (202) 482-4532.

SUPPLEMENTARY INFORMATION:

Background

On March 1, 2012, the Department of Commerce (“Department”) published the final results of the second administrative review of the antidumping duty order on certain steel nails (“steel nails”) from the People's Republic of China (“PRC”).¹ On March 5, 2012, certain mandatory and separate rate respondents, as well as Itochu Building Products Co., Inc. (“IBP”),² and Stanley³ filed timely allegations that the Department made ministerial errors in the *Final Results* and requested, pursuant to 19 CFR 351.224, that the Department correct the alleged ministerial errors. On March 12, 2012, Petitioner⁴ submitted comments rebutting the errors alleged by IBP *et al.* and Stanley. No other party in this proceeding submitted comments on the Department's final margin calculations.

Scope of the Order

The merchandise covered by the order 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),

¹ See *Certain Steel Nails from the People's Republic of China: Final Results and Final Rescission of the Second Antidumping Duty Administrative Review*, 77 FR 12556 (March 1, 2012) and accompanying Issues and Decision Memorandum (“*Final Results*”).

² Certified Products International Inc., Chiieh Yungs Metal Ind. Corp., Huanghua Jinhai Hardware Products Co., Ltd., Tianjin Jinghai County Hongli Industry & Business Co., Ltd. (“Hongli”), Tianjin Jinchi Metal Products Co., Ltd. (“Jinchi”), Shangdong Dinglong Import & Export Co., Ltd., Tianjin Zhonglian Metals Ware Co., Ltd., Hengshui Mingyao Hardware & Mesh Products Co., Ltd., Huanghua Xionghua Hardware Products, Shanghai Jade Shuttle Hardware Tools Co., Ltd., Shanghai Yueda Nails Industry Co., Ltd., Shanxi Tianli Industries Co., Ltd., China Staple Enterprise (Tianjin) Co., Ltd., Qidong Liang Chyuan Metal Industry Co., Ltd., Romp (Tianjin) Hardware Co., Ltd., CYM (Nanjing) Ningquan Nail Manufacture Co., Ltd. a.k.a. CYM (Nanjing), Nail Manufacture Co., Ltd., Shanxi Pioneer Hardware Industrial Co., Ltd., and Mingguang Abundant Hardware Productions Co., Ltd. (collectively “IBP *et al.*”).

³ The Stanley Works (Langfang) Fastening Systems Co., Ltd. and Stanley Black & Decker, Inc./ Stanley Fastening Systems, LP (collectively “Stanley”).

⁴ Mid Continent Nail Corporation.

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 the order 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 the order 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 the order are steel roofing nails of all lengths and diameter, whether collated or in bulk, and whether or not 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 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, 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; 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.

Also excluded from the scope of the order 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 the order 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 the order are thumb tacks, which are currently classified under HTSUS 7317.00.10.00.

Also excluded from the scope of the order 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 the order 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 the order is dispositive.

Amended Final Results of the Review

The Tariff Act of 1930, as amended (“Act”), defines a “ministerial error” as including “errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.” See section 751(h) of the Act; see also 19 CFR 351.224(e). As explained in the memorandum accompanying this notice,⁵ we do not find that any of the errors alleged by IBP *et al.* or Stanley are ministerial errors within the meaning of section 751(h) of the Act and 19 CFR 351.224(e). However, in the course of analyzing IBP *et al.*’s allegations of ministerial errors, the Department found that it inadvertently miscalculated Jinchi’s importer-specific assessments rates, even though no party had commented on this fact. Therefore, in accordance with section 751(h) of the Act, we have determined that we made a ministerial error in our calculation of Jinchi’s importer-specific assessment rates for the *Final Results*. We note that correcting this error does not change any of the weighted-average margins from the *Final Results*. For a detailed discussion of this ministerial error, as well as the Department’s analysis of the allegations of ministerial errors, see the Ministerial Error Memorandum.

Disclosure

We will disclose the calculations performed for these amended final results within five days of the date of publication of this notice to interested parties in accordance with 19 CFR 351.224(b).

Amended Final Results of the Review

The weighted-average dumping margins for the period of review are as follows:

| Exporter | Weighted average margin (percent) |
|---|-----------------------------------|
| (1) The Stanley Works (Langfang) Fastening Systems Co., Ltd. and Stanley Black & Decker, Inc./Stanley Fastening Systems, LP | 3.80 |
| (2) Tianjin Jinghai County Hongli Industry & Business Co | 47.76 |
| (3) Tianjin Jinchi Metal Products Co., Ltd | 78.27 |
| (4) Dezhou Hualude Hardware Products Co., Ltd | 19.30 |
| (5) Hengshui Mingyao Hardware & Mesh Products Co., Ltd | 19.30 |
| (6) Huanghua Jinhai Hardware Products Co., Ltd | 19.30 |
| (7) Huanghua Xionghua Hardware Products Co., Ltd | 19.30 |
| (8) Koram Panagene Co., Ltd | 19.30 |
| (9) Qingdao D & L Group Ltd.Co., Ltd | 19.30 |
| (10) Romp (Tianjin) Hardware Co., Ltd | 19.30 |
| (11) Shandong Dinglong Import & Export Co., Ltd | 19.30 |

⁵ See Memorandum to Gary Taverman, from James C. Doyle, regarding “Second Antidumping Duty Administrative Review of Certain Steel Nails

from the People’s Republic of China: Ministerial Error Allegations Memorandum,” dated

concurrently with this notice (“Ministerial Error Memorandum”).

| Exporter | Weighted average margin (percent) |
|--|-----------------------------------|
| (12) Shanghai Curvet Hardware Products Co., Ltd | 19.30 |
| (13) Shanghai Jade Shuttle Hardware Tools Co., Ltd | 19.30 |
| (14) Shanghai Yueda Nails Industry Co., Ltd | 19.30 |
| (15) Shanxi Tianli Industries Co., Ltd | 19.30 |
| (16) Tianjin Lianda Group Co., Ltd | 19.30 |
| (17) Tianjin Universal Machinery Imp & Exp Corporation | 19.30 |
| (18) Tianjin Zhonglian Metals Ware Co., Ltd | 19.30 |
| (19) PRC-wide Entity | 118.04 |

Those companies not eligible for a separate rate will be considered part of the PRC-wide entity.⁶

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department will determine, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries of subject merchandise in accordance with the amended final results of this review. For assessment purposes, we calculated importer (or customer)-specific assessment rates for merchandise subject to this review. Where appropriate, we calculated an *ad valorem* rate for each importer (or customer) by dividing the total dumping margins for reviewed sales to that party by the total entered values associated with those transactions. For duty-assessment rates calculated on this basis, we will direct CBP to assess the resulting *ad valorem* rate against the entered customs values for the subject merchandise. Where appropriate, we calculated a per-unit rate for each importer (or customer) by dividing the total dumping margins for reviewed

sales to that party by the total sales quantity associated with those transactions. For duty-assessment rates calculated on this basis, we will direct CBP to assess the resulting per-unit rate against the entered quantity of the subject merchandise. Where an importer (or customer)-specific assessment rate is *de minimis* (*i.e.*, less than 0.50 percent), the Department will instruct CBP to assess that importer (or customer’s) entries of subject merchandise without regard to antidumping duties, in accordance with 19 CFR 351.106(c)(2). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these amended final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the amended final results of this administrative 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 Stanley, Hongli, Jinchi, and the Separate Rate Applicants, the cash deposit rate will be their respective rates established in the amended final results of this review, except if the rate is zero or *de minimis* no cash deposit will be required; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 118.04 percent; and (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 exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

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 this POR. Failure to comply with this requirement could result in the Department’s presumption that reimbursement of antidumping duties has occurred and the subsequent assessment of doubled antidumping duties.

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

Dated: April 18, 2012.

Paul Piquado,
Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-943]

Oil Country Tubular Goods From the People’s Republic of China: Extension of Time for the Preliminary Results of the Antidumping Duty Administrative Review

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

DATES: *Effective Date:* April 24, 2012.

FOR FURTHER INFORMATION CONTACT: Paul Stolz or Eve Wang, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4474 or (202) 482-6231, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 28, 2011, the Department of Commerce (“the Department”)

⁶ These companies include: (1) Aironware (Shanghai) Co., Ltd.; (2) Beijing Daruixing Global Trading Co., Ltd.; (3) Beijing Daruixing Nail Products Co., Ltd.; (4) Beijing Hong Sheng Metal Products Co., Ltd.; (5) Beijing Tri-Metal Co., Ltd.; (6) China Silk Trading & Logistics Co., Ltd.; (7) Chongqing Hybest Tools Group Co., Ltd.; (8) Faithful Engineering Products Co., Ltd.; (9) Handuk Industrial Co., Ltd.; (10) Hong Kong Yu Xi Co., Ltd.; (11) Huanghua Huarong Hardware Products Co., Ltd.; (12) Jinding Metal Products Ltd.; (13) Kyung Dong Corp.; (14) Nanjing Dayu Pneumatic Gun Nails Co., Ltd.; (15) Rizhao Handuck Fasteners Co., Ltd.; (16) Senco-Xingya Metal Products(Taicang) Co., Ltd.; (17) Shandong Minmetals Co., Ltd.; (18) Shanghai Chengkai Hardware Product Co., Ltd.; (19) Shanghai Seti Enterprise International Co., Ltd.; (20) Shanxi Tianli Enterprise Co., Ltd.; (21) Shouguang Meiqing Nail Industry Co., Ltd.; (22) Sinochem Tianjin Imp & Exp Shenzhen Corp.; (23) Superior International Australia Pty Ltd.; (24) Suzhou Xingya Nail Co., Ltd.; (25) Tianjin Jurun Metal Products Co., Ltd.; (26) Wintime Import & Export Corporation Limited of Zhongshan; (27) Wuxi Qiangye Metalwork Production Co., Ltd.; (28) Xuzhou CIP International Group Co., Ltd.; (29) Yitian Nanjing Hardware Co., Ltd.; and (30) Zhongshan Junlong Nail Manufactures Co., Ltd.