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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-900]

Diamond Sawblades and Parts Thereof from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2016-2017

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

SUMMARY: The Department of Commerce (Commerce) preliminarily finds that certain companies covered by this administrative review made sales of subject merchandise at less than normal value.

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

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun or Joshua Poole, 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 and (202) 482-1293, respectively.

SUPPLEMENTARY INFORMATION:

Background

Commerce is conducting an administrative review of the antidumping duty order on diamond sawblades and parts thereof (diamond sawblades) from the People's Republic of China (China). The period of review (POR) is November 1, 2016, through October 31, 2017.

Commerce has preliminarily determined that certain companies covered by this review made sales of subject merchandise at less than normal value. Interested parties are invited to comment on these preliminary results.

Scope of the Order

The merchandise subject to the order is diamond sawblades and parts thereof. The diamond sawblades subject to the order are currently classifiable under subheadings 8202 to 8206 of the Harmonized Tariff Schedule of the United States (HTSUS), and may also enter under 6804.21.00. While the HTSUS subheadings are provided for convenience and customs purposes, the written description is dispositive. A full description of the scope of the order is contained in the Preliminary Decision Memorandum.¹

Preliminary Determination of No Shipments

Six companies that received a separate rate in previous segments of the proceeding and are subject to this review reported that they did not have any exports of subject merchandise during the POR.² We requested that U.S. Customs and Border Protection (CBP) report any contrary information.³ To date, we have not received any contrary information from either CBP in response to our inquiry or any other sources that these companies had any shipments of the subject merchandise sold to the United States during the POR.⁴ Further, consistent with our practice, we find that it is not appropriate to rescind the review with respect to these companies but, rather, to complete the review and issue appropriate instructions to CBP based on the final results of review.⁵

¹ See the Memorandum, “Diamond Sawblades and Parts Thereof from the People’s Republic of China: Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review; 2016-2017,” dated concurrently with and hereby adopted by this notice (Preliminary Decision Memorandum).

² See the February 9, 2018, no-shipment letter from Weihai Xiangguang Mechanical Industrial Co., Ltd., and the February 12, 2018, no-shipment letters from Danyang Hantronic Import & Export Co., Ltd., Danyang Tsunda Diamond Tools Co., Ltd., Jiangsu Huachang Tools Manufacturing Co., Ltd., Shanghai Starcraft Tools Company Limited, and Wuhan Wanbang Laser Diamond Tools Co., Ltd.

³ See the CBP message numbers 8129311-8129313 dated May 9, 2018, and 8130301-8130303 dated May 10, 2018, available at <http://adcvd.cbp.dhs.gov/adcvdweb/>.

⁴ See Preliminary Decision Memorandum at 3-4 for a detailed discussion.

⁵ See, e.g., *Wooden Bedroom Furniture from the People’s Republic of China: Final Results and Final Rescission, In Part, of Administrative Review and Final Results of New Shipper Review; 2013*, 80 FR 34619 (June 17, 2015).

Separate Rates

Commerce preliminarily determines that 14 respondents are eligible to receive separate rates in this review.⁶

Separate Rates for Eligible Non-Selected Respondents

Because we denied the separate rate eligibility for the two respondents selected for individual examination, Danyang Huachang Diamond Tools Manufacturing Co., Ltd. (Danyang Huachang) and Jiangsu Youhe Tool Manufacturer Co., Ltd. (Jiangsu Youhe), and treated them as part of the China-wide entity, we preliminarily applied to non-selected respondents the separate rate assigned to eligible respondents in the last completed administrative review, which is 82.05 percent.⁷

China-Wide Entity

Under Commerce's current policy regarding the conditional review of the China-wide entity,⁸ the China-wide entity will not be under review unless a party specifically requests, or Commerce self-initiates, a review of the entity. Because no party requested a review of the China-wide entity in this review, the entity is not under review and the entity's rate is not subject to change (*i.e.*, 82.05 percent).⁹ Aside from the no-shipments and separate rate companies discussed above, Commerce considers all other companies for which a review was requested (which did not file a separate rate application) to be part of the China-wide entity.¹⁰

⁶ See Preliminary Decision Memorandum at 4-8, for more details.

⁷ *Id.* at 8.

⁸ See *Antidumping Proceedings: Announcement of Change in Department Practice for Respondent Selection in Antidumping Duty Proceedings and Conditional Review of the Nonmarket Economy Entity in NME Antidumping Duty Proceedings*, 78 FR 65963 (November 4, 2013).

⁹ See, e.g., *Diamond Sawblades and Parts Thereof from the People's Republic of China; Final Results of Antidumping Duty Administrative Review; 2012–2013*, 80 FR 32344, 32345 (June 8, 2015).

¹⁰ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 83 FR 1329, 1331-32 (January 11, 2018) ("All firms listed below that wish to qualify for separate rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate rate application or certification, as described

Methodology

Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). For Danyang Huachang and Jiangsu Youhe, we denied the separate rate eligibility and treated them as part of the China-wide entity.

For a full description of the methodology underlying our conclusions, *see* the Preliminary Decision Memorandum. The Preliminary Decision Memorandum 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 <http://access.trade.gov> and to all parties in the Central Records Unit, room B8024 of the main Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://enforcement.trade.gov/frn/index.html>.

Preliminary Results of Review

Commerce preliminarily determines that the following weighted-average dumping margins exist:

<u>Exporter</u>	<u>Margin (percent)</u>
Chengdu Huifeng New Material Technology Co., Ltd.	82.05
Danyang Weiwang Tools Manufacturing Co., Ltd.	82.05
Guilin Tebon Superhard Material Co., Ltd.	82.05

below.”). Companies that are subject to this administrative review that are considered to be part of the China-wide entity are ASHINE Diamond Tools Co., Ltd., Danyang City Ou Di Ma Tools Co., Ltd., Danyang Like Tools Manufacturing Co., Ltd., Danyang Youhe Tool Manufacturer Co., Ltd., Hangzhou Kingburg Import & Export Co., Ltd., Hebei XMF Tools Group Co., Ltd., Henan Huanghe Whirlwind Co., Ltd., Hong Kong Hao Xin International Group Limited, Hubei Changjiang Precision Engineering Materials Technology Co., Ltd., Hubei ShengBaiRui Diamond Tools Co., Ltd., Orient Gain International Limited, Pantos Logistics (HK) Company Limited, Pujiang Talent Diamond Tools Co., Ltd., Qingdao Hyosung Diamond Tools Co., Ltd., Qingdao Shinhan Diamond Industrial Co., Ltd., Sino Tools Co., Ltd., Wuhan Baiyi Diamond Tools Co., Ltd., Wuhan Sadia Trading Co., Ltd., and Wuhan ZhaoHua Technology Co., Ltd. *See* Preliminary Decision Memorandum at 8-9. In addition, Danyang Huachang, Jiangsu Youhe, and Qingyuan Shangtai Diamond Tools Co., Ltd., are preliminarily treated as part of the China-wide entity. *Id.* at 6, 9.

Hangzhou Deer King Industrial and Trading Co., Ltd.	82.05
Henan Huanghe Whirlwind International Co., Ltd.	82.05
Huzhou Gu's Import & Export Co., Ltd.	82.05
Jiangsu Fengtai Single Entity	82.05
Jiangsu Inter-China Group Corporation	82.05
Quanzhou Zhongzhi Diamond Tool Co., Ltd.	82.05
Rizhao Hein Saw Co., Ltd.	82.05
Saint-Gobain Abrasives (Shanghai) Co., Ltd.	82.05
Shanghai Jingquan Industrial Trade Co., Ltd.	82.05
Xiamen ZL Diamond Technology Co., Ltd.	82.05
Zhejiang Wanli Tools Group Co., Ltd.	82.05

Disclosure

Normally, Commerce discloses to interested parties the calculations performed in connection with a preliminary results of review within five days after public announcement of the preliminary results of review in accordance with 19 CFR 351.224(b). Because Commerce preliminarily denied the separate rate eligibility for the two respondents selected for individual examination and treated them as part of the China-wide entity, there are no calculations to disclose.

Public Comment

Pursuant to 19 CFR 351.309(c), interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review.¹¹ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1)

¹¹ See 19 CFR 351.309(c).

a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹² Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than five days after the cases briefs are filed.¹³

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, filed electronically using ACCESS. An electronically filed document must be received successfully in its entirety by Commerce's ACCESS by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice.¹⁴ Hearing requests should contain (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. Unless extended, Commerce intends to issue the final results of this review, including the results of its analysis of issues raised by parties in their comments, within 120 days after the publication of these preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1).

Assessment Rates

Upon issuing the final results of review, Commerce will determine, and CBP shall assess, antidumping duties on all appropriate entries covered by this review.¹⁵ If the preliminary results are unchanged for the final results, we will instruct CBP to apply an ad valorem assessment rate of 82.05 percent to all entries of subject merchandise during the POR which were exported by the non-selected respondents eligible for a separate rate. If Commerce determines that an exporter under review had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (*i.e.*, at that exporter's rate) will be liquidated at the

¹² See 19 CFR 351.309(c)(2).

¹³ See 19 CFR 351.309(d).

¹⁴ See 19 CFR 351.310(c).

China-wide rate.¹⁵ Commerce intends to issue appropriate assessment instructions directly to CBP 15 days after publication of the final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from China 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 subject merchandise exported by the companies listed above that have separate rates, the cash deposit rate will be that established in the final results of review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed Chinese and non-Chinese exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all Chinese exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the China-wide entity; and (4) for all non-Chinese exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the Chinese exporter that supplied that non-Chinese exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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

¹⁵ See 19 CFR 351.212(b)(1).

¹⁶ See *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694, 65695 (October 24, 2011).

could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.213.

Dated: August 6, 2018.

James Maeder,
Associate Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations
performing the duties of Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

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