

Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-4037 or (202) 482-4406, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 2014, the Department published in the **Federal Register** the preliminary determination in the LTFV investigation of nails from Korea.¹ In the *Preliminary Determination*, we postponed the final determination until no later than 135 days after the date of publication of the *Preliminary Determination* in accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii) and invited parties to comment on our *Preliminary Determination*.

The following events have occurred since the *Preliminary Determination*. Between January 6, 2015, and February 13, 2015, the Department conducted sales and cost verifications of both respondents, Jinheung Steel Corporation (“Jinheung Steel”) and Daejin Steel (“Daejin”), as well as the sales verification of Jinheung Steel’s affiliate, Illinois Tool Works Inc. (“ITW”). On January 28, 2015, Jinheung Steel requested a hearing. On March 27, 2015, Jinheung Steel, Daejin, ITW, and Mid Continent Steel & Wire, Inc. (“Petitioner”) submitted case briefs. On April 2, 2015, Daejin and Petitioner submitted rebuttal case briefs. On April 8, 2015, Jinheung Steel withdrew its hearing request. No hearing was held in this investigation.

Period of Investigation

The period of investigation (“POI”) is April 1, 2013, through March 31, 2014.

Scope of the Investigation

The product covered by this investigation is certain steel nails from Malaysia. For a full description of the scope of the investigation, *see* Appendix I to this notice.

Since the *Preliminary Determination*, several interested parties (*i.e.*, IKEA Supply AG, The Home Depot, Target Corporation, and Petitioner) commented on the scope of these investigations. The Department reviewed these comments and made certain changes. For further discussion, *see* the Issues and Decision

¹ *See Certain Steel Nails From the Republic of Korea: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 79 FR 78051 (December 29, 2014) (*Preliminary Determination*).

DEPARTMENT OF COMMERCE

International Trade Administration

[A-580-874]

Certain Steel Nails From the Republic of Korea: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“the Department”) determines that imports of certain steel nails (“nails”) from the Republic of Korea (“Korea”) are being sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (the “Act”). The final weighted-average dumping margins of sales at LTFV are listed below in the section entitled “Final Determination Margins.”

DATES: *Effective Date:* May 20, 2015.

FOR FURTHER INFORMATION CONTACT:

Krishna Hill or Drew Jackson, AD/CVD Operations, Office IV, Enforcement and

Memorandum.² The scope in Appendix I reflects all modifications to the scope made by the Department for this final determination.

Verification

As provided in section 782(i) of the Act and 19 CFR 351.307(b)(1)(i), from January 2015 through February 2015, we verified the sales and cost information submitted by Jinheung Steel and Daejin, as well as sales information submitted by ITW, for use in our final determination. We used standard verification procedures including an examination of relevant accounting and production records, and original source documents provided by Jinheung Steel, Daejin, and ITW.³

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum accompanying this notice, and which is hereby adopted by this notice.⁴ A list of the issues raised and to which the

² See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Howard Smith, Acting Office Director, Enforcement and Compliance, Office IV, regarding "Certain Steel Nails From the Republic of Korea: Issues and Decision Memorandum for the Final Determination of Sales at Less Than Fair Value" (Issues and Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

³ See Memorandum to the File from Robert Bolling and Drew Jackson, AD/CVD Operations, Office IV, through Charles Riggle, Senior International Trade Compliance Analyst, AD/CVD Operations, Office IV, regarding "Verification of the Sales Questionnaire Responses of Illinois Tool Works: Antidumping Duty Investigation of Certain Steel Nails from Korea" (March 10, 2015); see also Memorandum to the File from Drew Jackson and Krishna Hill, AD/CVD Operations, Office IV, through Robert Bolling, Program Manager, AD/CVD Operations, Office IV, regarding "Verification of the Sales Questionnaire Responses of Daejin Steel: Antidumping Duty Investigation of Certain Steel Nails from the Republic of Korea" (March 11, 2015); see also Memorandum to the File from Ji Young Oh and Kristin Case, Senior Accountants, through Taija Slaughter, Lead Accountant, and Neal M. Halper, Office Director, regarding "Verification of the Cost Response of Daejin Steel Company in the Antidumping Duty Investigation of Certain Steel Nails from Korea" (March 12, 2015); see also Memorandum to the File from Ji Young Oh and Kristin Case, Senior Accountants, through Taija Slaughter, Lead Accountant, and Neal M. Halper, Office Director, regarding "Verification of the Cost Response of Jinheung Steel Corporation in the Antidumping Duty Investigation of Certain Steel Nails from the Republic of Korea" (March 12, 2015); see also Memorandum to the File from Drew Jackson and Krishna Hill, AD/CVD Operations, Office IV, through Robert Bolling, Program Manager, AD/CVD Operations, Office IV, regarding "Verification of the Sales Questionnaire Responses of Jinheung Steel Corporation: Antidumping Duty Investigation of Certain Steel Nails from the Republic of Korea" (March 19, 2015).

⁴ See Issues and Decision Memorandum.

Department responded is attached to this notice as Appendix II. The Issues and 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>. The memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes to the Margin Calculations Since the Preliminary Determination

Based on a review of the record and comments received from interested parties regarding our *Preliminary Determination*, we made the following changes to the margin calculations for Jinheung Steel and Daejin:

For Daejin:

- We used an updated sales database submitted by Daejin which reflects minor corrections and findings from the sales verification.⁵
- We adjusted U.S. price for domestic brokerage and handling charges incurred in U.S. dollars ("DBROK2U").⁶
- We used Jinheung Steel's business proprietary home market financial information as the data source to calculate Daejin's CV profit and selling expense.⁷
- We corrected the programming error related to the calculation of total cost of manufacturing ("TOTCOM") for certain control numbers ("CONNUMs").⁸

For Jinheung Steel:

⁵ See Letter from Daejin to the Department, regarding "Certain Steel Nails from Korea; Submission of Daejin Steel Company's Revised U.S. Sales Database," dated March 26, 2015.

⁶ See Issues and Decision Memorandum at comment 1; see also Memorandum from Krishna Hill, International Trade Compliance Analyst, to Robert Bolling, Program Manager, regarding "Analysis Memorandum for the Final Determination of the Antidumping Duty Investigation of Certain Steel Nails from the Republic of Korea: Daejin Steel," dated May 13, 2015.

⁷ See Issues and Decision Memorandum at comment 4; see also Memorandum from Ji Young Oh, Senior Accountant, to Neal M. Halper, Director, Office of Accounting, regarding "Cost of Production and Constructed Value Calculation Adjustments for the Final Determination—Daejin Steel," dated May 13, 2015 ("Daejin Steel Cost Calculation Memorandum").

⁸ See Issues and Decision Memorandum at comment 3; see also Daejin Steel Cost Calculation Memorandum.

- We assigned a single manufacturer code to all home-market and U.S. sales based on our determination to treat Jinheung Steel, Duo-Fast Korea Co. Ltd. ("DFK"), and Jinsco International Corporation ("Jinsco") as a single entity.⁹

- We used updated sales and cost databases submitted by Jinheung Steel and ITW, which reflect minor corrections presented during the verification of these companies.¹⁰
- We revised certain reported product characteristics to reflect changes found during verification of ITW's response.¹¹
- We disallowed Jinheung Steel's duty drawback offset.¹²
- We adjusted Jinheung Steel's reported scrap offset.¹³
- We recalculated Jinheung Steel's general and administrative and financial expenses so that they reflect our adjustment to Jinheung Steel's reported scrap offset.¹⁴
- We reversed an adjustment to Jinheung Steel's reported costs involving work in process that we made at the *Preliminary Determination*.¹⁵

Final Determination Margins

The Department determines that the following weighted-average dumping margins exist for the period April 1, 2013, through March 31, 2014:

⁹ See Issues and Decision Memorandum at comment 5; see also Memorandum to the File from Drew Jackson, International Trade Analyst, AD/CVD Operations Office IV through Robert Bolling, Program Manager, AD/CVD Operations Office IV, regarding "Analysis Memorandum for the Final Determination of the Antidumping Duty Investigation of Certain Steel Nails from the Republic of Korea: Jinheung Steel Corporation and Affiliates" dated May 13, 2015 ("Jinheung Steel Analysis Memorandum").

¹⁰ See Letter from Jinheung Steel to the Department, regarding "Antidumping Investigation of Certain Steel Nails from Korea—Response of Jinheung Steel Corporation, Jinsco International Corporation, and Duo-Fast Korea Co., Ltd. to March 4 Request for Revised Cost Data Files," dated March 9, 2015; see also Letter from Jinheung Steel to the Department, regarding "Antidumping Investigation of Certain Steel Nails from Korea—Response of Jinheung Steel Corporation, Jinsco International Corporation, and Duo-Fast Korea Co., Ltd. to March 20 Request for Revised Sales Data Files," dated March 23, 2015; see also Letter from ITW to the Department, regarding "Certain Steel Nails from Korea: Revised U.S. Sales Databases of Illinois Tool Works Inc.," dated March 23, 2015.

¹¹ See Jinheung Steel Analysis Memorandum.

¹² See Jinheung Steel Analysis Memorandum.

¹³ See Issues and Decision Memorandum at comment 8; see also Jinheung Steel Analysis Memorandum; see also Memorandum to the File regarding "Cost of Production and Constructed Value Calculation Adjustments for the Final Determination—Jinheung Steel Corporation," dated May 13, 2015 ("Jinheung Steel Cost Calculation Memorandum").

¹⁴ See Jinheung Steel Analysis Memo; see also Jinheung Steel Cost Calculation Memorandum.

¹⁵ See Issues and Decision Memorandum at comment 9; see also Jinheung Steel Analysis Memo and Jinheung Steel Cost Calculation Memorandum.

Exporter or producer	Weighted-average dumping margin (percent)
Daejin Steel	11.80
Jinheung Steel Corporation	0.00
Duo-Fast Korea Co., Ltd	
Jinsco International Corporation	
All Others	11.80

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated “All Others” rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. The weighted-average margin for exporters and producers individually investigated that meets these criteria is that of Daejin. Therefore, the All-Others rate is the rate calculated for Daejin, as indicated in the “Final Determination Margins” section above.

Disclosure

We will disclose to parties in this proceeding the calculations performed for this final determination within five days of the date of public announcement of our final determination, in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

Pursuant to section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all of entries of certain steel nails from Korea, except as noted below, which were entered, or withdrawn from warehouse, for consumption on or after December 29, 2014, the date of publication of the *Preliminary Determination*. For the Jinheung Steel Single Entity, which includes Jinheung Steel, Duo-Fast Korea Co., Ltd., and Jinsco International Corporation, because this entity’s estimated weighted-average final dumping margin is zero, we are directing CBP to terminate suspension of liquidation of entries of certain steel nails produced and exported by this entity.

Pursuant to CFR 351.210(d), we will instruct CBP to require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The rate for Daejin will be the rate we determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the

rate will be the rate established for the producer of the subject merchandise; and (3) the rate for all other producers or exporters will be 11.80 percent. These suspension of liquidation instructions will remain in effect until further notice.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we notified the U.S. International Trade Commission (“ITC”) of our final determination. As our final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine within 45 days whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on appropriate imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice will serve as a 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 the 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.

Notification to Interested Parties

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: May 13, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation is certain steel nails having a nominal shaft length not exceeding 12 inches.¹⁶ Certain steel nails include, but are

¹⁶ The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

not limited to, nails made from round wire and nails that are cut from flat-rolled steel. 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 may have any type of surface finish, head type, shank, point type and shaft diameter. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, including but not limited to electroplating or hot dipping one or more times), phosphate, cement, and paint. Certain steel nails may have one or more surface finishes. 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. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the nail using a tool that engages with the head. Point styles include, but are not limited to, diamond, needle, chisel and blunt or no point. Certain steel nails may be sold in bulk, or they may be collated in any manner using any material.

Excluded from the scope of this investigation are certain steel nails packaged in combination with one or more non-subject articles, if the total number of nails of all types, in aggregate regardless of size, is less than 25. If packaged in combination with one or more non-subject articles, certain steel nails remain subject merchandise if the total number of nails of all types, in aggregate regardless of size, is equal to or greater than 25, unless otherwise excluded based on the other exclusions below.

Also excluded from the scope are certain steel nails with a nominal shaft length of one inch or less that are (a) a component of an unassembled article, (b) the total number of nails is sixty (60) or less, and (c) the imported unassembled article falls into one of the following eight groupings: 1) builders’ joinery and carpentry of wood that are classifiable as windows, French-windows and their frames; 2) builders’ joinery and carpentry of wood that are classifiable as doors and their frames and thresholds; 3) swivel seats with variable height adjustment; 4) seats that are convertible into beds (with the exception of those classifiable as garden seats or camping equipment); 5) seats of cane, osier, bamboo or similar materials; 6) other seats with wooden frames (with the exception of seats of a kind used for aircraft or motor vehicles); 7) furniture (other than seats) of wood (with the exception of i) medical, surgical, dental or veterinary furniture; and ii) barbers’ chairs and similar chairs, having rotating as well as both reclining and elevating movements); or 8) furniture (other than seats) of materials other than wood, metal, or plastics (e.g., furniture of cane, osier, bamboo or similar materials). The aforementioned imported unassembled articles are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4418.10, 4418.20, 9401.30, 9401.40, 9401.51, 9401.59, 9401.61, 9401.69, 9403.30, 9403.40, 9403.50, 9403.60, 9403.81 or 9403.89.

Also excluded from the scope of this investigation are steel nails that meet the specifications of Type I, Style 20 nails as

identified in Tables 29 through 33 of ASTM Standard F1667 (2013 revision).

Also excluded from the scope of this investigation are nails suitable for use in powder-actuated hand tools, whether or not threaded, which are currently classified under HTSUS subheadings 7317.00.20.00 and 7317.00.30.00.

Also excluded from the scope of this investigation are nails having a case hardness greater than or equal to 50 on the Rockwell Hardness C scale (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.

Also excluded from the scope of this investigation are corrugated nails. A corrugated nail is made up of a small strip of corrugated steel with sharp points on one side.

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

Certain steel nails subject to this investigation are currently classified under HTSUS subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07, 7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60, 7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00. Certain steel nails subject to this investigation also may be classified under HTSUS subheading 8206.00.00.00 or other HTSUS subheadings.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Scope Comments
- V. Discussion of the Issues

Issues Pertaining to Daejin:

- Comment 1: Domestic Brokerage and Handling Charges Incurred in U.S. Dollars
- Comment 2: Daejin's Audited Financial Statements
- Comment 3: TOTCOM Calculation Error for Certain CONNUMs
- Comment 4: Constructed Value ("CV") Profit for Daejin

Issues Pertaining to Jinheung Steel:

- Comment 5: Cash Deposit Rate for Affiliated Companies
- Comment 6: Product Comparison Methodology
- Comment 7: Differential Pricing Analysis
- Comment 8: Steel Scrap Offset
- Comment 9: Change in Work-In-Process and Semi-Finished Goods Inventories

- VI. Recommendation

[FR Doc. 2015-12257 Filed 5-19-15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-583-854]

**Certain Steel Nails From Taiwan: Final
Determination of Sales at Less Than
Fair Value**

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

SUMMARY: The Department of Commerce
(the Department) determines that
imports of certain steel nails from
Taiwan are being sold in the United
States at less than fair value (LTFV), as
provided in section 735 of the Tariff Act

of 1930, as amended (the Act). The final weighted-average dumping margins of sales at LTFV are listed below in the section entitled "Final Determination Margins."

DATES: *Effective Date:* May 20, 2015.

FOR FURTHER INFORMATION CONTACT: Victoria Cho or Scott Hoefke, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-5075 or (202) 482-4947.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 2014, the Department published in the **Federal Register** the preliminary determination in the LTFV investigation of Certain Steel Nails from Taiwan.¹ In the *Preliminary Determination*, we postponed the final determination until no later than 135 days after the publication of the *Preliminary Determination* in accordance with section 735(a)(2)(B) of the Act and 19 CFR 351.210(b)(2)(i) and invited parties to comment on our *Preliminary Determination*.

On the same day, we received timely-filed allegations from Respondents² that the Department made ministerial errors in calculating their dumping margins in this proceeding.³ Also on December 29, 2014, we received allegations from Petitioner⁴ that the Department made significant ministerial errors in calculating the dumping margins for the *Preliminary Determination*.⁵ In addition, Petitioner requested a disclosure meeting.⁶ Subsequently, Respondents also requested to attend

the disclosure meeting.⁷ On January 7, 2015, the Department held disclosure meetings with both parties.⁸

Between January 26, 2015, and February 6, 2015, the Department conducted verifications in Taiwan of the sales and cost information submitted by Quick Advance, Ko, PT and Proteam. In accordance with 19 CFR 351.309(c)(1)(i), we invited parties to comment on our *Preliminary Determination*. On March 30, 2015, the Department released its Ministerial Error Allegation Memo.⁹ On March 31, 2015, Petitioner and Respondents submitted case briefs. Each of these parties submitted rebuttal briefs on April 9, 2015.

Period of Investigation

The period of investigation is April 1, 2013, through March 31, 2014.

Scope of the Investigation

The product covered by this investigation is certain steel nails from Taiwan. For a full description of the scope of the investigation, see Appendix I to this notice.

Since the *Preliminary Determination*, several interested parties (*i.e.*, IKEA Supply AG, The Home Depot, Target Corporation, and Petitioner) commented on the scope of these investigations. The Department reviewed these comments and made certain changes. For further discussion, see the Issues and Decision Memorandum.¹⁰ The scope in Appendix I reflects all modifications to the scope made by the Department for this final determination.

Verification

As provided in section 782(i) of the Act, in January 2015 through February 2015, we conducted verification of the sales and cost information submitted by PT Enterprises, Inc. (PT) and its

affiliated producer Pro-Team Coil Nail Enterprise, Inc. (Proteam), and Quick Advance, Inc. (Quick Advance) and its affiliated producer Ko's Nail, Inc. (Ko) for use in our final determination. We used standard verification procedures including an examination of relevant accounting and production records, and original source documents provided by PT and its affiliate, Proteam, and Quick Advance and its affiliate, Ko.¹¹

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice as Appendix II. The Issues and 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>; the memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Determination

Based on our review and analysis of the comments received from parties, and minor corrections presented at verification, we made certain changes to Respondents' margin calculations since the *Preliminary Determination*. As a result of those changes, the Department is no longer making a negative determination of sales at less than fair value. For a discussion of these changes,

¹ See *Certain Steel Nails From Taiwan: Negative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 79 FR 78053, 78054 (December 29, 2014) (*Preliminary Determination*).

² The mandatory respondents are PT Enterprise, Inc. (PT) and its affiliated manufacturer, Pro-Team Coil Nail Enterprise, Inc. (Proteam); and Quick Advance, Inc. (Quick Advance) and its affiliated manufacturer, Ko's Nail, Inc. (Ko) (collectively, Respondents).

³ See Letter from Respondents, regarding "PT Enterprise and Quick Advance, Request to Correct Clerical Errors in Preliminary Determination; Antidumping Duty Investigation of Certain Steel Nails from Taiwan," dated December 29, 2014 (Respondents Allegations Letter).

⁴ The petitioner is Mid Continent Steel & Wire, Inc. (Petitioner).

⁵ See Letter from Petitioner, regarding "Certain Steel Nails from Taiwan: Allegations of Significant Ministerial Error and Request for Disclosure Meeting," dated December 29, 2014 (Petitioner Allegations Letter).

⁶ *Id.*

⁷ See Letter from Respondents, regarding "PT Enterprise and Quick Advance, Request to Attend Disclosure Meeting; Antidumping Duty Investigation of Certain Steel Nails from Taiwan," dated January 6, 2014.

⁸ See Memoranda to the file from Scott Hoefke, "Certain Steel Nails from Taiwan," regarding ex parte disclosure meetings with Petitioner and Respondents, dated January 8, 2014.

⁹ See the Department's March 20, 2015, Memorandum to Christian Marsh entitled, "Ministerial Error Allegations in the Preliminary Determination of the Antidumping Duty Investigation of Certain Steel Nails from Taiwan," (Ministerial Error Allegation Memo).

¹⁰ See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Abdelali Elouaradia, Office Director, Office VI, Enforcement and Compliance Operations, "Issues and Decision Memorandum for the Affirmative Final Determination in the Less than Fair Value Investigation of Certain Nails from Taiwan," dated concurrently with this determination and hereby adopted by this notice.

¹¹ See Quick Advance's February 26, 2015, Memorandum to the File entitled, "Verification of the Sales Response of Quick Advance, Inc. and Ko's Nail, Inc. in the Investigation of Nails from Taiwan" (Quick Advance's sales verification memo); PT's February 26, 2015, Memorandum to the File entitled, "Verification of the Sales Response of PT Enterprises, Inc. and Proteam Coil Nail Enterprises, Inc. in the Investigation of Nails from Taiwan" (PT's sales verification memo); Memorandum from Gina K. Lee to Neal M. Halper entitled, "Verification of the Cost Response of Quick Advance Inc. and Ko Nail Inc. in the Antidumping Duty Investigation of Certain Steel Nails from Taiwan, dated March 18, 2015 (Ko's Cost Verification Report); and also see Memorandum from Laurens Van Houten to Neal M. Halper entitled, "Verification of the Cost Response of PT Enterprise Inc. in the Antidumping Duty Investigation of Certain Steel Nails from Taiwan," dated March 19, 2015 (PT's Cost Verification Report).

see the Issues and Decision Memorandum.

For Quick Advance:

- We used an updated sales and cost database submitted by Quick Advance which reflects minor corrections and findings from the sales and cost verifications.

- We revised the programing language to reflect the changes to constructed value (CV).

- We revised the calculation of CV.

- We added in lines of code to take into account quantity adjustments.

- We added credit expenses and inventory carrying cost incurred in Taiwan to account for expenses reported in Taiwanese dollars.

- We made changes to Quick Advance's reported cost data as set forth in the Quick Advance's Final Cost Memo.

For PT:

- We used updated sale database by PT which reflect minor corrections presented during the verification of these companies.

- We revised the programing language to reflect the changes to CV.

- We revised the calculation of CV.

- We added in lines of code to take into account quantity adjustments.

- We made changes to PT's reported cost data as set forth in the PT's Final Cost Memo.

Final Determination

The Department determines that the following weighted-average dumping margins exist for the period April 1, 2013, through March 31, 2014:

Exporter or producer	Weighted-average dumping margin (percent)
Quick Advance Inc	0.00
PT Enterprises Inc	2.24
All Others	2.24

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated "all others" rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. The weighted-average margin for exporters and producers individually investigated that meets these criteria is that of PT. Therefore, the All-Others rate is the rate calculated for PT, as indicated in the "Final Determination Margins" section above.

Disclosure

We will disclose to parties in this proceeding the calculations performed for this final determination within five days of the date of public announcement of our final determination, in accordance with 19 CFR 351.224(b).

Suspension of Liquidation

Pursuant to sections 735(c)(1)(B) and (C) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of certain steel nails from Taiwan, except for those from Quick Advance, which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final determination. For Quick Advance and Ko, because their estimated weighted-average final dumping margins are zero, we are not directing CBP to suspend liquidation of entries of nails produced and exported by these companies. We will not instruct CBP to suspend liquidation of any entries of certain steel nails from as described in the "Scope of the Investigation" in Appendix I which are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice. We will instruct CBP to require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The rate for PT will be the rate we determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 2.24 percent. These suspension of liquidation instructions will remain in effect until further notice.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of our final determination. As our final determination is affirmative, in accordance with section 735(b)(3) of the Act, the ITC will determine within 75 days whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the

subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice will serve as a 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 the 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.

Notification to Interested Parties

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i) of the Act.

Dated: May 13, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is certain steel nails having a nominal shaft length not exceeding 12 inches.¹² Certain steel nails include, but are not limited to, nails made from round wire and nails that are cut from flat-rolled steel. 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 may have any type of surface finish, head type, shank, point type and shaft diameter. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, including but not limited to electroplating or hot dipping one or more times), phosphate, cement, and paint. Certain steel nails may have one or more surface finishes. 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. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the nail using a tool that engages with the head. Point styles include, but are not limited to, diamond, needle, chisel and blunt or no point. Certain steel nails may be sold in bulk, or they may be collated in any manner using any material.

Excluded from the scope of this investigation are certain steel nails packaged in combination with one or more non-subject articles, if the total number of nails of all

¹² The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

types, in aggregate regardless of size, is less than 25. If packaged in combination with one or more non-subject articles, certain steel nails remain subject merchandise if the total number of nails of all types, in aggregate regardless of size, is equal to or greater than 25, unless otherwise excluded based on the other exclusions below.

Also excluded from the scope are certain steel nails with a nominal shaft length of one inch or less that are (a) a component of an unassembled article, (b) the total number of nails is sixty (60) or less, and (c) the imported unassembled article falls into one of the following eight groupings: (1) Builders' joinery and carpentry of wood that are classifiable as windows, French-windows and their frames; (2) builders' joinery and carpentry of wood that are classifiable as doors and their frames and thresholds; (3) swivel seats with variable height adjustment; (4) seats that are convertible into beds (with the exception of those classifiable as garden seats or camping equipment); (5) seats of cane, osier, bamboo or similar materials; (6) other seats with wooden frames (with the exception of seats of a kind used for aircraft or motor vehicles); (7) furniture (other than seats) of wood (with the exception of i) medical, surgical, dental or veterinary furniture; and ii) barbers' chairs and similar chairs, having rotating as well as both reclining and elevating movements); or (8) furniture (other than seats) of materials other than wood, metal, or plastics (e.g., furniture of cane, osier, bamboo or similar materials). The aforementioned imported unassembled articles are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4418.10, 4418.20, 9401.30, 9401.40, 9401.51, 9401.59, 9401.61, 9401.69, 9403.30, 9403.40, 9403.50, 9403.60, 9403.81 or 9403.89.

Also excluded from the scope of this investigation are steel nails that meet the specifications of Type I, Style 20 nails as identified in Tables 29 through 33 of ASTM Standard F1667 (2013 revision).

Also excluded from the scope of this investigation are nails suitable for use in powder-actuated hand tools, whether or not threaded, which are currently classified under HTSUS subheadings 7317.00.20.00 and 7317.00.30.00.

Also excluded from the scope of this investigation are nails having a case hardness greater than or equal to 50 on the Rockwell Hardness C scale (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.

Also excluded from the scope of this investigation are corrugated nails. A corrugated nail is made up of a small strip of corrugated steel with sharp points on one side.

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

Certain steel nails subject to this investigation are currently classified under HTSUS subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07,

7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60, 7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00. Certain steel nails subject to this investigation also may be classified under HTSUS subheading 8206.00.00.00 or other HTSUS subheadings.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II

List of Topics Discussed in the Issues and Decision Memorandum

Case Issues:

- I. Summary
- II. General Issues
- III. Background
- IV. Scope of the Investigation
- V. Scope Comments
- VI. Discussion of the Issues
- VII. Conclusion

General Issues

- Comment 1: Taiwan Nails CV Profit and the Use of Financial Statements
- Comment 2: The Department Should Rely on the Average-to-Average Methodology without Zeroing in the Final Determination
- Comment 3: The Department Should Determine that Quick Advance and PT are Affiliated with Their Respective Largest U.S. Customers
- Comment 4: Whether a Middleman Dumping Investigation is Warranted
- Comment 5: The Department's Calculation of Constructed Value for PT and Quick Advance
- Comment 6: The Department's Calculation of Surrogate Credit Expense Ratio
- Comment 7: The Department's Calculation of Indirect and Direct Selling Expense Ratio to Categorize Chun Yu's Works & Co.'s Selling Expenses
- Comment 8: The Department's Calculation of Indirect and Direct Selling Expense Ratio to Properly Account for OFCO's Selling Expenses
- Comment 9: The Department's Treatment of PT's and Quick Advance's U.S. Prices for Commission/Compensation Paid to its Unaffiliated Taiwanese Selling Agent and Unaffiliated Taiwanese Trading Company

Issues Pertaining to PT and Proteam

- Comment 10: The Department Should Assign Partial AFA to PT's Unreported Sales of Subject Merchandise
- Comment 11: Transactions disregarded—Tolling Activities
- Comment 12: Threading Costs
- Comment 13: General and Administrative Expense

Issues Pertaining to Quick Advance and Ko

- Comment 14: The Department Should Rely on Quick Advance/Ko's Section C Database Submitted After Verification
- Comment 15: Ko's Raw Materials
- Comment 16: Ko's Phosphate Coating Costs

[FR Doc. 2015-12247 Filed 5-19-15; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-557-816]

**Certain Steel Nails From Malaysia;
Final Determination of Sales at Less
Than Fair Value**

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

SUMMARY: The Department of Commerce (the Department) determines that imports of certain steel nails from Malaysia are being sold in the United States at less than fair value (LTFV), as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The final weighted-average dumping margins of sales at LTFV are listed below in the section entitled "Final Determination Margins."

DATES: *Effective Date:* May 20, 2015.

FOR FURTHER INFORMATION CONTACT: Edythe Artman or Steve Bezirgianian, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-3931 or (202) 482-1131, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 2014, the Department published in the **Federal Register** the preliminary determination in the LTFV investigation of certain steel nails from Malaysia.¹ In the *Preliminary Determination*, we postponed the final determination until no later than 135 days after the publication of the *Preliminary Determination* in accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii) and invited parties to comment on our *Preliminary Determination*.

The following events occurred since December 17, 2014, the day on which the *Preliminary Determination* was signed. On December 29, 2014, and January 12, 2015, Region System Sdn. Bhd. and Region International Co., Ltd. (collectively Region), one of the mandatory respondents, submitted responses to additional Department requests for information. On December 31, 2014, January 2, 2015, and January

¹ See *Certain Steel Nails From Malaysia: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination and Extension of Provisional Measures*, 79 FR 78055 (December 29, 2014) (*Preliminary Determination*).

8, 2015, Inmax Sdn. Bhd. (Inmax), the other mandatory respondent, submitted responses to additional Department requests for information. On January 9, 2015, Petitioner, Mid Continent Steel & Wire, Inc., submitted factual information in rebuttal to information submitted by Inmax in its aforementioned January 2, 2015 response.

Between January 26, 2015, and February 13, 2015, the Department conducted sales and cost verifications of both respondents. See the "Verification," section below. From March 26, 2015, through April 1, 2015, Petitioner, Inmax, and Region submitted case and/or rebuttal briefs. No public hearing was requested from any party.

Period of Investigation

The period of investigation is April 1, 2013, through March 31, 2014.

Scope of the Investigation

The product covered by this investigation is certain steel nails from Malaysia. For a full description of the scope of the investigation, see Appendix I to this notice.

Since the *Preliminary Determination*, several interested parties (*i.e.*, IKEA Supply AG, The Home Depot, Target Corporation, and Petitioner) commented on the scope of these investigations. The Department reviewed these comments and made certain changes. For further discussion, see the Issues and Decision Memorandum.² The scope in Appendix I reflects all modifications to the scope made by the Department for this final determination.

Verification

As provided in section 782(i) of the Act, in January 2015 through February 2015, we conducted verifications of the sales and cost information submitted by Inmax and Region for use in our final determination. We used standard verification procedures including an examination of relevant accounting and production records, and original source documents provided by Inmax and its affiliate, Inmax Industries Sdn. Bhd., and by Region.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this

² See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Abdelali Elouaradia, Acting Office Director for Enforcement and Compliance (Office VI), "Issues and Decision Memorandum for the Final Determination of the Less-Than-Fair-Value Investigation of Certain Steel Nails from Malaysia" (Issues and Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

investigation are addressed in the Issues and Decision Memorandum. A list of the issues raised is attached to this notice as Appendix II. The Issues and 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>; the memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes Since the Preliminary Determination

Following analysis of the comments submitted by interested parties, we have assigned a margin to Inmax based on adverse facts available (AFA). For Region, we have made the following changes: Revised energy and labor costs; revised common variable overhead; modified the transactions regarded adjustment related to heat treatment service costs; revised U.S. packing expenses for certain packing materials; corrected a billing adjustment for one home market sale; corrected the inland freight expense for several home market sales; corrected product coding for several home market and U.S. sales; and corrected the shipment date and associated imputed credit expense calculations for several U.S. sales. For more details, see the accompanying Issue and Decision Memorandum and the company-specific analysis memoranda for the final determination.

Use of Facts Otherwise Available and AFA

In the *Preliminary Determination*, we stated that because the mandatory respondent Tag Fasteners Sdn. Bhd. (Tag) failed to respond to the Department's questionnaire, we preliminarily determined to apply facts otherwise available with an adverse inference to this respondent pursuant to sections 776(a) and (b) of the Act. Pursuant to section 776 of the Act, the Department continues to find it appropriate to base Tag's rate on AFA. In addition, pursuant to sections 776(a) and (b) of the Act, the Department determines it is appropriate to apply facts otherwise available with an adverse inference to Inmax. In applying AFA, we are assigning Tag and Inmax

the highest margin identified in the petition, 39.35 percent.³

Final Determination Margins

The Department determines that the following weighted-average dumping margins exist for the period April 1, 2013, through March 31, 2014:

Exporter or producer	Weighted-average dumping margin (percent)
Inmax Sdn. Bhd.	39.35%
Region International Co. Ltd. and Region System Sdn. Bhd.	2.61
Tag Fasteners Sdn. Bhd.	39.35
All Others	2.61

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated "All Others" rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. The weighted-average margin for exporters and producers individually investigated that meets these criteria is that of Region. Therefore, the All-Others rate is the rate calculated for Region, as indicated in the "Final Determination Margins" section above.

Disclosure

We will disclose to parties in this proceeding the calculations performed for this final determination within five days of the date of public announcement of our final determination, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

Pursuant to sections 735(c)(1)(B) and (C) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of certain steel nails from Malaysia which were entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final determination. We will instruct CBP to require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The rates for Inmax, Region, and Tag will be the rates we determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the

³ See the Issues and Decision Memorandum.

rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 2.61 percent. These suspension of liquidation instructions will remain in effect until further notice.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of our final determination. As our final determination is affirmative, in accordance with section 735(b)(3) of the Act, the ITC will determine within 45 days whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice will serve as a 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 the 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.

Notification to Interested Parties

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i) of the Act.

Dated: May 13, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation is certain steel nails having a nominal shaft length not exceeding 12 inches.⁴ Certain steel nails include, but are not limited to, nails made from round wire

⁴ The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

and nails that are cut from flat-rolled steel. 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 may have any type of surface finish, head type, shank, point type and shaft diameter. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, including but not limited to electroplating or hot dipping one or more times), phosphate, cement, and paint. Certain steel nails may have one or more surface finishes. 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. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the nail using a tool that engages with the head. Point styles include, but are not limited to, diamond, needle, chisel and blunt or no point. Certain steel nails may be sold in bulk, or they may be collated in any manner using any material.

Excluded from the scope of this investigation are certain steel nails packaged in combination with one or more non-subject articles, if the total number of nails of all types, in aggregate regardless of size, is less than 25. If packaged in combination with one or more non-subject articles, certain steel nails remain subject merchandise if the total number of nails of all types, in aggregate regardless of size, is equal to or greater than 25, unless otherwise excluded based on the other exclusions below.

Also excluded from the scope are certain steel nails with a nominal shaft length of one inch or less that are (a) a component of an unassembled article, (b) the total number of nails is sixty (60) or less, and (c) the imported unassembled article falls into one of the following eight groupings: (1) Builders' joinery and carpentry of wood that are classifiable as windows, French-windows and their frames; (2) builders' joinery and carpentry of wood that are classifiable as doors and their frames and thresholds; (3) swivel seats with variable height adjustment; (4) seats that are convertible into beds (with the exception of those classifiable as garden seats or camping equipment); (5) seats of cane, osier, bamboo or similar materials; (6) other seats with wooden frames (with the exception of seats of a kind used for aircraft or motor vehicles); (7) furniture (other than seats) of wood (with the exception of i) medical, surgical, dental or veterinary furniture; and ii) barbers' chairs and similar chairs, having rotating as well as both reclining and elevating movements); or (8) furniture (other than seats) of materials other than wood, metal, or plastics (e.g., furniture of cane, osier, bamboo or similar materials). The aforementioned imported unassembled articles are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4418.10, 4418.20, 9401.30, 9401.40, 9401.51, 9401.59, 9401.61, 9401.69, 9403.30, 9403.40, 9403.50, 9403.60, 9403.81 or 9403.89.

Also excluded from the scope of this investigation are steel nails that meet the specifications of Type I, Style 20 nails as identified in Tables 29 through 33 of ASTM Standard F1667 (2013 revision).

Also excluded from the scope of this investigation are nails suitable for use in powder-actuated hand tools, whether or not threaded, which are currently classified under HTSUS subheadings 7317.00.20.00 and 7317.00.30.00.

Also excluded from the scope of this investigation are nails having a case hardness greater than or equal to 50 on the Rockwell Hardness C scale (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.

Also excluded from the scope of this investigation are corrugated nails. A corrugated nail is made up of a small strip of corrugated steel with sharp points on one side.

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

Certain steel nails subject to this investigation are currently classified under HTSUS subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07, 7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60, 7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00. Certain steel nails subject to this investigation also may be classified under HTSUS subheading 8206.00.00.00 or other HTSUS subheadings.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II—List of Topics Discussed in the Issues and Decision Memorandum

Issues Pertaining to Inmax

Comment 1: Application of Adverse Facts Available for Inmax

Issues Pertaining to Region

Comment 2: Region System Energy and Labor Costs

Comment 3: Region System Common Variable Overhead

Comment 4: Region System Heat Treatment Service Costs

Comment 5: Region System Financial Expense Rate

Comment 6: Whether to Revise Region System G&A Expenses to include Region Products Marketing G&A Expenses

Comment 7: Region System G&A and Interest Expense Calculations

Comment 8: U.S. Warranty Expenses

Comment 9: Packing Expenses

[FR Doc. 2015–12250 Filed 5–19–15; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-523-808]

Certain Steel Nails From the Sultanate of Oman: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (“the Department”) determines that imports of certain steel nails (“nails”) from the Sultanate of Oman (“Oman”) are being sold in the United States at less than fair value (“LTFV”), as provided in section 735 of the Tariff Act of 1930, as amended (the “Act”). The final weighted-average dumping margins of sales at LTFV are listed below in the section entitled “Final Determination Margins.”

DATES: *Effective Date:* May 20, 2015.

FOR FURTHER INFORMATION CONTACT: Lilit Astvatsatrian, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6412.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 2014, the Department published in the **Federal Register** the preliminary determination in the LTFV investigation of nails from Oman.¹ In the *Preliminary Determination*, we postponed the final determination until no later than 135 days after the publication of the *Preliminary Determination* in accordance with section 735(a)(2)(A) of the Act and 19 CFR 351.210(b)(2)(ii) and invited parties to comment on our *Preliminary Determination*.

The following events have occurred since the *Preliminary Determination*. Between January 19, 2015 and January 29, 2015, the Department conducted sales and cost verifications of the mandatory respondent, Oman Fasteners, LLC (“Oman Fasteners”). On March 10, 2015, Mid Continent Steel & Wire, Inc. (“Petitioner”), Oman Fasteners, and Overseas International Steel Industry, LLC (“OISI”), an interested party, submitted case briefs. On March 18, 2015, Petitioner, Oman Fasteners, and OISI submitted rebuttal briefs. On April

¹ See *Certain Steel Nails From the Sultanate of Oman: Affirmative Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 79 FR 78034 (December 29, 2014) (“*Preliminary Determination*”).

16, 2015, the Department held a public hearing.

Period of Investigation

The period of investigation (“POI”) is April 1, 2013 through March 31, 2014.

Scope of the Investigation

The product covered by this investigation is certain steel nails from Oman. For a full description of the scope of the investigation, see Appendix I to this notice.

Since the *Preliminary Determination*, several interested parties (*i.e.*, IKEA Supply AG, The Home Depot, Target Corporation, and Petitioner) commented on the scope of these investigations. The Department reviewed these comments and made certain changes. For further discussion, see the Issues and Decision Memorandum.² The scope in Appendix I reflects all modifications to the scope made by the Department for this final determination.

Verification

As provided in section 782(i) of the Act, in January 2015, we verified the sales and cost information submitted by Oman Fasteners for use in our final determination. We used standard verification procedures including an examination of relevant accounting and production records, and original source documents provided by Oman Fasteners.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this investigation are addressed in the Issues and Decision Memorandum accompanying this notice, and which is hereby adopted by this notice. A list of the issues raised and to which the Department responded is attached to this notice as Appendix II. The Issues and 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>. The Issues and Decision memorandum is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a

² See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Abdelali Elouaradia, Acting Office Director for Enforcement and Compliance (Office VI), “Certain Steel Nails from the Sultanate of Oman: Issues and Decision Memorandum for the Final Determination of Sales at Less Than Fair Value” (Issues and Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

complete version of the Issues and Decision Memorandum can be accessed directly at <http://enforcement.trade.gov>. The signed and electronic versions of the Issues and Decision Memorandum are identical in content.

Changes to the Margin Calculations Since the Preliminary Determination

- We updated Oman Fasteners’ reported sales quantity as a result of minor corrections and findings at the verification.³
- We corrected the misspelled name of a variable in the U.S. sales database which was used in the calculation of the freight revenue cap.⁴
- We excluded a sale with a sale date prior to the beginning of the POI.⁵
- We updated the shipment dates and the U.S. credit expense for certain sales as a result of findings at the verification.⁶
- We adjusted the reported total cost of manufacturing of each control number to reflect the revised per-unit scrap offset identified at the cost verification.⁷

Final Determination Margins

The Department determines that the following weighted-average dumping margins exist for the period April 1, 2013, through March 31, 2014:

Exporter or producer	Weighted-average dumping margin (percent)
Oman Fasteners, LLC	9.10
All Others	9.10

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated “all others” rate shall be an amount equal to the

³ See Memorandum to the File from Lilit Astvatsatrian, International Trade Compliance Analyst, “Analysis Memorandum for the Final Determination of the Antidumping Duty Investigation of Certain Steel Nails from the Sultanate of Oman: Oman Fasteners, LLC,” dated concurrently with this determination (“Final Analysis Memorandum”), at pages 1–2 and Attachment 1; see also Verification of the Sales Questionnaire Responses of Oman Fasteners, LLC: Antidumping Duty Investigation of Certain Steel Nails from the Sultanate of Oman, dated February 27, 2015 (“Verification Report”), at page 2 and Exhibit 1.

⁴ See Final Analysis Memorandum, at page 2 and Attachment 1 and IDM, at Comment 3.

⁵ See Final Analysis Memorandum, at page 2 and Attachment 1 and IDM, at Comment 5.

⁶ See Final Analysis Memorandum, at page 2 and Attachment 1; IDM, at Comment 4, and Verification Report, at Exhibits VE–VIII.A–D and VE–VIII.F–G.

⁷ See Memorandum to the File from Robert B. Greger, Verification of Oman Fasteners LLC in the Antidumping Duty Investigation of Certain Steel Nails from the Sultanate of Oman, dated February 18, 2015 at page 2.

weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. We based our calculation of the “all others” rate on the margin calculated for Oman Fasteners, the only mandatory respondent in this investigation.

Disclosure

We will disclose to parties in this proceeding the calculations performed for this final determination within five days of the date of public announcement of our final determination, in accordance with 19 CFR 351.224(b).

Continuation of Suspension of Liquidation

Pursuant to section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (“CBP”) to continue to suspend liquidation of all entries of certain steel nails from Oman which were entered, or withdrawn from warehouse, for consumption on or after December 29, 2014, the date of publication of the *Preliminary Determination*. We also will instruct CBP to require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The cash deposit rate for Oman Fasteners will be equal to the estimated weighted-average dumping margin determined in this final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the cash deposit rate will be equal to the estimated weighted-average dumping margin established for the producer of the subject merchandise; and (3) the cash deposit rate for all other producers or exporters will be 9.10 percent. These suspension of liquidation instructions will remain in effect until further notice.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (“ITC”) of our final determination. As our final determination is affirmative, in accordance with section 735(b)(2) of the Act, the ITC will determine within 45 days whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping

duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice will serve as a 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 the 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.

Notification to Interested Parties

We are issuing and publishing this determination and notice in accordance with sections 735(d) and 777(i) of the Act.

Dated: May 13, 2015.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

Appendix I—Scope of the Investigation

The merchandise covered by this investigation is certain steel nails having a nominal shaft length not exceeding 12 inches.⁸ Certain steel nails include, but are not limited to, nails made from round wire and nails that are cut from flat-rolled steel. 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 may have any type of surface finish, head type, shank, point type and shaft diameter. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, including but not limited to electroplating or hot dipping one or more times), phosphate, cement, and paint. Certain steel nails may have one or more surface finishes. 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. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the nail using a tool that engages with the head. Point styles include, but are not limited to, diamond, needle, chisel and blunt or no point. Certain steel nails may be sold in bulk, or they may be collated in any manner using any material.

Excluded from the scope of this investigation are certain steel nails packaged

⁸The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

in combination with one or more non-subject articles, if the total number of nails of all types, in aggregate regardless of size, is less than 25. If packaged in combination with one or more non-subject articles, certain steel nails remain subject merchandise if the total number of nails of all types, in aggregate regardless of size, is equal to or greater than 25, unless otherwise excluded based on the other exclusions below.

Also excluded from the scope are certain steel nails with a nominal shaft length of one inch or less that are (a) a component of an unassembled article, (b) the total number of nails is sixty (60) or less, and (c) the imported unassembled article falls into one of the following eight groupings: (1) Builders’ joinery and carpentry of wood that are classifiable as windows, French-windows and their frames; (2) builders’ joinery and carpentry of wood that are classifiable as doors and their frames and thresholds; (3) swivel seats with variable height adjustment; (4) seats that are convertible into beds (with the exception of those classifiable as garden seats or camping equipment); (5) seats of cane, osier, bamboo or similar materials; (6) other seats with wooden frames (with the exception of seats of a kind used for aircraft or motor vehicles); (7) furniture (other than seats) of wood (with the exception of (i) medical, surgical, dental or veterinary furniture; and ii) barbers’ chairs and similar chairs, having rotating as well as both reclining and elevating movements); or (8) furniture (other than seats) of materials other than wood, metal, or plastics (e.g., furniture of cane, osier, bamboo or similar materials). The aforementioned imported unassembled articles are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4418.10, 4418.20, 9401.30, 9401.40, 9401.51, 9401.59, 9401.61, 9401.69, 9403.30, 9403.40, 9403.50, 9403.60, 9403.81 or 9403.89.

Also excluded from the scope of this investigation are steel nails that meet the specifications of Type I, Style 20 nails as identified in Tables 29 through 33 of ASTM Standard F1667 (2013 revision).

Also excluded from the scope of this investigation are nails suitable for use in powder-actuated hand tools, whether or not threaded, which are currently classified under HTSUS subheadings 7317.00.20.00 and 7317.00.30.00.

Also excluded from the scope of this investigation are nails having a case hardness greater than or equal to 50 on the Rockwell Hardness C scale (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.

Also excluded from the scope of this investigation are corrugated nails. A corrugated nail is made up of a small strip of corrugated steel with sharp points on one side.

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

Certain steel nails subject to this investigation are currently classified under

HTSUS subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07, 7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60, 7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00. Certain steel nails subject to this investigation also may be classified under HTSUS subheading 8206.00.00.00 or other HTSUS subheadings.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

Appendix II—List of Topics in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Investigation
- IV. Scope Comments
- V. Discussion of the Issues
- VI. Recommendation

[FR Doc. 2015-12248 Filed 5-19-15; 8:45 am]

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Avenue NW., Washington, DC 20230; telephone: (202) 482-3931 or (202) 482-3362, respectively.

SUPPLEMENTARY INFORMATION:

Background

The Department published its preliminary determination on December 29, 2014.¹ On January 2, 2015, United Nail Products Co., Ltd. (United Nail), a mandatory respondent in this investigation, filed a letter stating that it had decided to withdraw from the proceeding and would not be participating in a verification of its questionnaire responses. On January 7, 2015, the other mandatory respondent, Region Industries Co., Ltd. (Region Industries), filed a letter to the same effect. On February 18, 2015, we received a case brief from Petitioner, Mid-Continent Steel & Wire, Inc. We did not receive any rebuttal comments or requests for a hearing from interested parties. Based on the events that transpired after the preliminary determination and an analysis of the comments received, the Department has made changes to the *Preliminary Determination*.

Period of Investigation

The period of investigation is October 1, 2013, through March 31, 2014.

Scope of the Investigation

The product covered by this investigation is certain steel nails from Vietnam. For a full description of the scope of the investigation, see Appendix I to this notice.

Since the *Preliminary Determination*, several interested parties (*i.e.*, IKEA Supply AG, The Home Depot, Target Corporation, and Petitioner) commented on the scope of these investigations. The Department reviewed these comments and made certain changes. For further discussion, see the Issue and Decision Memorandum.² The scope in Appendix I reflects all modifications to the scope

¹ See *Certain Steel Nails From the Socialist Republic of Vietnam: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination and Extension of Provisional Measures*, 79 FR 78058 (December 29, 2014) (*Preliminary Determination*) and the accompanying Preliminary Decision Memorandum.

² See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, from Abdelali Elouaradia, Acting Office Director, Office VI, Antidumping and Countervailing Duty Operations, regarding "Issue and Decision Memorandum for the Final Determination of the Less-Than-Fair-Value Investigation of Certain Steel Nails from the Socialist Republic of Vietnam" (Issue and Decision Memorandum), dated concurrently with this determination and hereby adopted by this notice.

made by the Department for this final determination.

Verification

In light of each mandatory respondent's decision to withdraw from the investigation and not to participate in a verification, we conducted no verifications.

Analysis of Comments Received

Petitioner raised one issue in its case brief, which is addressed in the Issue and Decision Memorandum. A list of the contents of this memorandum is attached to this notice in Appendix II. The Issue and 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 to this system is available to registered and guest users at <http://access.trade.gov> and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Issue and Decision Memorandum can be accessed directly on the Internet at <http://www.trade.gov/enforcement/frn/index.html>. The signed and electronic versions of the Issue and Decision Memorandum are identical in content.

Changes Since the Preliminary Determination

Based on consideration of the events that transpired after the preliminary determination and our analysis of the comments received, we find that Region Industries and United Nail are not separate from the Vietnam-wide entity and that the estimated dumping margin for the entity should be based on the adverse facts available on the record, pursuant to sections 776(a)(2)(A), (C) and (D) and section 776(b) of the Act. This rate, derived from the Petition,³ was corroborated upon examination of the documentation supporting the Petition. For more details, see the accompanying Issue and Decision Memorandum and company-specific analysis memoranda for the final determination.

Separate Rate

Kosteel Vina Limited Company (Kosteel Vina) established its eligibility for a separate rate.⁴ The Act and

³ See Petitions for the Imposition of Antidumping and Countervailing Duties: Certain Steel Nails from India, the Republic of Korea, Malaysia, the Sultanate of Oman, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam, dated May 29, 2014 (Petition).

⁴ See the Preliminary Decision Memorandum at 7 and 8.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-818]

Certain Steel Nails From the Socialist Republic of Vietnam: Final Determination of Sales at Less Than Fair Value

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

SUMMARY: The Department of Commerce (the Department) determines that imports of certain steel nails from the Socialist Republic of Vietnam (Vietnam) are being, or are likely to be, sold in the United States at less-than-fair value, as provided in section 735 of the Tariff Act of 1930, as amended (the Act). The final weighted-average dumping margins of sales at less than fair value are listed below in the "Final Determination Margins" section of this notice.

DATES: *Effective date:* May 22, 2015.

FOR FURTHER INFORMATION CONTACT: Edythe Artman or Dena Crossland, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

regulations do not address how we are to determine the dumping margin for separate rate companies not selected for individual examination. Normally, the Department's practice is to assign to separate-rate companies that were not individually examined a dumping margin equal to the average of the margins calculated for the individually examined respondents, excluding any margins that are zero, *de minimis*, or based entirely on facts available. If all dumping margins for the individually examined respondents are zero, *de minimis*, or based entirely on facts available, then we will use any reasonable method, including averaging

the dumping margins for the individually examined respondents. In this investigation, the individually examined respondents are part of the Vietnam-wide entity, the rate for which is based entirely on facts available. We have no other reliable margin or data on the record to determine the separate rate for Kosteel Vina. Therefore, we have assigned the sole petition rate of 323.99 percent, which was corroborated by documentation supporting the petition, and is the only available rate on the record, to Kosteel Vina. For more details, see the Separate Rate memorandum for the final determination.⁵

Combination Rates

In the *Initiation Notice*, the Department stated that it would calculate combination rates for the respondents that are eligible for a separate rate in this investigation.⁶ Policy Bulletin 05.1 sets forth this practice.⁷

Final Determination Margins

The Department determines that the following estimated weighted-average dumping margins exist for the period October 1, 2013, through March 31, 2014:

Exporter	Producer	Weighted-average dumping margin
Kosteel Vina Limited Company Vietnam-Wide Entity*	Kosteel Vina Limited Company	323.99% 323.99%

* The Vietnam-wide entity includes the following exporters/producers: Region Industries Co., Ltd., United Nail Products Co., Ltd., Cong Ty TNHH Cong Nghe Nhua A Chau, Kim Tin Group, Megastar Co., Ltd. and Simone Accessories Collection.

Disclosure

Normally, the Department discloses to interested parties the calculations performed in connection with a final determination within five days of the date of public announcement of the final determination in the **Federal Register**, in accordance with 19 CFR 351.224(b). However, because the Department, in accordance with section 776 of the Act, applied adverse facts available to determine the estimated weighted-average dumping margin for the mandatory respondents in this investigation, there are no calculations to disclose to parties.

Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, the Department will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all appropriate entries of subject merchandise, as described in the "Scope of the Investigation" section of this notice, from Vietnam that were entered or withdrawn from warehouse

for consumption on or after December 29, 2014, the publication date of the *Preliminary Determination* in the **Federal Register**.

Consistent with our practice, where the product under investigation is also subject to a concurrent countervailing duty investigation, we will instruct CBP to require a cash deposit equal to the amount by which the normal value exceeds the export price or constructed export price, adjusted where appropriate for export subsidies and estimated domestic subsidy pass-through.⁸ In the final determination of the companion countervailing duty investigation of certain steel nails from Vietnam, the Department determined that the mandatory respondents and all other companies benefited from export subsidies.⁹ Thus, we will offset the estimated weighted-average dumping margin of 323.99 percent for the Vietnam-wide entity and the separate-rate company by the countervailing duty rate of 33.59 percent attributable to export subsidies,¹⁰ resulting in a cash-deposit rate of 290.40 percent for the

Vietnam-wide entity and the separate-rate company.

With respect to the separate-rate company, Kosteel Vina, we find that an export subsidy adjustment of 33.59 percent to the cash deposit rate is warranted because this is the export subsidy rate included in the countervailing duty rate (*i.e.*, the "All Others" rate) to which the separate-rate company is subject in the companion countervailing duty proceeding. With respect to the Vietnam-wide entity, we find that an export-subsidy adjustment of 33.59 percent to the cash deposit rate is warranted because this is the export subsidy rate included in the countervailing duty rate to which Vietnam-wide entries are currently subject.

We are not adjusting the final determination rate for estimated domestic subsidy pass-through because we have no basis upon which to make such an adjustment.

Pursuant to 19 CFR 351.205(d), we will instruct CBP to require a cash deposit for all suspended entries at an

⁵ See Memorandum to Brian Davis, Acting Program Manager, Office VI, from Edythe Artman, International Trade Compliance Analyst, Office VI, regarding "Change in Rate for the Separate-Rate Company," dated May 13, 2015.

⁶ See *Certain Steel Nails From India, the Republic of Korea, Malaysia, the Sultanate of Oman, Taiwan, the Republic of Turkey, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations*, 79 FR 36019 (June 25, 2014) (*Initiation Notice*).

⁷ See Enforcement and Compliance Policy Bulletin No. 05.1 "Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries," (April 5, 2005) (Policy Bulletin 05.1),

available on the Department's Web site at <http://enforcement.trade.gov/policy/bull05-1.pdf>.

⁸ See sections 772(c)(1)(C) and 777A(f) of the Act, respectively. Unlike in administrative reviews, the Department calculates the adjustment for export subsidies in less-than-fair-value investigations not in the margin-calculation program, but in the cash-deposit instructions issued to CBP. See *Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006), and accompanying Issues and Decision Memorandum at Comment 1.

⁹ See *Certain Steel Nails From the Socialist Republic of Vietnam: Final Affirmative*

Countervailing Duty Determination, and accompanying Issues and Decision Memorandum at 12-22, signed concurrently with this notice.

¹⁰ See *id.* The following subsidy programs, countervailed for all companies in the final determination of the concurrent countervailing duty investigation, are export subsidies: Preferential Lending to Exporters (1.17 percent), Import Duty Exemptions and Reimbursements for Imported Raw Materials for Exported Goods (4.46 percent), Export Factoring (1.17 percent), Financial Guarantees (1.17 percent), Export Credits from the Vietnam Development Bank (0.21 percent) and Export Promotion Program (25.41 percent).

ad valorem rate equal to the weighted-average amount by which normal value exceeds U.S. price, with the above-noted adjustments, as follows: (1) The rate for the exporter/producer combinations listed in the chart above will be the rate we have determined in this final determination; (2) for all Vietnamese exporters of merchandise under consideration which have not received their own rate, the cash-deposit rate will be the rate established for the Vietnam-wide entity; and (3) for all non-Vietnamese exporters of merchandise under consideration and for all non-Vietnamese exporters of merchandise under consideration which have not received their own rate, the cash-deposit rate will be the rate applicable to the Vietnamese exporter/producer combination that supplied the non-Vietnamese exporter. These suspension-of-liquidation and cash-deposit instructions will remain in effect until further notice.

International Trade Commission Notification

In accordance with section 735(d) of the Act, we will notify the U.S. International Trade Commission (ITC) of the final affirmative determination of sales at less than fair value. Because the final determination in this proceeding is affirmative, the ITC will make its final determination, in accordance with section 735(b)(2) of the Act, as to whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of certain steel nails from Vietnam no later than 45 days after our final determination. If the ITC determines that material injury or threat of material injury does not exist, this proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, then the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

Return or Destruction of Proprietary Information

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) 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 the return or 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.

Notification to Interested Parties

This determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act.

Dated: May 13, 2015.

Christian Marsh,

Deputy Assistant Secretary for Enforcement and Compliance.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation is certain steel nails having a nominal shaft length not exceeding 12 inches.¹¹ Certain steel nails include, but are not limited to, nails made from round wire and nails that are cut from flat-rolled steel. 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 may have any type of surface finish, head type, shank, point type and shaft diameter. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, including but not limited to electroplating or hot dipping one or more times), phosphate, cement, and paint. Certain steel nails may have one or more surface finishes. 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. Screw-threaded nails subject to this proceeding are driven using direct force and not by turning the nail using a tool that engages with the head. Point styles include, but are not limited to, diamond, needle, chisel and blunt or no point. Certain steel nails may be sold in bulk, or they may be collated in any manner using any material.

Excluded from the scope of this investigation are certain steel nails packaged in combination with one or more non-subject articles, if the total number of nails of all types, in aggregate regardless of size, is less than 25. If packaged in combination with one or more non-subject articles, certain steel nails remain subject merchandise if the total number of nails of all types, in aggregate regardless of size, is equal to or greater than 25, unless otherwise excluded based on the other exclusions below.

Also excluded from the scope are certain steel nails with a nominal shaft length of one inch or less that are (a) a component of an unassembled article, (b) the total number of nails is sixty (60) or less, and (c) the imported unassembled article falls into one of the following eight groupings: (1) Builders' joinery and carpentry of wood that are classifiable as windows, French-windows

and their frames; (2) builders' joinery and carpentry of wood that are classifiable as doors and their frames and thresholds; (3) swivel seats with variable height adjustment; (4) seats that are convertible into beds (with the exception of those classifiable as garden seats or camping equipment); (5) seats of cane, osier, bamboo or similar materials; (6) other seats with wooden frames (with the exception of seats of a kind used for aircraft or motor vehicles); (7) furniture (other than seats) of wood (with the exception of (i) medical, surgical, dental or veterinary furniture; and (ii) barbers' chairs and similar chairs, having rotating as well as both reclining and elevating movements); or (8) furniture (other than seats) of materials other than wood, metal, or plastics (e.g., furniture of cane, osier, bamboo or similar materials). The aforementioned imported unassembled articles are currently classified under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4418.10, 4418.20, 9401.30, 9401.40, 9401.51, 9401.59, 9401.61, 9401.69, 9403.30, 9403.40, 9403.50, 9403.60, 9403.81 or 9403.89.

Also excluded from the scope of this investigation are steel nails that meet the specifications of Type I, Style 20 nails as identified in Tables 29 through 33 of ASTM Standard F1667 (2013 revision).

Also excluded from the scope of this investigation are nails suitable for use in powder-actuated hand tools, whether or not threaded, which are currently classified under HTSUS subheadings 7317.00.20.00 and 7317.00.30.00.

Also excluded from the scope of this investigation are nails having a case hardness greater than or equal to 50 on the Rockwell Hardness C scale (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.

Also excluded from the scope of this investigation are corrugated nails. A corrugated nail is made up of a small strip of corrugated steel with sharp points on one side.

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

Certain steel nails subject to this investigation are currently classified under HTSUS subheadings 7317.00.55.02, 7317.00.55.03, 7317.00.55.05, 7317.00.55.07, 7317.00.55.08, 7317.00.55.11, 7317.00.55.18, 7317.00.55.19, 7317.00.55.20, 7317.00.55.30, 7317.00.55.40, 7317.00.55.50, 7317.00.55.60, 7317.00.55.70, 7317.00.55.80, 7317.00.55.90, 7317.00.65.30, 7317.00.65.60 and 7317.00.75.00. Certain steel nails subject to this investigation also may be classified under HTSUS subheading 8206.00.00.00 or other HTSUS subheadings.

While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this investigation is dispositive.

¹¹ The shaft length of certain steel nails with flat heads or parallel shoulders under the head shall be measured from under the head or shoulder to the tip of the point. The shaft length of all other certain steel nails shall be measured overall.

Appendix II

**Contents of the Accompanying Final Issue
and Decision Memorandum**

- I. Summary
- II. Background
- III. Period of Investigation
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- VI. Discussion of Comments
 - Comment 1: Application of Adverse Facts
Available to Mandatory Respondents
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