the three governments for panels requested pursuant to Article 1904(2) of NAFTA which requires Requests for Panel Review to be published in accordance with Rule 35. For the complete Rules, please see https://www.nafta-sec-alena.org/Home/Texts-of-the-Agreement/Rules-of-Procedural-Article-1904.

The Rules provide that:
(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 9, 2018);
(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is October 22, 2018); and
(c) The panel review shall be limited to the allegations of error of fact or law, including challenges to the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and to the procedural and substantive defenses raised in the panel review.

Dated: September 12, 2018.

Paul E. Morris,
U.S. Secretary, NAFTA Secretariat.
FR Doc. 2016-20320 Filed 9-14-18; 8:45 am]
BILLING CODE 3510-GT-P

DEPARTMENT OF COMMERCE
International Trade Administration
[1-570-909]
Certain Steel Nails From the People’s Republic of China: Initiation and Expedited Preliminary Results of Antidumping Duty Changed Circumstances Review

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

SUMMARY: Based on a request from Mid Continent Nail Corporation (the petitioner), the Department of Commerce (Commerce) is initiating, and issuing expedited preliminary results of, a changed circumstances review (CCR) of the antidumping duty (AD) order on certain steel nails (nails) from the People’s Republic of China (China).

DATES: Applicable September 17, 2018.


SUPPLEMENTARY INFORMATION:

Background

On August 1, 2008, Commerce published the antidumping duty order on nails from the China. 1 On April 21, 2011, in response to a request submitted by the petitioner, Commerce published an initiation and preliminary results of a CCR, in which Commerce preliminarily revoked the Order with respect to four types of steel nails based on petitioner’s expressed lack of interest in antidumping duty relief with respect to such imports. 2 In addition, Commerce preliminarily adopted petitioner’s proposed exclusion language concerning the four types of steel nails, in part, declining to adopt language which would have required the labels “roof” or “roofing” on the packaging of three of the four types of excluded steel nails. 3 On May 24, 2011, Commerce published its final results for the CCR revoking the Order with respect to the aforementioned four types of steel nails, unchanged from the preliminary results. 4 Commerce made no changes to the preliminary scope exclusion language, and, thus, aside from the labeling language, Commerce otherwise adopted the new exclusion language proffered by the petitioner. 5 On March 22, 2017, the petitioner requested that Commerce initiate another CCR to include the labels “roof” or “roofing” on the packaging and packaging marking of three of the four types of steel nails that were excluded from the scope of the Order in the 2011 CCR Final Results. 6 On April 12, 2017, Commerce received comments from PrimeSource Building Products, Inc. (PrimeSource) requesting that Commerce reject the petitioner’s request for a CCR. 7 On April 18, 2017, Commerce received comments from the petitioner regarding PrimeSource’s comments. 8 On May 11, 2017, Commerce issued a supplemental questionnaire to the petitioner requiring further information regarding its CCR request. 9 On May 17, 2017, the petitioner submitted its response to the CCR Supplemental. 10 On May 24, 2017, Building Materials Distributors, Inc. (BMD) submitted a letter opposing the petitioner’s request for the initiation of a CCR, 11 to which the petitioner responded on May 31, 2017. 12 On May 31, 2017, PrimeSource submitted a response to the petitioner’s CCR Supplemental Response. 13

Scope of the Order

The merchandise covered by the Order includes certain steel nails having a shaft length up to 12 inches. Certain steel nails subject to the Order are currently classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55, 7317.00.65, 7317.00.75, and 7907.00.6000. 14 While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the Order is dispositive. 15

Initiation and Expedited Preliminary Results of Changed Circumstances Review

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.216(d), Commerce will conduct a CCR of an antidumping or countervailing duty order when it receives information which shows changed circumstances sufficient to warrant such a review. In this case, for the reasons discussed in the Preliminary

1 See Notice of Antidumping Duty Order: Certain Steel Nails from the People’s Republic of China, 73 FR 44961 (August 1, 2008) (Order).
3 Id.
5 Id.
7 See PrimeSource’s April 12, 2017 CCR Letter (PrimeSource Comments).
8 See the Petitioner’s April 18, 2017 Response to Prime Source (Petitioner’s PrimeSource Comments).
10 See the Petitioner’s May 17, 2017 CCR Supplemental Response (CCR Supplemental Response).
11 See BMD’s May 24, 2017 CCR Letter (BMD Comments).
12 See the Petitioner’s May 31, 2017 Response to BMD (Petitioner’s BMD Comments).
15 For a full description of the scope of the Order, see Attachment I.
Attachment I

Revised Scope of the Order

The merchandise covered by this order includes certain steel nails having a shaft length up to 12 inches. Certain steel nails include, but are not limited to, nails made of round wire and nails that are cut. Certain steel nails may be of one-piece construction or constructed of two or more pieces. Certain steel nails may be produced from any type of steel, and have a variety of finishes, heads, shanks, point types, shaft lengths and shaft diameters. Finishes include, but are not limited to, coating in vinyl, zinc (galvanized, whether by electroplating or hot dipping one or more times), phosphate cement, and paint. Head styles include, but are not limited to, flat, projection, cupped, oval, brad, headless, double, countersunk, and sinker. Shank styles include, but are not limited to, smooth, barbed, screw threaded, ring shank and fluted shank styles. Screw-threaded nails subject to this order are driven using direct force and not by turning the fastener using a tool that engages with the head. Point styles include, but are not limited to, diamond, blunt, needle, chisel and no point. Finished nails may be sold in bulk, or they may be collated into strips or coils using materials such as plastic, paper, or wire. Certain steel nails subject to this order are currently classified under HTSUS 7317.00.75, and 7907.00.6000. Excluded from the scope are steel roofing nails of all lengths and diameter, whether collated or in bulk, and whether or not galvanized. Steel roofing nails are specifically enumerated and identified in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails, inclusive of the following modifications: (1) Non-collated (i.e., hand-driven or bulk), steel nails as described in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails, as modified by the following description: Having a galvanized finish, a smooth, barbed or ringed shank, an actual length of 0.500" to 1.75", inclusive, an actual shank diameter of 0.116" to 0.166", inclusive; and an actual head diameter of 0.3375" to 0.506", inclusive; and (3) Non-collated (i.e., hand-driven or bulk), as described in ASTM Standard F 1667 (2005 revision) as Style I, Style 20 nails, as modified by the following description: Steel nails having a convex head (commonly known as an umbrella head), a smooth or spiral shank, a galvanized finish, an actual length of 1.75" to 3", inclusive; an actual shank diameter of 0.131" to 0.152", inclusive; and an actual head diameter of 0.450" to 0.815", inclusive. Also excluded from the scope are the following steel nails: Non-collated (i.e., hand-driven or bulk), two-piece steel nails having plastic or steel washers (caps) already assembled to the nail, having a bright or galvanized finish, a ring, fluted or spiral shank, an actual length of 0.500" to 8", inclusive; and an actual shank diameter of 0.1015" to 0.166", inclusive; and an actual washer or cap diameter of 0.900" to 1.10", inclusive. Also excluded from the scope of this order are corrugated nails. A corrugated nail is made of a strip of corrugated steel with sharp points on one side. Also excluded from the scope of this order are fasteners suitable for use in powder-actuated hand tools, not threaded and threaded, which are currently classified under HTSUS 7317.00.20 and 7317.00.30. Also excluded from the scope of this order are thumb tacks, which are currently classified under HTSUS 7317.00.10.00. Also excluded from the scope of this order are certain brads and finish nails that are equal to or less than 0.0720 inches in shank diameter, round or rectangular in cross section, between 0.375 inches and 2.5 inches in length, and that are collated with adhesive or polyurethane film tape backed with a heat seal adhesive. Also excluded from the scope of this order are fasteners having a hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a round head, a secondary reduced-diameter raised head section, a centered shank, and a smooth symmetrical point, suitable for use in gas-actuated hand tools. While the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

Attachment II

List of Topics Discussed in the Preliminary Determination Memorandum

I. Summary
II. Background
III. Scope of the Order
IV. Initiation and Expedited Preliminary
Results of Changed Circumstances Review
V. Recommendation

[FR Doc. 2018–20122 Filed 9–14–18; 8:45 am]