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February 2, 2015

MEMORANDUM TO: Paul Piquado
Assistant Secretary
for Enforcement and Compliance

FROM: Christian Marsh 
Deputy Assistant Secretary
Antidumping and Countervailing Duty Operations

SUBJECT: Certain Steel Nails from the United Arab Emirates: Decision
Memorandum for Preliminary Results of Antidumping Duty
Administrative Review; 2013-2014

Summary

The Department of Commerce (the Department) is conducting this administrative review of the antidumping duty order on certain steel nails (nails) from the United Arab Emirates (UAE). The period of review (POR) is May 1, 2013, through April 30, 2014. The review covers two producers/exporters of the subject merchandise, Dubai Wire FZE (Dubai Wire) and Precision Fasteners, L.L.C. (Precision). We preliminarily find that Dubai Wire and Precision sold subject merchandise at less than normal value in the United States during the POR. We preliminarily assign Precision a margin based on adverse facts available (AFA) because it was not responsive to the Department's requests for information. We preliminarily assign Dubai Wire a margin based on facts available (FA) because we determined that it is nonoperational and could not respond to the Department's requests for information. If these preliminary results are adopted in our final results, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties based on FA for Dubai Wire and AFA for Precision.¹ Interested parties are invited to comment on these preliminary results.

Background

On May 10, 2012, the Department published in the *Federal Register* the antidumping duty order on nails from the UAE.² On May 30, 2014, pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b)(1), Mid Continent Steel & Wire, Inc. (Mid

¹ See the "Facts Available" section below for further discussion.

² *Certain Steel Nails from the United Arab Emirates: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27421 (May 10, 2012) (Order).



Continent), a domestic interested party, timely requested an administrative review of the antidumping duty order on nails from the UAE with respect to Dubai Wire and Precision.³ On June 27, 2014, in accordance with 19 CFR 351.221(c)(1)(i), we published in the *Federal Register* a notice of initiation of administrative review of the antidumping duty order on nails from the UAE.⁴

We issued antidumping questionnaires to Dubai Wire and Precision on August 11, 2014, and August 15, 2014, respectively.⁵ We did not conduct respondent selection because we had sufficient resources to individually examine both companies for which we received requests for review.

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. Certain steel 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 the Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7317.00.55, 7317.00.65, and 7317.00.75.

Excluded from the scope of this order are steel nails specifically enumerated and identified in ASTM Standard F 1667 (2011 revision) as Type I, Style 20 nails, whether collated or in bulk, and whether or not galvanized.

Also excluded from the scope of this order are the following products:

- non-collated (*i.e.*, hand-drive 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; 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;

³ See letter to the Secretary of Commerce from Mid Continent entitled, “Certain Steel Nails from the United Arab Emirates: Request for Administrative Reviews” {emphasis removed}, dated May 30, 2014.

⁴ See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 79 FR 36462 (June 27, 2014).

⁵ See the Department’s August 11, 2014, letter to Dubai Wire and the enclosed antidumping questionnaire (Dubai Wire Questionnaire); see also the Department’s August 15, 2014, letter to Precision and the enclosed antidumping questionnaire (Precision Questionnaire).

- non-collated (*i.e.*, hand-drive or bulk), steel nails having a bright or galvanized finish, a smooth, barbed or ringed shank, an actual length of 0.500” to 4”, inclusive; an actual shank diameter of 0.1015” to 0.166”, inclusive; and an actual head diameter of 0.3375” to 0.500”, inclusive;
- wire collated steel nails, in coils, having a galvanized finish, a smooth, barbed or ringed shank, an actual length of 0.500” to 1.75”, inclusive; an actual shank diameter of 0.116” to 0.166”, inclusive; and an actual head diameter of 0.3375” to 0.500”, inclusive;
- non-collated (*i.e.*, hand-drive or bulk), steel nails having a convex head (commonly known as an umbrella head), a smooth or spiral shank, a galvanized finish, an actual length of 1.75” to 3”, inclusive; an actual shank diameter of 0.131” to 0.152”, inclusive; and an actual head diameter of 0.450” to 0.813”, inclusive;
- corrugated nails. A corrugated nail is made of a small strip of corrugated steel with sharp points on one side;
- thumb tacks, which are currently classified under HTSUS 7317.00.10.00;
- 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;
- certain steel nails that are equal to or less than 0.0720 inches in shank diameter, round or rectangular in cross section, between 0.375 inches and 2.5 inches in length, and that are collated with adhesive or polyester film tape backed with a heat seal adhesive; and
- fasteners having a case hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a round head, a secondary reduced-diameter raised head section, a centered shank, and a smooth symmetrical point, suitable for use in gas-actuated hand tools.

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

Facts Available

Section 776(a) of the Act provides that, subject to section 782(d) of the Act, the Department shall apply “facts otherwise available” if: (1) necessary information is not on the record; or (2) an interested party or any other person (A) withholds information that has been requested, (B) fails to provide information within the deadlines established, or in the form and manner requested by the Department, subject to subsections (c)(1) and (e) of section 782 of the Act, (C) significantly impedes a proceeding, or (D) provides information that cannot be verified as provided by section 782(i) of the Act.

Where the Department determines that a response to a request for information does not comply with the request, section 782(d) of the Act provides that the Department will so inform the party submitting the response and will, to the extent practicable, provide that party an opportunity to remedy or explain the deficiency. If the party fails to remedy or satisfactorily explain the deficiency within the applicable time limits, subject to section 782(e) of the Act, the Department may disregard all or part of the original and subsequent responses, as appropriate.

Section 776(b) of the Act further provides that the Department may use an adverse inference in applying the facts otherwise available when a party fails to cooperate by not acting to the best of

its ability to comply with a request for information. Such an adverse inference may include reliance on information derived from the petition, the final determination, a previous administrative review, or other information placed on the record.

Dubai Wire

We issued Dubai Wire's antidumping duty questionnaire on August 11, 2014,⁶ and subsequently confirmed the delivery of the questionnaire.⁷ We did not receive a questionnaire response from Dubai Wire. Pursuant to section 776(a) of the Act, the use of facts available is warranted in determining a weighted-average dumping margin for Dubai Wire because the necessary information to calculate a margin is not on the record. Information on the record from CBP indicates that Dubai Wire had entries of subject merchandise during the POR. Dubai Wire's affiliated U.S. importer of record provided evidence indicating that, at the time of the delivery of the questionnaire, Dubai Wire was no longer operational, and also provided notice, pursuant to section 782(c) of the Act, that Dubai Wire would be unable to respond to the questionnaire.⁸ Evidence indicating that Dubai Wire was no longer operational included, *inter alia*:

- 1) numerous e-mail exchanges between former senior managers of Dubai Wire, executive officers of Dubai Wire's main shareholder, and current senior management/executive officers of Dubai Wire's importer discussing:
 - a) the non-production status of Dubai Wire;
 - b) cancellation of employee contracts and the filing of employment grievance claims by certain Dubai Wire employees with UAE court; and
 - c) the lockdown of Dubai Wire's premises by the Dubai Court on behalf of Dubai Wire's creditors;
- 2) an email from the Jebel Ali Free Zone (where Dubai Wire operated) detailing Dubai Wire's expiration of its trade license;
- 3) the publication of Dubai Wire's employees' claims against Dubai Wire in a local newspaper and notice from the Dubai Court justifying the claim and passing judgment in favor of the employees;
- 4) pictures of the Dubai Wire facility showing that the facility was closed and abandoned; and
- 5) official import statistics from the U.S. International Trade Commission (ITC) demonstrating that from April to July 2014, there were no nails imported from the UAE.

The issue of Dubai Wire becoming nonoperational was also examined extensively in the previous administrative review.⁹ In light of the evidence provided in the context of the instant

⁶ See Dubai Wire Questionnaire.

⁷ See memorandum to the file entitled, "2013 – 2014 Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the United Arab Emirates – Documenting Delivery of the Antidumping Duty Questionnaire for Dubai Wire FZE," dated August 15, 2014.

⁸ See letter from Dubai Wire's importer entitled, "Factual Information in Support of Calculating DWE Dumping Margin Based on Neutral Facts Available; Second Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the United Arab Emirates" {emphasis removed}, dated November 26, 2014 (Dubai Wire's Importer Factual Submission).

⁹ See *Certain Steel Nails from the United Arab Emirates: Final Results of Antidumping Duty Administrative Review; 2011-2013*, 79 FR 78396 (December 30, 2014) (*Nails Final Results*) and accompanying Issues and

review, and consistent with our findings in the previous administrative review, we find that Dubai Wire was not operational during the instant POR and, therefore, was unable to respond to our questionnaire or to participate in any way in this review. Accordingly, we find that Dubai Wire did not fail to cooperate with respect to providing the requested information and, thus, we are not drawing an adverse inference. Therefore, consistent with our practice, we are applying neutral facts available.¹⁰ Specifically, we are assigning Dubai Wire the weighted average dumping margin of 18.13 percent, the rate we calculated for Dubai Wire in the most recently completed administrative review.¹¹

Precision

We issued Precision's antidumping duty questionnaire on August 15, 2014,¹² and subsequently confirmed the delivery of the questionnaire.¹³ We did not receive a questionnaire response from Precision. On September 4, 2014, Precision submitted a no shipment certification as well as a separate extension request to accept its late certification. On September 8, 2014, Precision submitted its accompanying company certification. We determined that Precision's no shipment certification was untimely filed, as the due date for the submission of such a certification was August 26, 2014, and rejected it, and the company certification, accordingly.¹⁴ We also determined that Precision's extension request was untimely and failed to demonstrate extraordinary circumstances, in accordance with 19 CFR 351.302(c)(2).¹⁵

Section 776(a)(1) of the Act states that the Department "shall use" facts available if necessary information is not available on the record. Further, section 776(a)(2)(A)-(C) of the Act provides that the Department "shall use" facts available if it determines that an interested party withheld information requested by the Department, failed to provide such information by the deadlines for submission of the information or in the form and manner requested by the Department, or significantly impeded a proceeding. In this case, all of these factors apply. Accordingly, the use of facts available is warranted in determining a weighted-average dumping margin for Precision.

Despite the clear instructions in our August 15, 2014, letter concerning our antidumping procedures and time limits imposed by the statute, Precision never responded to the Department's questionnaire, nor did it provide any indication that it was unable to comply with our requests for information. Further, Precision ceased to communicate with the Department after sending its September 8, 2014, letter, which was rejected by the Department as untimely.

Decision Memorandum at Comment 2.

¹⁰ See, e.g., *Frontseating Service Valves From the People's Republic of China: Final Results of the 2008-2010 Antidumping Duty Administrative Review of the Antidumping Duty Order*, 76 FR 70706 (November 15, 2011), and accompanying Issues and Decision Memorandum at Comment 12; see also *Small Diameter Graphite Electrodes from the People's Republic of China: Final Results of the First Administrative Review of the Antidumping Duty Order and Final Rescission of the Administrative Review, in Part*, 76 FR 56397 (September 13, 2011), and accompanying Issue and Decision Memorandum at Comment 9.

¹¹ See *Nails Final Results*, 79 FR at 78397.

¹² See Precision Questionnaire.

¹³ See Memorandum to the File regarding "Certain Steel Nails from the United Arab Emirates - Precision Fasteners, LLC Questionnaire Receipt," dated January 8, 2015.

¹⁴ See memorandum to the File entitled, "Steel Nails from the United Arab Emirates Administrative Review of the Antidumping Duty Review; Rejection of Untimely Filed No Shipment Certification," dated January 22, 2015.

¹⁵ *Id.*

Precision remains under review in this proceeding and has a responsibility to participate. Accordingly, we preliminarily find that Precision failed to cooperate by not acting to the best of its ability in this proceeding, within the meaning of section 776(b) of the Act, because it failed to respond to our requests for information and failed to provide any additional information. Thus, we determine that an adverse inference is warranted in selecting from the facts otherwise available with respect to Precision.¹⁶

Where we apply AFA because a respondent failed to cooperate by not acting to the best of its ability to comply with a request for information, section 776(b) of the Act authorizes us to rely on information derived from the petition, a final determination, a previous administrative review, or other information placed on the record.¹⁷ As AFA, we preliminarily assign Precision a weighted-average dumping margin of 184.41 percent, the highest rate found in the less-than-fair-value investigation and the rate used as AFA in the first administrative review.¹⁸ This rate is sufficiently adverse to ensure that the uncooperative party does not obtain a more favorable result by failing to cooperate than if it had fully cooperated.¹⁹

When a respondent is not cooperative, such as Precision in this review, we have the discretion to presume that the highest dumping margin from any prior segment of the proceeding reflects the current weighted-average dumping margin.²⁰ If this were not the case, the party would produce current information showing its rate to be less.²¹ Further, by using the highest prior dumping margin, we offer the assurance that the exporter will not benefit from refusing to provide information.

Corroboration of Information Used as Facts Available

Section 776(c) of the Act requires that, to the extent practicable, the Department corroborate secondary information from independent sources that are reasonably at its disposal. Secondary information is defined as “information derived from the petition that gave rise to the investigation or review, the final determination concerning the subject merchandise, or any previous review under section 751 concerning the subject merchandise.”²² As clarified in the SAA, “corroborate” means that the Department will satisfy itself that the secondary information to be used has probative value.²³ To corroborate secondary information, the Department will

¹⁶ See, e.g., *Notice of Final Determination of Sales at Less Than Fair Value: Circular Seamless Stainless Steel Hollow Products From Japan*, 65 FR 42985, 42986 (July 12, 2000) (where the Department applied total AFA because the respondent failed to respond to the questionnaire).

¹⁷ See 19 CFR 351.308(c)(1) and (2); see also SAA at 868-870.

¹⁸ See *Certain Steel Nails From the United Arab Emirates: Final Determination of Sales at Less Than Fair Value*, 77 FR 17029, 17030 (March 23, 2012) (*LTFV Final*), unchanged in *Certain Steel Nails From the United Arab Emirates: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 77 FR 27421 (May 10, 2012) (*LTFV Amended Final*) (amending the final determination to correct certain ministerial errors) and *Nails Final Results*, 79 FR at 78397.

¹⁹ See *Gallant Ocean (Thailand) Co. v. United States*, 602 F.3d 1319 (Fed. Cir. 2010).

²⁰ See *Ta Chen Stainless Steel Pipe, Inc. v. United States*, 298 F.3d 1330, 1339 (Fed. Cir. 2002) (citing *Rhone Poulenc, Inc. v. United States*, 899 F.2d 1185, 1190 (Fed. Cir. 1990)).

²¹ See *Rhone Poulenc*, 899 F.2d at 1190.

²² See SAA at 870.

²³ *Id.*

examine, to the extent practicable, the reliability and relevance of the information.²⁴ As emphasized in the SAA, however, the Department need not prove that the selected facts available are the best alternative information.²⁵ Further, independent sources used to corroborate such evidence may include, for example, published price lists, official import statistics and customs data, and information obtained from interested parties during the particular investigation or review.²⁶

With respect to the relevance aspect of corroboration, we will consider information reasonably at our disposal to determine whether a margin continues to have relevance. Where circumstances indicate that the selected margin is not appropriate as FA or AFA, we will disregard the margin and determine an appropriate margin.²⁷ Similarly, we do not apply a margin that has been discredited.²⁸

(a) *Dubai Wire*

The 18.13 percent rate that we are applying in this review for Dubai Wire as FA is the weighted-average dumping margin that we calculated for Dubai Wire in the most recently completed administrative review. Therefore, this rate is reliable and relevant because it is a calculated rate for Dubai Wire that reflects its most recent pricing practices, at a time when it was fully operational.

The 18.13 percent rate that we calculated for Dubai Wire in the most recently completed administrative review was based on constructed export prices reported by Dubai Wire's affiliated importer, Itochu Building Products Inc. (IBP) and affiliated distributor, PrimeSource Building Products Inc., (collectively, IBP).²⁹ In assessing the relevancy of the 18.13 percent rate for Dubai Wire in this review, we considered relevant record evidence. Specifically, we find that record evidence in the instant review shows that: 1) IBP continued to be an importer of record for a number of Dubai Wire's shipments of subject merchandise during the POR; 2) Dubai Wire's prices to the United States during the current POR were not significantly different than its prices during the previous review; 3) IBP's resale prices to unaffiliated customers in the United

²⁴ See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished From Japan, and Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Components Thereof, From Japan: Preliminary Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 61 FR 57391, 57392 (November 6, 1996), unchanged in *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished From Japan, and Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Final Results of Antidumping Duty Administrative Reviews and Termination in Part*, 62 FR 11825 (March 13, 1997).

²⁵ See SAA at 869.

²⁶ See 19 CFR 351.308(d) and SAA at 870; see also *Notice of Preliminary Determination of Sales at Less Than Fair Value: High and Ultra-High Voltage Ceramic Station Post Insulators from Japan*, 68 FR 35627, 35629 (June 16, 2003), unchanged in final determination, 68 FR 62560; and *Notice of Final Determination of Sales at Less Than Fair Value: Live Swine From Canada*, 70 FR 12181, 12183-84 (March 11, 2005).

²⁷ See *Fresh Cut Flowers From Mexico; Final Results of Antidumping Duty Administrative Review*, 61 FR 6812, 6814 (February 22, 1996) (where the Department disregarded the highest margin in that case as adverse best information available (the predecessor to facts available), because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin).

²⁸ See *D & L Supply Co. v. United States*, 113 F.3d 1220, 1221 (Fed. Cir. 1997) (ruling that the Department will not use a margin that has been judicially invalidated).

²⁹ See *Nails Final Results*, 79 FR at 78396.

States during the current POR were substantially similar to its prices in the previous review; 4) IBP's expenses in the United States during the current POR were substantially similar to its expenses during the previous review; 5) Dubai Wire reported accurate costs in the previous administrative review; and 6) there is no evidence that Dubai Wire's costs have increased in the current review.³⁰ Because Dubai Wire's previously calculated weighted-average margin reflects its most recent selling practices and there is no record evidence that U.S. prices and/or costs of subject merchandise have changed between the previous and current administrative reviews, we determine that the 18.13 percent margin is relevant for use as an FA rate for Dubai Wire in this administrative review. We find this information sufficient in satisfying our corroboration requirements under section 776(c) of the Act.

(b) Precision

The 184.41 percent rate that we are applying in this review for Precision as AFA was the highest rate from the petition and was the AFA rate we applied in the investigation and in the first administrative review. No additional information has been presented in the current review which calls into question the reliability of the information. We corroborated this rate in the pre-initiation phase of the investigation to determine the probative value of the margins alleged in the petition for use as AFA,³¹ and we further corroborated this rate for the final determination of the investigation using a component analysis against Dubai Wire's comparison margins in the investigation.³² We also corroborated this rate when we applied AFA for Precision in the first administrative review of the *Order*.³³ We found this rate to be within the range of individual dumping margins calculated for Dubai Wire in that review.³⁴ There is no information on the record of the instant review that calls into question the reliability of this rate and we therefore determine this information continues to be reliable.

In assessing the relevancy of the rate used for Precision, we do not have any data contemporaneous with the POR with which to corroborate the rate selected as AFA for Precision. This is so because we did not calculate a dumping margin for any company in the instant review. For these reasons, we used the data from the immediately preceding administrative review of the *Order* to establish the relevancy of the selected AFA rate for Precision.³⁵ The 184.41 percent margin falls within the range of transaction- and comparison-

³⁰ See Dubai Wire's Importer Factual Submission.

³¹ See *Certain Steel Nails from the United Arab Emirates: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 76 FR 68129, 68131-32 (November 3, 2011) (*LTFV Prelim*) unchanged in *LTFV Amended Final*. (The Department established the adequacy and accuracy of all six margins alleged in the petition in the *LTFV Prelim*.)

³² See *LTFV Final*, 77 FR at 17030.

³³ See *Nails Final Results* and the accompanying Issues and Decision Memorandum at 4. The Corroboration information from the first administrative review is contained in the December 22, 2014, memorandum to the file entitled, "Administrative Review of the Antidumping Duty Order on Certain Steel Nails from the United Arab Emirates – Final Analysis Memorandum for Dubai Wire FZE," in the Margin-Calculation Program Output at 843-844. This analysis memorandum has been placed on the record of the instant review in the memorandum to file entitled, "Certain Steel Nails from the United Arab Emirates – Corroboration," dated concurrently with this notice, (Corroboration Data).

³⁴ See Corroboration Data.

³⁵ See *Shandong Machinery Import & Export Company v. United States*, Ct No. 07-355, Slip Op. 11-47 (CIT April 26, 2011) (in which the Court sustained the Department's use of transaction specific rates from the immediately

specific dumping margins which we calculated for Dubai Wire in the first administrative review of the *Order*.³⁶ Additionally, there is no information on the record of the instant review that demonstrates that the selected rate is not an appropriate AFA rate for Precision. Because the 184.41 percent margin is within the range of comparison margins on the record of the first administrative review, the Department determines that the 184.41 percent margin continues to be relevant for use as an AFA rate for Precision in this administrative review.

Duty Absorption

On July 28, 2014, Mid Continent requested that the Department determine whether antidumping duties have been absorbed by Dubai Wire and Precision during the POR.³⁷ Section 751(a)(4) of the Act provides that the Department will, if requested, determine, during an administrative review initiated two or four years after publication of the order, whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order, if the subject merchandise is sold in the United States through an importer which is affiliated with such foreign producer or exporter. The statute requires the Department to notify the International Trade Commission of its findings regarding duty absorption for consideration in conducting a five-year “sunset” review (to determine whether revocation of the order would be likely to lead to continuation or recurrence of dumping and of material injury). Because the POR covers part of the period falling between the first and second anniversary of the publication of the order, *i.e.*, May 10, 2013 to April 30, 2014, we are making a duty absorption determination in this segment of the proceeding within the meaning of 19 CFR 351.213(j).³⁸ As explained above, we have determined a margin for Dubai Wire and Precision on the basis of facts available, due to a lack of questionnaire responses from these companies. Lacking other information, we find that duty absorption exists on all of U.S. sales of the subject merchandise exported by Dubai Wire and Precision.³⁹

preceding administrative review to demonstrate the reliability and relevance of a petition rate as AFA).

³⁶ See Corroboration Data.

³⁷ See letter to the Secretary of Commerce from Mid Continent entitled, “*Certain Steel Nails From the United Arab Emirates: Petitioner’s Request for Duty Absorption Inquiry*” {emphasis removed}, dated July 28, 2014; *see also* letter to the Secretary of Commerce from Mid Continent entitled, “*Certain Steel Nails From the United Arab Emirates: Clarification of Petitioner’s Request for Duty Absorption Inquiry*” {emphasis removed}, dated August 5, 2014.

³⁸ See section 751(a)(4) of the Act.

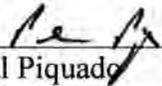
³⁹ See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Sweden, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews*, 64 FR 35590, 35601 (July 1, 1999); *Extruded Rubber Thread From Malaysia: Final Results of Antidumping Duty Administrative Review*, 63 FR 12752, 12756 (March 16, 1998); *Certain Preserved Mushrooms From India: Final Results of Antidumping Duty Administrative Review*, 69 FR 51630, 51631 (August 20, 2004).

Recommendation

We recommend applying the above methodology for these preliminary results.

✓
Agree

Disagree


Paul Piquado
Assistant Secretary
for Enforcement and Compliance

2 FEBRUARY 2015
(Date)