

May 18, 2005

To All Interested Parties:

On May 3, 2005, the Department of Commerce (the Department) received an antidumping duty petition filed by the Diamond Sawblade Manufacturers' Coalition¹ (DSMC) and its individual members (collectively, the petitioners), alleging that diamond sawblades and parts thereof from the People's Republic of China and the Republic of Korea are being, or are likely to be, sold in the United States at less than fair value.

In order for the Department to initiate an antidumping duty investigation, the Department must determine whether a minimum percentage of the relevant industry supports the petition, in accordance with section 732(c)(4)(A) of the Tariff Act of 1930, as amended (the Act). A petition meets the requirements if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, the Department shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A), or (ii) determine industry support using a statistically valid sampling method to poll the industry.

Because there is some question as to whether the petitioners have the requisite industry support as defined above by section 732(c)(4)(D) of the Act, we are now requesting the information in Attachment I of this letter. The Department has also published a notice in the Federal Register, inviting interested parties to respond to the same questions. Therefore, please respond to the questions in Attachment I and fax your response to the following number: (202) 482-5871.

Certain information received by the Department will be treated as proprietary information as outlined under our regulations (*see* 19 CFR 351.105). *See* Attachment I for details. Because

¹ The Diamond Sawblade Manufacturers' Coalition consists of Blackhawk Diamond, Inc., Diamond B Inc., Diamond Products, Dixie Diamond, Hoffman Diamond, Hyde Manufacturing, Sanders Saws, Terra Diamond, and Western Saw Inc.

your response to the Department will contain business proprietary information (BPI), the attached questionnaire is pre-marked with the statement "Agree to Release Under APO." If you do not agree to release the BPI under the Department's Administrative Protective Order (APO), you will need to change the statement in the upper right hand corner of your response. Please also note that all proprietary documents received by the Department in response to this request will be served on those individuals with access to business proprietary information under the APO. All company names will be treated as public information. All public documents may be made available to those parties on the public service list. The APO service lists and the public service lists are available on Import Administration's website: <http://ia.ita.doc.gov>.

Please provide a copy of your response to this questionnaire with all numeric proprietary information summarized to within plus or minus ten percent of the actual figure and non-numeric proprietary information deleted. For example, if you report a sales value of \$1,000,000 in the proprietary version, the public version of this figure could be any number between \$900,000 or \$1,100,000. Additional guidance on preparing a public version of your response is contained in Attachment V of this letter. Please note that we will place this copy of your response on the public record on your behalf.

In addition, the Department requests that you certify the accuracy of the information you submit with the "Company Official Certification" in Attachment III. Make sure you fax the certification of accuracy with your response.

Responses to this notice are due no later than **May 25, 2005**. Responses after this date may not be reviewed by the Department.

If you have any questions regarding this matter, please contact Mark Manning at (202) 482-5253.

Sincerely,

Holly Kuga
Senior Office Director
AD/CVD Operations, Office 4

Enclosure

A-570-900
A-580-855
Investigation
**Document treated as
business proprietary upon
submission to the
Department of Commerce
Agree to release under APO**

ATTACHMENT I

**QUESTIONS REGARDING THE PETITION ON DIAMOND SAWBLADES AND PARTS
THEREOF² FROM THE PEOPLE’S REPUBLIC OF CHINA AND THE
REPUBLIC OF KOREA**

**ALL OF THE INFORMATION YOU PROVIDE IN RESPONSE TO ATTACHMENT I WILL
BE ENTERED ON THE RECORD OF THIS INVESTIGATION AS BUSINESS
PROPRIETARY INFORMATION WITH THE EXCEPTION OF THE ANSWERS TO
QUESTIONS 1, 2, 8 AND 12,³ WHICH WILL BE PLACED ON THE PUBLIC RECORD**

1. Please provide the following information about your company:

Company Name	
Name and Title of the Company President, Director or Manager	
Your Name and Title	
Business Address	
Phone Number	
Fax Number	
E-Mail Address	

² See Attachment II for the Scope of the Petition.

³ If you believe that certain information in response to questions 1, 2, 8 and 12 should also be considered to be business proprietary, please put brackets around that specific information ([]) and explain why that information should not be publicly disclosed. In addition, please provide a public version of your response to this questionnaire, for placement on the public record. For information on how to prepare a public version, please see Attachment VI and refer to the Department’s regulations in 19 CFR § 351.304-306.

2. Please check all that apply to describe the business activities of your company⁴:

U.S. Manufacturer/Producer of Diamond Sawblades or Parts Thereof	
U.S. Importer of Diamond Sawblades or Parts Thereof	
U.S. Distributor or U.S. Reseller of Diamond Sawblades or Parts Thereof	
Other Diamond Sawblades or Parts Thereof activities in the United States (Please Explain)	
Not Involved in the Production or Sale of Diamond Sawblades or Parts Thereof in the United States	

3. If you **ARE NOT** a U.S. manufacturer/producer of diamond sawblades or parts thereof (*i.e.*, you are an importer, distributor, or reseller only, or do not produce or sell diamond sawblades or parts thereof) based on your response to question 2 above, please **STOP HERE** and **FAX** this response to Import Administration. If you **ARE** a U.S. manufacturer/producer of diamond sawblades or parts of diamond sawblades, please continue to question 4.
4. Please provide the sales value of diamond sawblades and parts thereof, as described in Attachment II, that you, and your related companies⁵, produced and sold in the table below. **Do not count any diamond sawblades or parts thereof that you may have purchased from another producer in the United States or abroad and sold without any further manufacturing in determining the total sales value of diamond sawblades and parts thereof that you produced.**

⁴ A U.S. manufacturer/producer is a manufacturer/producer of the domestic like product (*See* scope description Attachment II) with production facilities in the United States during the period January 1, 2004 through December 31, 2004. "Importer" means the person by whom, or for whose account, subject merchandise is imported. *See* 19 CFR § 351.102(b) of the Department's regulations. If your company imports finished diamond sawblades from any country and then resells them, do not count yourself a manufacture/producer for those sales. If your company imports diamond sawblade parts (*i.e.*, diamond sawblade cores and/or diamond sawblade segments) from any country and then further manufactures those parts into finished diamond sawblades you are to be considered a U.S. manufacturer/producer of diamond sawblades and parts thereof.

⁵*See* Attachment V for explanation of "related parties."

Your company (name):	U.S. dollar sales value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades produced in the United States and sold to unrelated parties during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Related Company 1 (name):	U.S. dollar sales value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades produced in the United States and sold to unrelated parties during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Related Company 2 (name):	U.S. dollar sales value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades produced in the United States and sold to unrelated parties during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate. If necessary, please create additional tables for any other related companies.

5. Please provide the following information regarding your imports of diamond sawblades and parts thereof⁶:

⁶The value you report in the import column should include imports for which you were the importer of record as well as imports through a third party, whether your company is related to that third party or not.

CHINA

Imports from China Your company (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from China during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Imports from China Related Company 1 (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from China during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Imports from China Related Company 2 (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from China during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate. If necessary, please create additional tables for any other related companies.

KOREA

Imports from Korea Your company (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from Korea during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Imports from Korea Related Company 1 (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from Korea during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate.

Imports from Korea Related Company 2 (name):	U.S. dollar import value of diamond sawblade cores, diamond sawblade segments, and diamond sawblades imported from Korea during Jan 2004-Dec 2004
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

Please use additional lines as appropriate. If necessary, please create additional tables for any other related companies.

Please answer the following questions with respect to China:

- Please provide an estimate of your imports of diamond sawblade cores, diamond sawblade segments, and finished diamond sawblades from **China** as a percentage of your total purchases of diamond sawblade cores, diamond sawblade segments, and finished diamond sawblades in the table below.

Imports from China Your company and all related companies	(U.S. dollar import value of diamond sawblade cores, diamond sawblade segments or finished diamond sawblades imported from China during Jan 2004-Dec 2004) ÷ (total purchases of diamond sawblade cores, diamond sawblade segments or finished diamond sawblades during Jan 2004-Dec 2004)
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

7. Does your company, parent company, or any related companies ⁷, have any relationships with, ownership interests in (including partial ownerships), or joint-venture agreements, supply arrangements, etc., with any Chinese producers, manufacturers or exporters of diamond sawblades or parts thereof, **related to either subject** (as described in Attachment II-Scope of the Petition) **or non-subject merchandise**? If so, please list those Chinese companies and describe the nature of that relationship (*e.g.*, stock ownership (if so, how much?), family relationship (if so, what relationship?), etc.).

Yes _____

Chinese Company Name(s) _____

Nature of Relationship _____

No _____

8. Regarding the antidumping duty petition filed against imports of diamond sawblades and parts thereof from **China**, do you:

- Support this petition?
 Oppose this petition?
 Have no opinion?

Note that if you select none of these options, we will presume that you have no opinion.

⁷ See Attachment V for explanation of “related parties.”

9. If you oppose this petition and you answered “yes” to question 7 above or you imported diamond sawblades or parts thereof from China, describe in detail how your interests as a domestic producer would be adversely affected by the imposition of an antidumping order. Please describe your dependency on imports from China in relation to your overall sales.

Please answer the following questions with respect to Korea:

10. Please provide an estimate of your imports of diamond sawblade cores, diamond sawblade segments, and finished diamond sawblades from **Korea** as a percentage of your total purchases of diamond sawblade cores, diamond sawblade segments, and finished diamond sawblades in the chart below.

Imports from Korea Your company and all related companies	(U.S. dollar import value of diamond sawblade cores, diamond sawblade segments or finished diamond sawblades imported from Korea during Jan 2004-Dec 2004) ÷ (total purchases of diamond sawblade cores, diamond sawblade segments or finished diamond sawblades during Jan 2004-Dec 2004)
Diamond Sawblade Cores	
Diamond Sawblade Segments	
Finished Diamond Sawblades	

11. Does your company, parent company, or any related companies⁸, have any relationships with, ownership interests in (including partial ownerships), or joint-venture agreements, supply arrangements, etc., with any Korean producers, manufacturers or exporters of diamond sawblades or parts thereof, **related to either subject** (as described in Attachment II-Scope of the Petition) **or non-subject merchandise**? If so, please list those Korean companies and describe the nature of that relationship (e.g., stock ownership (if so, how much?), family relationship (if so, what relationship?), etc.).

Yes _____

⁸ See Attachment V for explanation of “related parties.”

Korean Company Name(s) _____

Nature of Relationship _____

No _____

12. Regarding the antidumping duty petition filed against imports of diamond sawblades and parts thereof from **Korea**, do you:

- Support this petition?
- Oppose this petition?
- Have no opinion?

Note that if you select none of these options, we will presume that you have no opinion.

13. If you oppose this petition and you answered “yes” to question 11 above or you imported diamond sawblades or parts thereof from Korea, describe in detail how your interests as a domestic producer would be adversely affected by the imposition of an antidumping order. Please describe your dependency on imports from Korea in relation to your overall sales.

ATTACHMENT II

SCOPE OF THE PETITION

The products covered by this petition are all finished circular sawblades, whether slotted or not, with a working part that is comprised of a diamond segment or segments, and parts thereof, regardless of specification or size, except as specifically excluded below.

Within the scope of this petition are semifinished diamond sawblades, including diamond sawblade cores and diamond sawblade segments. Diamond sawblade cores are circular steel plates, whether or not attached to non-steel plates, with slots. Diamond sawblade cores are manufactured principally, but not exclusively, from alloy steel. A diamond sawblade segment consists of a mixture of diamonds (whether natural or synthetic, and regardless of the quantity of diamonds) and metal powders (including, but not limited to, iron, cobalt, nickel, tungsten carbide) that are formed together into a solid shape (from generally, but not limited to, a heating and pressing process).

Sawblades with diamonds directly attached to the core with a resin or electroplated bond, which thereby do not contain a diamond segment, are not included within the scope of the petition. Sawblade cores with a thickness of less than 0.025 inches, or with a thickness greater than 1.1 inches, are excluded from the scope of the petition. Circular steel plates that have a cutting edge of non-diamond material, such as external teeth that protrude from the outer diameter of the plate, whether or not finished, are excluded from the scope of the petition. Diamond sawblade cores with a Rockwell C hardness of less than 25 are excluded from the scope of the petition. Diamond segments with diamonds that predominantly have a mesh size number greater than 240 (such as 250 or 260) are excluded from the scope of the petition.

Merchandise subject to this order is typically imported under heading 8202.39.00.00 of the Harmonized Tariff Schedule of the United States (“HTSUS”). When packaged together as a set for retail sale with an item that is separately classified under headings 8202 to 8205 of the HTSUS, diamond sawblades or parts thereof may be imported under heading 8206.00.00.00 of the HTSUS. The tariff classification is provided for convenience and Customs and Border Protection purposes; however, the written description of the scope of the investigation is dispositive.

**ATTACHMENT III
DIAMOND SAWBLADES AND PARTS THEREOF
COMPANY OFFICIAL CERTIFICATION**

I, _____, currently employed
(Name and Title)

by _____, certify that (1) I have read the
(Interested Party)

attached submission, and (2) the information contained in this submission is, to the best of my knowledge, complete and accurate.

(Signature of Certifying Official)

(Date)

**ATTACHMENT IV
DIAMOND SAWBLADES AND PARTS THEREOF
LEGAL COUNSEL/REPRESENTATIVE CERTIFICATION**

I, _____, of _____,
(Name) **(Law or other firm)**

counsel or representative to _____, certify that (1) I have read the
(Person)

attached submission, and (2) based on the information made available to me by

_____, I have no reason to believe that this submission contains
(Person)

any material misrepresentation or omission of fact.

(Signature of Counsel/Representative)

(Date)

ATTACHMENT V

Pursuant to Section 771(4)(B)(ii) of the Act, "...a producer and an exporter or importer shall be considered to be related parties, if --

- (I) the producer directly or indirectly controls the exporter or importer,
- (II) the exporter or importer directly or indirectly controls the producer,
- (III) a third party directly or indirectly controls the producer and the exporter or importer,
or
- (IV) the producer and the exporter or importer directly or indirectly control a third party and there is reason to believe that the relationship causes the producer to act differently than a nonrelated producer.

For purposes of this subparagraph, a party shall be considered to directly or indirectly control another party if the party is legally or operationally in a position to exercise restraint or direction over the other party."

ATTACHMENT VI

Request **proprietary treatment** for any information in questions 1, 2, 8 and 12 that you do not wish to be made publicly available. As a general rule, the Department places all correspondence and submissions received in the course of an antidumping proceeding in a public reading file. However, information deemed to be **proprietary information** will not be made available to the public.

If you wish to make a request for proprietary treatment for particular information, refer to the Department's **regulations** in 19 CFR § 351.304-306. Submit the request for proprietary treatment with the submission of the proprietary version of the questionnaire response accompanied by:

- (1) a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence,⁹ and/or
- (2) an itemization of particular information that you believe you are unable to summarize, accompanied by a statement of the reasons you believe that to be true.

Responses, or portions thereof, that are not adequately summarized may be returned to you and not used.

If you have any questions about how to make a public version of your questionnaire response, please contact the Department.

⁹ Generally, numerical data are adequately summarized if grouped or presented in terms of indices or figures ranged within ten percent of the actual figure. If a particular portion of the data is voluminous, use ranged figures for at least one percent of the voluminous portion.