

Instructions for Filing Comments on the Scope of the Antidumping Duty Investigations of Certain Steel Nails from the People's Republic of China and the United Arab Emirates

For additional information regarding the Investigations of Certain Steel Nails please call 202-482-1324

The Department of Commerce (“the Department”) initiated investigations on certain steel nails from the People’s Republic of China and the United Arab Emirates on July 16, 2007. *See Certain Steel Nails from the People’s Republic of China and the United Arab Emirates: Initiation of Antidumping Duty Investigations*, 72 FR 38816 (July 16, 2007) (“*Initiation Notice*”). In this *Initiation Notice*, the Department set aside a 20 day period from signature date for parties to raise issues regarding product coverage. The official deadline for submitting scope comments was **July 30, 2007. Because scope comments were due on July 30, 2007, any comments received after this date may not be considered prior to the issuance of the final determination. For those parties who wish to file letters regarding scope product coverage, the instructions are outlined below.**

The following information concerns the procedures that must be followed, in accordance with the Department’s regulations, in submitting comments regarding whether a product is covered by the scope of the antidumping duty investigations of Certain Steel Nails from the People’s Republic of China (“PRC”) and the United Arab Emirates (“UAE”), Case Numbers A-570-909 and A-520-802.

Items to Include In Your Comments: When submitting comments on the scopes of these investigations, it is helpful if you provide the following information regarding the product which you think should be in or out of the scopes of these investigations:

- A detailed description of the product, including its technical characteristics and uses, and its current U.S. Tariff Classification number. Additionally, parties sometimes provide pictures of their products;
- A summary of the reasons for your conclusion that the product is or is not covered by the scope of these investigations;
- Citations to any applicable statutory authority;
- Attachment of any factual support for this position, *e.g.* stated exclusions in the Petitions, applicable articles, pictures, etc.;
- The physical characteristics of the product;
- The expectations of the ultimate purchasers of the product;
- The ultimate uses of the product;
- The channels of trade in which the product is sold; and

- The manner in which the product is advertised and displayed.

Your scope comments should address these criteria as appropriate in order to support your position that a product should or should not be covered by the scope of these investigations.

Filing Requirements: Sections 351.303(b), (c), (d), (e), (f), and (g) of the Department's regulations set forth the filing requirements in order to submit documents to the Department, including comments submitted on the scopes of the PRC and UAE nails investigations. The Department will maintain all comments received in public files located in the Central Records Unit, Room B-099, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230.

The Department considers the information officially "received" when stamped by the Central Records Unit with the date and time of receipt. *See* 19 C.F.R. 351.103(b). The top right-hand corner of the cover letter or front page of your comments should follow the format provided in section 351.303(d)(2) of the Department's regulations, and should clearly indicate that it includes comments on the scopes of the investigations of Certain Steel Nails from the People's Republic of China and the United Arab Emirates, **Case Nos. A-570-909 and A-520-802**. All scope comments should be **filed on the record of both the PRC and UAE investigations**. That is, you should submit the requisite number of copies of your comments under each investigation's case number.

The Department's regulations require that the providers of information and the person submitting it, if different (*e.g.*, your legal representative), certify that they have read the submission and that the information contained in it is accurate and complete to the best of their knowledge. **Any submission that does not contain such a certification statement will not be accepted at the time of filing.** *See* 19 C.F.R. 351.303(g).

The scope comments sent to the Department must include a certification that it has been **sent to all interested parties**, should specify method of delivery and date, and must include the **names and addresses** of parties on the interested party list. **Scope comments will not be considered without the certifications stated in 19 C.F.R. 351.303(f) and 351.303(g).**

- *Where do I send comments?*

All submissions must be made directly to:

U.S. Department of Commerce
International Trade Administration
Antidumping and Countervailing Duties
Operations, Office 9
IA Central Records Unit, Room 1870
Washington, D.C. 20230

You may mail the comments or submit them in person. **All comments must be received no later than July 30, 2007.**

- *How do I protect any business proprietary information?*

Any party submitting business proprietary information should clearly label the business proprietary portion of the submission. See 19 C.F.R. 351.303(c). Only parties that are under an administrative protective order (APO) will gain access to this business proprietary information. Please state in your cover letter whether you consent to or object to the release of the proprietary information under an APO. If you object to disclosure, you must also submit a statement with your reasons for the objection. See 19 U.S.C. 1677f(c) and 19 C.F.R. 351.304. Please note that there are limited reasons under which you may object to the disclosure of business proprietary information under an APO. See 19 C.F.R. 304(b)(2).

- *How many copies should I submit to the Department?*

You are required to submit **six** copies of your comments. If you request that the Secretary treat portions of the document as proprietary information, submit an additional three copies of a public version of the document and one copy of any administrative protective order versions. See 19 C.F.R. 351.303(c). (A "public version" is a version of your comments with all business proprietary information removed. If your submission does not contain business proprietary information, then you will only file a public version.)

- *To whom must I send copies of my comments?*

In addition to submitting your comments to the Department, you must also send a copy of your comments to **all** interested parties on the service list of the PRC and UAE nails investigation. See 19 C.F.R. 351.303(f). You must serve parties on the APO service lists with the business proprietary version of your comments. You must serve parties on the public service lists with public versions of your comments. (If your comments do not contain business proprietary information then you will serve only parties on the public service list.)

The list of interested parties you need to serve with a copy of your scope comments can be found on our website at <http://www.ia.ita.doc.gov/apo/apo-svc-lists.html>. Start at "Active APOs and Service Lists." Begin your search with the product. Search alphabetically for "steel nails." Once you click on "steel nails," you will see the People's Republic of China (A-570-909) and United Arab Emirates (A-520-802). There will be several options. Select "Investigation" for both the PRC and UAE to find the most up-to-date service lists for each investigation.

For a more detailed explanation of filing requirements, formats, etc. Please see the Department's regulations. E.g. 19 C.F.R. 351.303 and 19 C.F.R. 351.304.