



A-570-909
CCR (Roofing Nails Packaging)
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DATE: September 11, 2018

MEMORANDUM TO: Gary Taverman
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations,
performing the non-exclusive functions and duties of the
Assistant Secretary for Enforcement and Compliance

FROM: James Maeder
Associate Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations
performing the duties of Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Decision Memorandum for the Initiation and Expedited
Preliminary Determination of Changed Circumstances Review:
Certain Steel Nails from the People's Republic of China

I. Summary

Based on a request from Mid Continent Nail Corporation (the petitioner), the Department of Commerce (Commerce) is initiating a changed circumstances review of the antidumping duty order on certain steel nails (nails) from the People's Republic of China (China). In conjunction with this initiation, Commerce is expediting its preliminary results with respect to certain exclusions in the scope language. As a result of our analysis, we recommend that Commerce preliminarily determine that the scope of the order be amended as discussed below.

II. Background

On August 1, 2008, Commerce published the antidumping duty order on nails from China.¹ On April 21, 2011, in response to a request submitted by the petitioner, Commerce published an initiation and preliminary results of a changed circumstances review (CCR), in which Commerce preliminarily revoked the *Order* with respect to four types of steel nails based on the petitioner's

¹ See *Notice of Antidumping Duty Order: Certain Steel Nails from the People's Republic of China*, 73 FR 44961 (August 1, 2008) (*Order*).



expressed lack of interest in antidumping duty relief with respect to such imports.² In addition, Commerce preliminarily adopted the 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 CCR¹¹ 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

III. 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

² See *Certain Steel Nails from the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review*, 76 FR 22369 (April 21, 2011) (*2011 CCR Initiation and Preliminary Results*).

³ *Id.*

⁴ See *Certain Steel Nails from the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review*, 76 FR 30101 (May 24, 2011) (*2011 CCR Final Results*).

⁵ *Id.*

⁶ See the Petitioner's March 22, 2017 Request for Changed Circumstances Review (2017 CCR Request).

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).

⁹ See Department Letter re: Changed Circumstances Review Request: Supplemental Questions, dated May 10, 2017 (CCR Supplemental).

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).

¹³ See BMD's May 31, 2017 Response to the Petitioner's CCR Supplemental Response (BMD's May 31, 2017 Comments).

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 proceeding 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 the Harmonized Tariff Schedule of the United States (“HTSUS”) subheadings 7317.00.55, 7317.00.65, 7317.00.75, 7907.00.6000,¹⁴ 7318.29.0000, and 8206.00.0000.¹⁵

Excluded from the scope of this order 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. Also excluded from the scope are the following steel nails: 1) 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; 2) Non-collated (*i.e.*, hand-driven 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; 3) 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; and 4) Non-collated (*i.e.*, hand-driven 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.

Also excluded from the scope of this order are corrugated nails. A corrugated nail is made of a small 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 7317.0020 and 7317.0030. Also excluded from the scope of this order are thumb tacks, which are currently classified under HTSUS 7317.00.1000.

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 polyester film tape backed with a heat seal adhesive. Also excluded from the scope of this order are fasteners having a case hardness greater than or equal to 50 HRC, a carbon content greater than or equal to 0.5 percent, a

¹⁴ Commerce added the Harmonized Tariff Schedule (HTS) category 7907.00.6000, “Other articles of zinc: Other,” to the language of the *Order*. See Memorandum to Gary Taverman, Senior Advisor for Antidumping and Countervailing Duty Operations, through James C. Doyle, Director, Office 9, Antidumping and Countervailing Duty Operations, regarding “Certain Steel Nails from the People’s Republic of China: Cobra Anchors Co. Ltd. Final Scope Ruling,” dated September 19, 2013.

¹⁵ Commerce added the HTS categories 7318.29.000 and 8206.00.0000 per a request by U.S. Customs and Border Protection on February 24, 2017.

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.

IV. 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 below, we find that such sufficient information exists to warrant a CCR. Further, Commerce does not require any additional information to make a preliminary finding. For this reason, as permitted by 19 CFR 351.221(c)(3)(ii), Commerce finds that expedited action is warranted and is conducting this review on an expedited basis by publishing preliminary results in conjunction with a notice of initiation.

Background

As noted above, in the 2011 CCR, the petitioner, along with other domestic producers, which, combined, accounted for substantially all production of the domestic like product, expressed a lack of interest with respect to the following four types of steel nails, and provided the following proposed exclusionary language:

(a) 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.

(b) Non-collated (i.e., hand-driven 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, and whose packaging and packaging marking evident to the ultimate user obviously and prominently indicate that the nails are intended for use in roofing applications and are obviously and prominently labeled "Roofing" or "Roof" nails.

(c) 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, and whose packaging and packaging marking evident to the ultimate user obviously and prominently indicate that the nails are intended for use in roofing applications and are obviously and prominently labeled "Roofing" or "Roof" nails.

(d) Non-collated (i.e., hand-driven 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, and whose packaging and packaging marking evident to the ultimate user obviously and prominently indicate that the nails are intended for use in roofing applications and are obviously and prominently labeled “Roofing” or “Roof” nails.¹⁶

To accompany this proposed language, the petitioner explained:

Revocation of the Order, in part, with respect to the nails described in paragraphs (b), (c) and (d) above, is intended to add these nails to the exclusion pertaining to certain steel roofing nails that has existed since the inception of this proceeding. The steel nails currently covered by that exclusion are specifically enumerated and identified in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails, and that exclusion is limited to those nails, and no others. Assuming this request for partial revocation is granted, the phrase “roofing nails”, when used to refer to certain nails excluded from the Order, accordingly will refer to the nails specifically enumerated and identified in ASTM Standard F 1667 (2005 revision) as Type I, Style 20 nails, and the specific nails described in paragraphs (b), (c) and (d). Apart from these specific nails, no other steel nails are intended to be excluded from the Order as part of the “roofing nail” exclusion.¹⁷

In the *2011 CCR Initiation and Preliminary Results*, which was unchanged in the *2011 CCR Final Results*, Commerce granted the CCR request, and adopted the proposed exclusionary language, while declining to include language which would have required the labels “roof” or “roofing” on the packaging of three of the four types of excluded steel nails identified above, explaining:

The Department considers the physical descriptions of the steel nails to be the defining factor when determining whether certain steel nails meet the proposed nail exclusions. Accordingly, we find that the additional labeling requirement proposed by Petitioner is unnecessary to define the nails subject to this exclusion and we are preliminarily not adopting Petitioner’s labeling requirement.¹⁸

In its 2017 CCR Request, 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 steels nails that were excluded from the scope of the *Order* in the *2011 CCR Final Results*.¹⁹ First, the petitioner argues that, as evidenced by the language above, the intent of its

¹⁶ See 2017 CCR Request at 4 and Exhibit 1 (citing the Petitioner’s February 11, 2011 Request for a Changed Circumstances Review (2011 CCR Request)).

¹⁷ See 2017 CCR Request at 5 and Exhibit 1 (citing 2011 CCR Request).

¹⁸ See *2011 CCR Initiation and Preliminary Results*, 76 FR at 22370-71, unchanged in *2011 CCR Final Results*, 76 FR at 30101.

¹⁹ See 2017 CCR Request at 2 and 12. See also CCR Supplemental Response at 2-3.

2011 CCR Request was to make certain modifications to the existing “roofing nail” exclusion in the scope of the *Order*. Specifically, the 2011 CCR Request sought to modify the roofing nail exclusion such that the exclusion for the three types of nails would apply only to specific roofing nails.

Second, the petitioner provided evidence that the removal of the proposed “roofing nail” labeling requirement language for three of the four exclusions in the *2011 CCR Final Results* has resulted in the misuse of these exclusions to avoid paying antidumping duties on subject merchandise.²⁰ For support, the petitioner included information demonstrating that one of the mandatory respondents in the seventh administrative review of nails from China claimed that certain types of nails, which are not roofing nails, should be excluded from the order by virtue of the *2011 CCR Final*.²¹ In particular, the petitioner clarified that, although certain of these nails technically fell within the parameters of the exclusion at issue, other evidence indicates that these are not, in fact, roofing nails.²²

Third, the petitioner additionally provided import documentation showing an increase in the volumes of roofing nails imported from China in 2016, which were distinct from the import trends of previous years in which the import data paralleled the demand in the domestic housing market.²³ The petitioner explained that the demand for nails in the United States is driven by the residential housing construction market,²⁴ and noted that the increase in roofing nails in 2016, coupled with the decrease in housing starts and permits is further evidence that the roofing nails exclusion is being improperly used to avoid antidumping duties on the subject merchandise.²⁵

Fourth, and finally, the petitioner clarified that the *Order* specifically defines the roofing nail exclusion by reference to the 2005 ASTM standards. According to the petitioner, the ASTM standard at issue, F1667, has been revised a number of times with respect to nails identified as roofing nails, and that the 2011 CCR was intended to introduce exclusions consistent with changes to the roofing nail tables made in the 2011 revision of the ASTM standard.²⁶

Analysis

We have considered the petitioner’s request and agree that, pursuant to section 751(b)(1) of the Act and 19 CFR 351.216(d), changed circumstances exist and are sufficient to warrant a review related to the scope language of the *Order* and the amendments made by the *2011 CCR Final Results*. Specifically, we recognize that the amendments made in the *2011 CCR Final Results*

²⁰ *Id.* at 4-7.

²¹ *Id.* at 8 and Exhibit 2 (citing Tianjin Lianda Group Co. Ltd.’s Second Supplemental Questionnaire Response in the Seventh Administrative Review of the Antidumping Duty Order on Nails from China (Tianjin Lianda AR7 2SAQR)) and Exhibit 3.

²² See CCR Supplemental Response at 4-11 and accompanying exhibits.

²³ See CCR Request at 10-11. See also CCR Supplemental Response at 3-4 and Exhibit 1.

²⁴ See CCR Request at 10 (citing *Certain Steel Nails from Korea, Malaysia, Oman, Taiwan, and Vietnam*, USITC Pub. 4541 (Final) at 18 (July 2015) (ITC Report)). The ITC Report has been added to the record. See Memorandum, *Certain Steel Nails* ITC Report, dated concurrently with this memorandum.

²⁵ See CCR Request at 10-11.

²⁶ See CCR Supplemental Response at 11.

were wholly intended to conform with the expression of no interest by the petitioner and the supporting domestic producers in the continued application of the *Order* with respect to the merchandise that was subject to the 2011 CCR Request.²⁷ As discussed in the *2011 CCR Initiation and Preliminary Results*, which was unchanged in the *2011 CCR Final Results*, record evidence indicated that Maze Nails (a division of W.H. Maze Company) (Maze), and Davis Wire (a Heico Wire Group Company) (Davis), along with the petitioner, the remaining three domestic producers from the original group of petitioners, which together accounted for substantially all domestic like product production, supported the petitioner's request for a changed circumstances review, including the above-mentioned packaging language for roofing nails.²⁸ Thus, we found that evidence on the record indicated that the petitioner and supporting domestic producers expressed a lack of interest in the *Order* with respect to the four specific steel nails referenced in the *2011 CCR Final*.²⁹ Further, in accordance with sections 751(b) and 782(h)(2) of the Act and 19 CFR 351.222(g)(1)(i), we found that the petitioner, along with the other domestic producers, comprised substantially all of the production of the domestic like product, and expressed a lack of interest in the *Order*, in part, with respect to the four specific steel nails identified above.³⁰

Based on a review of information from the 2011 CCR, which is on the record of this CCR, we agree with the petitioner that the revocation with respect to three of the four nails in the 2011 CCR Request was “intended to add these nails to the exclusion pertaining to certain steel roofing nails that has existed since the inception of this proceeding {,}” and further, “{a} part from these specific nails, no other steel nails {were} intended to be excluded from the Order as part of the “roofing nail” exclusion.”³¹ In addition, we recognize that Commerce initially declined to adopt the additional labeling requirement proposed by the petitioner for these three types of nails in the *2011 CCR Final Results*, finding it unnecessary because “the physical descriptions of the steel nails {is} the defining factor when determining whether certain steel nails meet the proposed nail exclusions.”³² However, we agree with the petitioner that this determination had the unintended consequence of allowing more nails to be subject to the roofing nail exclusion than was originally intended by the expression of no interest at issue in the 2011 CCR.

Accordingly, as indicated in the proposed language below, Commerce preliminarily determines that it is appropriate to amend the exclusion language which was adopted in the 2011 CCR Request, and as repeated in the 2017 CCR Request. As reflected below, we have added clarifying language to specify that for three of the four exclusions adopted in the *2011 CCR Final Results*, these exclusions are intended to pertain to roofing nails. Further, although the petitioner proposed the language “and whose packaging and packaging marking for entries on or after the date of publication of the final results of the changed circumstances review are clearly and prominently labeled “Roofing” or “Roof” nails,” we have not adopted this proposal. Rather, after consideration of the record evidence and party arguments, we find that it is more

²⁷ See *2011 CCR Initiation and Preliminary Results*, 76 FR at 22370-71, unchanged in *2011 CCR Final Results*, 76 FR at 30101.

²⁸ See *2011 CCR Preliminary Results* at 22371, unchanged at *2011 CCR Final*.

²⁹ *Id.*

³⁰ See *2011 CCR Initiation and Preliminary Results*, 76 FR at 22370-71, unchanged in *2011 CCR Final Results*, 76 FR at 30101.

³¹ See 2017 CCR Request at 5 and Exhibit 1 (citing 2011 CCR Request).

³² See *2011 CCR Initiation and Preliminary Results*, 76 FR at 22370-71, unchanged in *2011 CCR Final Results*, 76 FR at 30101.

appropriate to include language which specifically references the 2005 ASTM standards, which is in the current roofing nails exclusion and more closely aligns with the intent of the 2011 CCR Request.

For these reasons, we find that these circumstances are sufficient to warrant initiation of a CCR pursuant to section 751(b) of the Act and 19 CFR 351.216(d). Furthermore, pursuant to 19 CFR 351.221(c)(3)(ii), we find that expedited action is warranted to preliminarily align the exclusion language with the intent of the *2011 CCR Final Results*, as this will give effect to the expression of no interest by petitioner and the supporting domestic producers in applying the *Order* to the specific nails at issue and will further improve enforcement of the *Order*.

Therefore, we intend to amend the exclusions to the *Order* as follows (changes in bold):

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 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; 2) Wire collated steel nails, in coils, **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 0.500", inclusive; and 3) Non-collated (*i.e.*, hand-driven or bulk), **as described in ASTM Standard F 1667 (2005 revision) as Type 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 0.813", 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.

These changes have been incorporated in the scope language in the Attachment.

V. Recommendation

For the reasons above, we preliminarily determine to revise the scope language related to certain exclusions of the scope of the antidumping duty order on certain steel nails from China.

☒

☐

Agree

Disagree

9/11/2018

X

Gary Taverman

Signed by: GARY TAVERMAN

Gary Taverman

Deputy Assistant Secretary

for Antidumping and Countervailing Duty Operations,
performing the non-exclusive functions and duties of the
Assistant Secretary for Enforcement and Compliance

Attachment

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 the Harmonized Tariff Schedule of the United States (“HTSUS”) subheadings 7317.00.55, 7317.00.65, 7317.00.75, and 7907.00.6000.³³

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 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; 2) Wire collated steel nails, in coils, 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 0.500”, inclusive; and 3) Non-collated (*i.e.*, hand-driven or bulk), as described in ASTM Standard F 1667 (2005 revision) as Type 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 0.813”, 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.

³³ Commerce added the Harmonized Tariff Schedule category 7907.00.6000, “Other articles of zinc: Other,” to the language of the AD order on Nails from China. See *Certain Steel Nails from the People’s Republic of China: Final Results of Antidumping Duty Administrative Review*; 2012-2013, 80 FR 18816, 18816 n.5 (April 5, 2018).

Also excluded from the scope of this order are corrugated nails. A corrugated nail is made of a small 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 polyester film tape backed with a heat seal adhesive. Also excluded from the scope of this order are 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.