July 11, 2013

BY ELECTRONIC FILING & HAND DELIVERY
Lisa R. Barton, Acting Secretary
U.S. International Trade Commission
Room 112A
500 E Street, S.W.
Washington, DC 20436

Re: Diamond Sawblades and Parts Thereof from China and Korea, Request for Commission Review Pursuant to Section 751(b) of the Tariff Act of 1930, 19 U.S.C. § 1675(b)

Dear Acting Secretary Barton:

On behalf of Husqvarna Construction Products North America, Inc. ("Husqvarna"), both the largest U.S. producer of diamond sawblades and an importer of diamond sawblades from China, we hereby ask the Commission to institute a “changed circumstances” review of the antidumping order on Diamond Sawblades and Parts Thereof from China¹ (the “Order”) pursuant to 19 U.S.C. § 1675(b) and 19 C.F.R. § 207.45.

A. Summary of Changed Circumstances

The Order was imposed on subject imports from China as a result of a May 2008 final affirmative determination by the Commission (the “Remand Determination”) after a remand from the Court of International Trade of a prior final negative determination.\(^2\) The Remand Determination is a three-to-three decision in which all three Commissioners who voted in the affirmative did so based on a finding of threat of material injury by reason of the cumulated volume and price effects on the domestic industry of imports of diamond sawblades and parts thereof from China and Korea. Since the Remand Determination in 2008:

(1) the Department of Commerce (“Commerce” or the “Department”) has revoked the antidumping order on imports from Korea in a final determination pursuant to Section 129 of the Uruguay Round Agreements Act (“Section 129”);\(^3\)

(2) Commerce also made a final determination to revoke the Order as it applies to the largest Chinese exporter Advanced Technology & Materials Co., Ltd. (“AT&M”) pursuant to Section 129\(^4\) (although this decision may be affected by appeals of the Department’s final determination in the underlying investigation);


\(^3\) Notice of Implementation of Determination under Section 129 of the Uruguay Round Agreements Act and Revocation of the Antidumping Order on Diamond Sawblades and Parts Thereof from the People’s Republic of Korea, 76 Fed. Reg. 66892 (Dep’t of Commerce Oct. 28, 2011). This Notice is attached at Exhibit 1. Commerce’s final Section 129 determination resulted from an adverse World Trade Organization panel decision that was filed by the Government of the People’s Republic of China against the “zeroing” methodology employed in Commerce’s antidumping investigation on diamond sawblades. See United States — Antidumping Measures on Certain Shrimp and Diamond Sawblades from China, WT/DS422/R paras. 2.4, 2.6 and n.19 (June 8, 2012).

\(^4\) Certain Frozen Warmwater Shrimp from the People’s Republic of China and Diamond Sawblades and Parts Thereof from the People’s Republic of China: Notice of Implementation of (footnote continued on next page)
(3) Commerce determined in the most recently completed administrative review of
the Order that the dumping margin for AT&M is 0.00;\(^6\)

(4) certain petitioners have been acquired by foreign diamond sawblade producers
and, consequently, have themselves come to rely increasingly on imported
sawblades from their own offshore affiliates to supplement their domestic
production;

(5) as a result of the revocation of the Korean order, the zero margins for AT&M and
the changes in the structure of the domestic industry, the overlap of competition

(footnote continued from previous page)
Determinations Under Section 129 of the Uruguay Round Agreements Act and Partial
Revocation, 78 Fed. Reg. 18958 (Dep’t of Commerce Mar. 28, 2013). This Notice is attached at
Exhibit 2. The final Section 129 determination of the AT&M entity’s margin without zeroing
produced a zero dumping margin for the AT&M entity.

29303 (Dep’t of Commerce May 22, 2006) (“final LTFV determination”); Diamond Sawblades
and Parts Thereof from the People’s Republic of China, 71 Fed. Reg. 35864 (Dep’t of
Commerce June 22, 2006) (“amended final LTFV determination”); Advanced Tech. & Materials
United States, 885 F. Supp. 2d 1343 (Ct. Int’l. Trade 2012). In that appeal, the Department
made a second remand determination “respectfully...under protest” that AT&M is not eligible
for a separate specific rate distinct from the PRC-wide rate. Final Results of Redetermination
Pursuant to Remand Order: Diamond Sawblades and Parts Thereof from the People’s Republic
of China (Dep’t of Commerce May 6, 2013) at 3 n. 8. The Court of International Trade is
considering the Department’s second remand determination. Given the history of the case, the
decision of the Court of International Trade on the Department’s second remand determination is
likely to be appealed to the Court of Appeals for the Federal Circuit.

\(^6\) Diamond Sawblades and Parts Thereof From the People’s Republic of China: Final Results of
June 17, 2013). The Department does not consider the second remand determination to be
binding on it in the 2010-2011 administrative review. Memorandum to Paul Piquado from Gary
Taverman, “Issues and Decision Memorandum for the Administrative Review of the Antidumping
Order on Diamond Sawblades and Parts Thereof from the People’s Republic of China covering
the Period November 1, 2010, through October 31, 2011” dated June 10, 2013 (“Final Decision
Memorandum”) at 11 n. 26. Liquidation of the AT&M entries has been suspended pending the
42 (March 28, 2013).
between subject imports and the domestic like product is far less than it was at the
time of the Remand Determination; and

(6) domestic producers that account for a significant part of U.S. production now
oppose continuation of the Order.

The most significant change since the Remand Determination is Commerce’s decision to
revoke the antidumping order on diamond sawblades from Korea. When it revoked the Korean
order, Commerce found that the imports from Korea had not, in fact, been sold at less than fair
value prices during the Commission’s period of investigation. Because all three Commissioners
who found threat of injury were explicit in basing their finding on the volume and price effects
of cumulated subject imports from both Korea and China, Commerce’s decision to revoke the
Korean order in its entirety removes the basis for the Remand Determination as an injury finding
that continues to support the Order. Indeed, this change is so significant that it alone warrants a
changed circumstances review.

In addition to Commerce’s findings that subject imports from Korea were not dumped
during the period of investigation and that AT&M’s imports were not, and are not now being,
dumped, there have also been significant changes in the composition and operations of the
domestic industry and an increase in domestic industry opposition to the Order. On the first
point, Husqvarna submits that both Diamond Products and Diamond B, two of the largest
domestic diamond sawblade producers that support the Order, have created or expanded
relationships with low-cost foreign manufacturing affiliates and now rely heavily on their own
non-subject off-shore supply for the smaller and/or lower value sawblades that compete most
directly with subject imports from China.\footnote{Subsequent to the period of investigation examined in the Remand Determination, Diamond Products Inc. came under the control of Tyrolit Group headquartered in Austria. The Tyrolit Group has production facilities in eleven countries, including Thailand (see www.tyrolit.com). Another petitioner, Diamond B, is now a wholly-owned subsidiary of the Hilti Group, a privately held corporation headquartered in Liechtenstein with manufacturing facilities in India, Austria, Germany, Great Britain, China, Mexico and the United States. See Exhibit 3 for materials describing the Diamond Products/Tyrolit Group and Diamond B/Hilti relationships.}

Since the original investigation, \textit{all} major domestic producers, including petitioners
Diamond Products and Diamond B, have turned to imports for their supply of low-end,
commodity-type blades that cannot be competitively produced in the United States. They, like
Husqvarna, rely on imports to supplement their U.S. production of higher value blades. The only
difference is that Husqvarna imports most of its commodity type blades from China while
Diamond Products and Diamond B rely more heavily on non-subject imports from their offshore
affiliates. The fact that petitioners have expanded their imports of non-subject sawblades while
the Order has been in effect is another significant changed circumstance that argues for
revocation; domestic manufacturers may not legitimately maintain an antidumping order for the
purpose of conferring a competitive advantage on their own non-subject imports.

On the second point, Husqvarna, the largest domestic producer of diamond sawblades,
opposes continuation of the Order.\footnote{Husqvarna took no position in the original investigation.} Having now experienced the effects of the Order on its
domestic operations, Husqvarna has concluded the Order has harmed more than it has helped the
domestic industry. As the Commission well knows, the antidumping statute instructs the
Commission to assess injury by reference to the effects of subject imports on the domestic industry as a whole. 9 Where, as here, a producer that accounts for a substantial part of domestic production informs the Commission that subject imports support its U.S. operations and, therefore, that the Order does more harm than good, it is another changed circumstance that the Commission may not properly ignore.

Finally, Husqvarna submits that domestic production is now heavily concentrated in types of sawblades that do not compete to any significant degree with imports from China subject to the Order and, therefore, whatever threat of injury may have existed at the time of the Remand Determination, that threat no longer exists. To the contrary, over the past five years, Husqvarna’s domestic sawblade profits have increased significantly even as imports from China have increased. There is persuasive evidence that revocation of the Order would not lead to a continuation or re-emergence of material injury.

B. The Legal Standard for a Changed Circumstances Review

Husqvarna recognizes that it carries the burden of demonstrating that changed circumstances relating to the Order are sufficient to warrant a changed circumstances review. 10 As required by the Commission, 11 this review request is supported by (1) persuasive evidence of significant changed circumstances from those in existence at the time of the Remand

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11 See, e.g., Polychloroprene Rubber from Japan: Dismissal of Request for Initiation of a Section 751(b) Review Investigation, 71 Fed. Reg. 17138 (April 5, 2006).
Determination, (2) persuasive evidence that those changes have not been the “natural and direct result” of the Order, and (3) persuasive evidence that revocation of the Order will not likely lead to a continuation or recurrence of material injury to the domestic industry. In other words, this request and the evidence that supports it is more than sufficient for an investigation under 19 CFR § 207.45(c).

C. The Basis for Remand Determination No Longer Exists

In the Remand Determination, the three Commissioners who found threat of material injury did so by explicitly predicing their finding on the cumulative volume and price effects of imports from Korea and China on the domestic industry.\(^{12}\) Their decision to cumulate was discretionary, as the Remand Determination notes:

Cumulation for purposes of a threat analysis is governed by Section 771(7)(H) of the Act, which leaves to the Commission’s discretion whether to cumulate in analyzing threat of material injury. We exercise our discretion to cumulate diamond saw blades and parts thereof from China and Korea in these investigations.\(^{13}\)

Given the explicit decision of the Commissioners who found threat of injury to base their findings on the effects of cumulated imports, Commerce’s subsequent ruling that none of the imports from Korea had been dumped means that, by its own terms, the Remand Determination cannot continue to support a finding of threat of injury by reason of dumped imports from only China.

\(^{12}\) Remand Determination at 20.

\(^{13}\) Id.
The three Commissioners who found threat of material injury in the Remand Determination relied on the record of the original investigation supplemented by additional information from purchasers about the degree of competition between subject imports and the domestic like product. Although much of the data are confidential, the public versions of the Remand Determination and staff report\(^{14}\) indicate that even at their highest point during the 2003-2005 period of investigation, subject imports (including AT&M’s sawblades) from China accounted for (1) only 35 percent of the value of cumulated subject imports, (2) less than 30 percent of the value total imports, and (3) less than 15 percent of the value apparent domestic consumption.\(^{15}\)

If the AT&M imports are excluded from the analysis, the ratio of subject imports to total imports is materially lower. As a result of a Section 129 proceeding, Commerce revoked its finding that AT&M’s exports to the United States had been dumped (Commerce’s implementation of that finding has been suspended by the Court of International Trade). In addition, in its most recently completed administrative review of the Order, Commerce found that the review period imports of AT&M sawblades were not dumped.\(^{16}\) For purposes of its


\(^{15}\) As the Commission noted in footnote 34 of the Remand Determination, *supra*, note 2, value is the best measure for assessing the effects of imported diamond sawblades. (“Value-based indicators are the best measure for the product here, which includes a vast and disparate grouping of items differing in size, characteristics, applications, and value.”)

\(^{16}\) *Supra*, note 6.
changed circumstances analysis, the Commission should, therefore, treat imports of AT&M sawblades as non-subject imports.

Husqvarna does not have access to the data needed for a precise calculation of the reduction in subject imports from China that would be associated with the revocation of the Order as it applies to AT&M. That said, Commerce’s selection of AT&M as one of the mandatory Chinese respondents in the original investigation means that it was one of the largest exporters of diamond sawblades from China to the United States — a point subsequently confirmed by Commerce’s selection of AT&M as one of only two mandatory respondents in the first administrative review of the Order. On this basis Husqvarna estimates that revocation of the Order as to AT&M would reduce subject imports from China by 25 percent by value.

Table 1 below shows the differences between the values during the Remand Determination period of investigation of cumulated subject Korean and Chinese imports and of subject imports from China, both inclusive and exclusive of imports of AT&M sawblades.

17 In its respondent selection process, Commerce has historically selected exporters that, taken together, account for 50 percent or more of the total subject imports. See, e.g., Notice of Preliminary Determinations of Sales at Less Than Fair Value and Postponement of Final Determinations—Stainless Steel Round Wire from Canada, India, Japan, Spain, and Taiwan; Preliminary Determination of Sales at Not Less Than Fair Value and Postponement of Final Determination—Stainless Steel Round Wire from Korea, 63 Fed. Reg. 64042, 64044 (Nov. 18, 1998) (selecting a total of nine mandatory respondents in six investigations because the respondents selected for each country “accounted more than 50 percent of all known exports of the subject merchandise during the POI from their respective countries.”). See also Notice of Preliminary Determination of Sales at Less Than Fair Value: Circular Seamless Stainless Steel Hollow Products from Japan, 65 Fed. Reg. 25305, 25307 (May 1, 2000). While we cannot state with certainty the exact share of imports produced by AT&M, we believe it is reasonable to infer that AT&M’s products reflect approximately 25 percent of the total merchandise imported from China.
Exclusion of imports from Korea from the analysis lowers the period of investigation value of subject imports, and cuts their 2005 market share, by nearly two-thirds. When Husqvarna’s estimate of the value of the AT&M imports is excluded from the computation, the 2005 value of subject imports drops by nearly 75 percent and their market share falls from 40 percent to 11.44 percent.

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<td>China Excluding AT&amp;M (Estimate)</td>
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Source: July 2006 Report at Table IV-2, p. IV-5, except as noted.

The 2003-2005 data for China alone show that the overlap of competition between subject imports and the domestic like product is now far less than the Commission found it to be in the Remand Determination. For both its original investigation and its Remand Determination, the Commission examined data for the period 2003-2005 that segmented the U.S. market for diamond sawblades by customer/channel of distribution and by blade size. Those data show that sales of U.S. diamond sawblades were overwhelmingly (1) to professional construction contractors ($140.3 million, or 44.1 percent of total domestic industry sales), and (2) “non-branded” distributors ($114.8 million, or 36.1 percent of total sales).\(^{18}\) Over the same three-year

\(^{18}\) July 2006 Report at Table E-1, pp. E-3 and E-4.
period, total sales of Chinese sawblades in the same channels of trade were, respectively, $11.1 million and $6 million — and those data include AT&M’s fairly-traded imports.\(^{19}\)

When differences in blade size are factored into the analysis, the Commission’s data for 2003-2005 show that the domestic industry’s sales to “non-branded” distributors were comprised overwhelmingly (\textit{i.e.}, 79.80 percent by value) of sawblades that were 12 inches or larger in diameter. By contrast, sales of 12 inch or larger Chinese blades to non-branded distributors was less than $5 million (\textit{i.e.}, about 1/20\(^{th}\) of the domestic industry’s sales) and imports from China with a 14 inch diameter or larger blade were \textit{de minimis}. The disparity in sawblades sold to construction contractors is even greater. Most, \textit{i.e.}, 63.87 percent by value, of the domestic blades sold to construction contractors were 14 inches in diameter or greater. The total sales of Chinese blades in this category was $1.2 million, or 1.34 percent of the value of the comparable domestic blade sales. Table 2 details the period of investigation sales of U.S. and Chinese diamond sawblades by channel of distribution and size as reported in the Commission’s July 2006 Report.

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                      & \multicolumn{2}{c|}{\textit{<7.0"}} & \multicolumn{2}{c|}{\textit{7"-10"}} & \multicolumn{2}{c|}{\textit{10"-12"}} & \multicolumn{2}{c|}{\textit{12"-14"}} & \multicolumn{2}{c|}{\textit{14"-20"}} & \multicolumn{2}{c|}{\textit{>20"}} \\
\hline
\textbf{Distributors} & \textbf{US} & \textbf{China} & \textbf{US} & \textbf{China} & \textbf{US} & \textbf{China} & \textbf{US} & \textbf{China} & \textbf{US} & \textbf{China} & \textbf{US} & \textbf{China} \\
\textbf{Branded}     & $3.7$ & $10.9$ & $2.6$ & $4.1$ & $6.4$ & $3.0$ & $18.5$ & $11.5$ & $5.8$ & $2.1$ & $7.9$ & $0.5$ \\
\textbf{Other}       & $4.3$ & $4.0$ & $3.8$ & $1.2$ & $15.0$ & $1.0$ & $52.0$ & $4.4$ & $18.8$ & $0.5$ & $20.9$ & -- \\
\textbf{Retailers}   & --    & $2.5$ & --    & $1.2$ & --    & $0.3$ & $0.2$ & $1.5$ & $0.7$ & $0.2$ & $1.7$ & -- \\
\textbf{OEM}         & --    & $7.0$ & --    & $2.1$ & --    & $0.5$ & $0.4$ & $2.2$ & $2.5$ & $1.5$ & --    & $4.1$ \\
\textbf{Construction} & $4.1$ & $0.6$ & $1.2$ & --    & $9.7$ & $1.0$ & $35.7$ & $3.1$ & $34.2$ & $0.7$ & $55.4$ & $0.5$ \\
\textbf{Other End-}  & $0.2$ & --    & --    & --    & $0.3$ & --    & $0.8$ & --    & $1.4$ & --    & $4.2$ & -- \\
\textbf{Users}       & --    & --    & --    & --    & --    & --    & --    & --    & --    & --    & --    & --    \\
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Source: July 2006 Report at Tables E-1 and E-2.

\(^{19}\) \textit{Id.} at Table E-1, p. E-5.
If the data for AT&M were to be excluded from the analysis, the overlap of competition between U.S. production and subject imports would be even less than the data in Table 2 suggest.

The Court of International Trade remanded the Commission’s original July 2006 negative determination to the Commission for reconsideration in large part because the Court did not find sufficient evidence to support the Commission’s original finding of “attenuated” competition. *Husqvarna submits that the data in Table 2 demonstrate that when imports from China are considered on a stand-alone basis, as they must be considered, the evidence of “attenuated competition” is compelling.*

D. **Subsequent “Changed Circumstances”**

1. **Revocation of the Korean Order Fundamentally Changes the Record on which the Remand Determination is based**

Commerce’s decision to rescind the order against imports from Korea in its entirety was made pursuant to Section 129 of the Tariff Act of 1930 to implement the result of a WTO dispute settlement decision. Commerce’s Section 129 decisions have only prospective effect. This means that entries of Korean blades prior to October 28, 2011, are subject to antidumping duty assessments. Nevertheless, revocation of the Korea Order means the Remand Determination cannot legitimately *continue to* support the Order. A changed circumstances review by the Commission, which is also prospective, is the vehicle contemplated by the statute for aligning an
injury finding that supports an antidumping order with the imports subject to that order when, because of a Section 129 proceeding, there is a material change in the subject imports.\(^{20}\)

2. \textit{Subject Imports Now Hold a Far Lower Share of the U.S. Market than Was the Case at the Remand Determination and There Is Very Little Direct Competition between Imports from China and Sawblades Made in the United States}

\textit{a. The Volume of Subject Imports Has Dropped}

Table 1, supra, shows how revocation of the Korean order changes the volume of subject imports from those on which the Remand Determination rests. The revocation of the Korean order also significantly increases the level of non-subject imports over their level at the time of the Remand Determination. In assessing the volume effects of subject imports, the Commission must take care not to attribute to subject imports the effects of non-subject imports; in this connection, the Commission must consider the extent to which subject imports compete with non-subject imports rather than with domestic like product.\(^{21}\)

\(^{20}\) See Tembec, Inc. v. United States, 30 CIT 958, 1000, 1001 (2006) ("For instance, while a change in the definition of ‘like product’ and the domestic industry in a section 129 determination might not lead to a change in the original antidumping or countervailing duty order, the ITC may have to revisit that determination in a changed circumstances or sunset review under 19 U.S.C. § 1675(b) and (c) (2000). See 19 U.S.C. § 1675(a)(1)... There is nothing in the law suggesting that analysis used in a determination that does not result in a change in a published antidumping order cannot be considered under § 1675(a)(1). The purpose behind § 1675(a)(1) is to ensure that the ITC reviews all of the information available to it in a sunset or changed circumstances review, especially information obtained prior to imposition of an AD or CVD order or with respect to such period.") (citations omitted).

\(^{21}\) See e.g., Swiff-Train Co. et al. v. United States (hereinafter "Swiff Train"), 904 F. Supp. 2d 1336 (Ct. Int’l Trade March 20, 2013) at 1346.
b. **Subject Imports from China Are Different from the Great Majority of Diamond Sawblades Produced Domestically**

The data in Table 2, *supra*, show that the 2003-2005 overlap of competition between diamond sawblades from China and domestic production was, at most, minor. Those data overstate the overlap of competition that now exists. Imports from China remain concentrated in smaller-size blades while U.S. production is now more heavily concentrated in larger blades. Additionally, Husqvarna believes that today the domestic industry sells a higher portion of U.S.-made blades for “heavy use” projects than was the case during the 2003-2005 period examined in the Remand Determination, while imported blades are, overwhelmingly, commodity-grade products sold for lighter-use applications through different channels of trade. If the Commission were to visit the diamond sawblade display at The Home Depot or Lowes, it would be hard pressed to find a single American-made sawblade; by contrast, if it were to canvas large road repair or heavy construction sites, it would find few Chinese blades in use.

In the Remand Determination, the Commission assessed the overlap of competition between subject imports and the domestic like product by reference to sawblade diameter and channels of distribution. Other characteristics — *e.g.*, sintered versus laser-welded blades — and end use distinctions are also relevant to an accurate assessment of the overlap of competition. When these considerations are added to the analysis, the overlap of competition between imports from China and domestic product recedes even further:

- *First*, there is no longer any significant U.S. production of sintered sawblades. By contrast, Husqvarna estimates that well over half the
subject imports from China are sintered sawblades.\textsuperscript{22} As all or virtually all diamond sawblades used for tile applications, most sawblades used as angle grinders, very significant volumes of blades for high speed sawing, and some of the blades sold for use in masonry and floor sawing applications are sintered, there is zero, or almost zero, overlap of competition for these blades.

- \textit{Second}, virtually all domestic sawblades that are 10 inches or less in diameter are \textit{soff-cut} blades produced by Husqvarna. Husqvarna’s soff-cut blades, which can be used to cut cement before it hardens, are sold with a skid plate that is still process patent-protected. As a result, Husqvarna’s soff-cut blades, whether U.S. made or imported, do not compete to any significant degree with other imports from China (or, for that matter, imports from other countries or other domestic sawblades).

- \textit{Third}, there are structural reasons why sawblades that are sold for use in construction projects and other “heavy use” applications are mostly sourced from the U.S. industry. Heavy users need blades, often large diameter blades, that are produced to meet exacting use-specific requirements, and that frequently must be deliverable on short notice. These users cannot rely on off-shore production of commodity-type blades that take months to produce and deliver; Chinese producer sales to this segment of the market have been, and will remain, minimal.

Table 3 below sets forth Husqvarna’s estimate on the current distribution of the U.S. market for diamond sawblades between domestic sawblades and sawblades imported from all sources by (1) blade type, (2) application, and (3) blade diameter. There are no public data that permit an equivalent breakdown of sales of subject imports from China and the domestic like product in the Remand Determination. Husqvarna submits that were such data to become available (\textit{e.g.}, through responses to Commission questionnaires), they would put the differences

\textsuperscript{22} In the July 2006 Report, the Commission estimated that 51.2 percent of the sawblades imported from China were sintered blades. July 2006 Report at Table I-2. Husqvarna believes the percentage of sintered imports from China is, in fact, higher than the Commission’s 2005 estimate.
in characteristics and uses between subject imports and the domestic like product into even sharper focus.

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Grand Total

Source: Husqvarna competitive intelligence.
Table 4 below (1) isolates the percentage of total subject and non-subject imports that do not compete to any significant degree with domestic production, (2) the percentage of domestic sawblades that do not compete to any significant degree with imports (subject or non-subject), and (3) the percentage of total imports and domestic production where there may be competitive overlap:

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<tr>
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<tr>
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<tr>
<td>3. Sintered sawblades for use in high speed applications</td>
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<td>4. Sintered sawblades for use in floor applications</td>
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<tr>
<td>5. Sintered sawblades for use in angle applications</td>
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<tr>
<td>6. Laser sawblades under Husqvarna process patent for use in soff-cut applications</td>
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<th>Total</th>
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<td><strong>Total</strong></td>
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2011-2012 Diamond Sawblade Import Data

The import statistics for diamond sawblades are imprecise. To the best of Husqvarna’s knowledge, most diamond sawblades now enter under HTSUS subheading 8202.39.00.10, but, before 2011, diamond sawblade imports under 8202.39.00.10 were zero and imports came in under an imprecise “basket category.”

Consequently, the import data do not permit a comparison of import statistics for the past two years with import statistics during the original investigation. Nevertheless, the 2011-2012 data, set forth in Table 6 below, are instructive in two respects. First, they show that most imports of diamond sawblades into the United States are non-subject blades. Second, they demonstrate that there is no correlation to be found between the rise in imports from China and harm to the domestic industry. To the contrary, in 2012 Husqvarna [... despite the rise in subject imports:

<table>
<thead>
<tr>
<th>Table 6</th>
<th>Diamond Sawblade Imports under HTS Category 8202.39.00.10 by Value (SMM) 2011-2012</th>
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<tr>
<td>Country</td>
<td>2011</td>
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<tr>
<td>Subject</td>
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<tr>
<td>China</td>
<td>24</td>
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<tr>
<td>Non-Subject</td>
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<tr>
<td>China-AT&amp;M*</td>
<td>8</td>
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<tr>
<td>Korea</td>
<td>19.2</td>
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<tr>
<td>Thailand</td>
<td>5.7</td>
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<tr>
<td>India</td>
<td>2.7</td>
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<tr>
<td>Total Non-Subject</td>
<td>41.8</td>
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<td>Total</td>
<td>67.4</td>
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*Husqvarna estimates that AT&M accounts for 25 percent of diamond sawblade imports from China.

According to the July 2006 Report data, non-subject imports were $8.1 million in 2005, or 16.84 percent of the value of total diamond sawblade imports at that time. In 2012, by contrast, the value of non-subject imports exceeded $45.2 million, i.e., more than a 5-fold increase over their 2005 level, and accounted for over 60 percent of total diamond sawblade imports. Husqvarna believes that non-subject imports by Tyrolit (i.e., Diamond Products) from its low-cost affiliates in Thailand and other countries, and by Hilti (i.e., Diamond B) from its low-cost affiliates in India and other countries, in particular, represent a significant part of the rise in non-subject imports over the past several years. In fact, a spokesman for Diamond Products conceded as much in a February 2011 interview in *Industry Today*: “We do import diamond blades — some of the lower end economy blades … .”^{24}

The rise in non-subject imports both absolutely and relative to U.S. production and consumption raises an issue that was not addressed in any detail in the Remand Determination. That is, for blades where there *may be* competition between imports and the domestic like product (i.e., 10 inch-14 inch laser welded blades for use in high speed applications), does the Order have any significant effect beyond the choice between subject and non-subject imports? If the answer to that question is “no,” the Commission cannot reasonably find material injury “by reason of” subject imports. Thus, the Commission must now consider the rise of non-subject imports in the market as another changed circumstance that warrants careful review. The Commission is required by statute to determine whether subject imports were (or, in the event of

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revocation would become) a “but for” cause of material injury. Where non-subject imports would fill any void created by restrictions on subject imports, the causation test of the statute is not met. Here, that is demonstrably the case.

3. Domestic Diamond Sawblade Producers that Account for the Majority of U.S. Production Are Prospering: Revocation of the Order Would Not Cause or Threaten Material Injury

a. [ ] on its U.S. Domestic Sawblade Production

Husqvarna submits that the threat of injury that the Commission found in the Remand Determination was never real (much less “imminent”). Its own domestic sawblade operations have not been materially affected by subject imports from China. To the contrary, Husqvarna’s domestic sawblade business has [ ] 2004 through 2012; at no point since 2004 has its profit margin ever fell below [ ] of net sales and in 2012, Husqvarna’s domestic diamond sawblade operations earned nearly [ ], the [ ] despite the rise in subject imports from China.

Table 7
Confidential
Husqvarna’s Net Sales and Operating Profits on Its 2004-2012 Domestic Production of Diamond Sawblades and Segments

<table>
<thead>
<tr>
<th></th>
<th>Net Sales (SMM)</th>
<th>Operating Profit (SMM)</th>
<th>Operating Profit as a Percent of Sales</th>
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<tr>
<td>2004</td>
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<td>2012</td>
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On these data, there is no serious case to be made that Husqvarna’s domestic sawblade production would likely be materially injured by revocation of the Order.

b. *Available Evidence Indicates that U.S. Industry as a Whole HasProspered by Concentrating on the Production of Blades that Are Not Imported in Significant Volume*

As these data prove, the fortunes of Husqvarna’s domestic sawblades business are determined by demand for blades it produces in the United States which do not compete to any significant degree with imports from China. While Husqvarna is not privy to the operating results of other U.S. producers, it has no reason to believe that they have been adversely impacted by subject imports from China to a significantly greater degree than Husqvarna. To be sure, competition among domestic producers has recently [
To the extent other domestic producers have commented on their U.S. diamond sawblade operations, they, like Husqvarna, appear to be doing well. In a February 2011 discussion of Diamond Products’ domestic diamond sawblades business, the company’s marketing and trade show manager, Mr. Jim Palmer, explained that Diamond Products had not only successfully weathered the Great Recession, but that its business was strengthening:

‘Still, even with the economy the way it is, we haven’t fared too badly,’ reports Palmer. ‘Last year we experienced slight growth. This year we are looking at more positive trends towards growth. To weather the storm, we cut back on a few non-essential elements — particularly in marketing, where we had to do away with some of our giveaway items. As far as factory and production, we had to make slight cuts, but even those have returned to previous levels. What it comes down to is that we just made ourselves more efficient when it comes {to} equipment, processes, products and resources.’²⁶

Asked about “the import of Asia products,” Mr. Palmer confirmed that they are at the lower end of the market where Diamond Products is also importing diamond sawblades:

“The impact of this is that the cost of some diamond blades declined. So, we’ve responded by offering lower end items, too, without sacrificing quality.”²⁷

Read in conjunction with the rest of the interview, it is clear that, like Husqvarna, Diamond Products primarily produces in the United States blades that (1) are customized for heavy use

²⁶ *Id.*

²⁷ *Id.*
and other demanding applications, (2) often have to be delivered on short notice, and/or (3) require technical support from the blade producers. Subject imports from China have never been a significant factor in the market for such blades.

By all accounts, Diamond B is also largely insulated from direct competition with subject imports from China. On June 30, 2009, Hilti, a Liechtenstein corporation with production facilities in several countries including China and India, purchased Diamond B. In a press release announcing the acquisition, Hilti stated that it was “entering the North American professional diamond service contractor market,” adding that “floors and wall sawblades for the North American market will be manufactured at the U.S.-based production facility.”

“Floors and wall sawblades” are blades for “heavy use” applications where the presence of Chinese sawblades has been minimal.

E. None of the Changes in Circumstances Have Been the “Natural and Direct Result of the Order”

The major change in circumstances that has occurred since the Remand Determination is the revocation of the antidumping order on diamond sawblades from Korea. Neither that change, nor any of the other changes that have occurred in the U.S. market since the Remand Determination, are “the natural and direct result” of the Order.

Imports of diamond sawblades from China and other countries have increased over the past five years despite the Order because the economics of diamond sawblade production favor

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imports of lower-value sawblades. The issue is not whether such sawblades will be imported, but from where they will be imported. Over the same period, the U.S. industry has prospered despite the rise in both subject and non-subject imports because the economics of the business support domestic production of higher-value sawblades. The most that can be said for the Order is that it has shifted the supply of some sawblades that otherwise might have been sourced from China to other countries. Under these circumstances, there is no lawful reason for it to remain in place.

* * * * *

For the reasons stated above, we ask that the Commission initiate a changed circumstances review of the order as soon as possible. In accordance with the attached certificate of service, copies of the public version of this review request are being served on current counsel for each of the parties to the remand proceeding and the original investigation. We will serve copies of the proprietary version of this submission on any parties granted access under an Administrative Protective Order ("APO") once such an APO is established for this proceeding.

Husqvarna recognizes that the Commission’s regulations provide for a comment period of at least thirty days from the date of publication of the Notice of Receipt of this request in the Federal Register and further recognizes that if the Commission decides to initiate a changed circumstances review, the review is likely to continue past the date on which a sunset review of the order is scheduled to begin. Husqvarna has no interest in forcing the Commission to conduct
concurrent changed circumstances and sunset reviews. At the same time, (1) there is no statutory basis for the Commission to reject a changed circumstances review request because the changed circumstances review might continue past the initiation of a sunset review, and (2) there is no policy rationale for leaving in effect for even an additional day an antidumping order that is no longer supported by its underlying injury determination.

If the Commission initiates a changed circumstances review pursuant to this request (as it should), the data submitted to it should permit both an accelerated schedule to respond to the Notice of Initiation of the forthcoming sunset review and the same data could allow for an accelerated final determination in the sunset review. Indeed, if, as Husqvarna believes it must, the changed circumstances review results in the revocation of the Order, the sunset review would be terminated before it really gets underway.

Respectfully submitted,

John D. Greenwald
Robert C. Cassidy, Jr.
_Counsel to Husqvarna_
DEPARTMENT OF COMMERCE
International Trade Administration

[A-580-855]

Notice of Implementation of Determination Under Section 129 of the Uruguay Round Agreements Act and Revocation of the Antidumping Duty Order on Diamond Sawblades and Parts Thereof From the Republic of Korea

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On May 13, 2011, the U.S. Trade Representative (“USTR”) instructed the Department of Commerce (“Department”) to issue a determination not inconsistent with the World Trade Organization's decision in United States—Use of Zeroing in Anti-Dumping Measures Involving Products from Korea regarding the investigation of diamond sawblades and parts thereof (“Diamond Sawblades”) from the Republic of Korea (“Korea”). The Department issued its determination on October 4, 2011. The Department is now implementing this determination.

DATES: Effective Date: October 24, 2011.

FOR FURTHER INFORMATION CONTACT: David Layton or Yasmin Nair, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–0371, or (202) 482–3813, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 20, 2011, the Department informed interested parties that it was initiating a proceeding under section 129 of the Uruguay Round Agreements Act (“URAA”) to implement the findings of the World Trade Organization (“WTO”) dispute settlement panel in United States—Use of Zeroing in Anti-Dumping Measures Involving Products from Korea (WT/DS402/R) (January 18, 2011). On July 20, 2011, the Department issued the memorandum entitled “Preliminary Results Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Diamond Sawblades and Parts Thereof from the Republic of Korea” (“Preliminary Results”) in which it recalculated the weighted-average dumping margins from the antidumping investigation of Diamond Sawblades from Korea by applying the calculation methodology described in Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation: Final Modification, 71 FR 77722 (December 27, 2006).

The Department invited interested parties to comment on the Preliminary Results. After receiving comments and rebuttal comments from the interested parties, the Department issued its final results for the section 129 determination on October 4, 2011. See the October 4, 2011 memorandum entitled, “Issues and Decision Memorandum for the Final Results of the Proceeding Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Diamond Sawblades and Parts Thereof from the Republic of Korea” (“Issues and Decision Memorandum”).

In its October 24, 2011 letter, USTR notified the Department that, consistent with section 129(b)(3) of the URAA, consultations with the Department and the appropriate congressional committees with respect to the October 4, 2011 determination have been completed. Thus, USTR directed the Department to implement this determination, in accordance with section 129(b)(4) of the URAA.

Nature of the Proceeding

Section 129 of the URAA governs the nature and effect of determinations issued by the Department to implement findings by WTO dispute settlement panels and the Appellate Body. Specifically, section 129(b)(2) of the URAA provides that, “notwithstanding any provision of the Tariff Act of 1930,” within 180 days of a written request from the USTR, the Department shall issue a determination that would render its actions not inconsistent with an adverse finding of a WTO panel or the Appellate Body report. See 19 USC 3538(b)(2). The Statement of Administrative Action, URAA, H. Doc. 316, Vol. 1, 103d Cong. (1994) (“SAA”), variously refers to such a determination by the Department as a “new,” “second,” and “different” determination. See SAA at 1025, 1027. After consulting with the Department and the appropriate congressional committees, USTR may direct the

1 See Notice of Final Determination of Sales at Less Than Fair Value and Final Determination of Critical Circumstances: Diamond Sawblades and Parts Thereof from the Republic of Korea, 71 FR 29310 (May 22, 2006), as amended by Amended Final Determination of Sales at Less Than Fair Value: Diamond Sawblades and Parts Thereof from the Republic of Korea, 75 FR 14126 (March 24, 2010).

Department to implement, in whole or in part, the new determination made under section 129 of the URAA. See 19 USC 3538(b)(4). Pursuant to section 129(c) of the URAA, the new determination shall apply with respect to unliquidated entries of subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date on which USTR directs the Department to implement the new determination. See 19 USC 3538(b)(c). The new determination is subject to judicial review separate and apart from judicial review of the Department’s original determination. See 19 USC 1516a(a)(2)(B)(vii).

Analysis of Comments Received

The issues raised in the case and rebuttal briefs submitted by interested parties to this proceeding are addressed in the Issues and Decision Memorandum dated October 4, 2011, which is hereby adopted by this notice. A list of the issues raised is attached to this notice as Appendix I. The Issues and Decision Memorandum is a public document and is on file electronically via Import Administration’s Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available in the Central Records Unit (CRU), room 7046 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the internet at http://www.trade.gov/ia/. The signed Issues and Decision Memorandum and the electronic versions of the Issues and Decision Memorandum are identical in content.

Final Antidumping Duty Margins

The recalculated margins, unchanged from the Preliminary Results, are as follows:

• The margin for Ehwa Diamond Industrial Co., Ltd. decreases from 8.80 percent to zero.
• The margin for Shinhan Diamond Industrial Co. decreases from 16.88 percent to zero.
• The margin for Hyosung Diamond Industrial Co. decreases from 6.43 percent to zero.
• Because the changes to the margin calculations result in no margins for the three mandatory respondents, the All Others rate decreases from 11.10 percent to zero.

Revocation of the Antidumping Duty Order

As a result of the recalculations, all of the dumping margins are now zero. Accordingly, the Department is now
revoking this order effective October 24, 2011, the date upon which USTR directed the Department to implement its final results.

We will instruct U.S. Customs and Border Protection to liquidate, without regard to antidumping duties, all entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after October 24, 2011 (the effective date), and to discontinue collection of cash deposits of antidumping duties. This determination is issued and published in accordance with section 129(c)(2)(A) of the URRA.

Dated: October 24, 2011.

Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

Appendix I

Issues raised in the Issues and Decision Memorandum.  

Comment 1: Whether the Department of Commerce has the authority to revoke the antidumping order.

Comment 2: Whether the Department should reset the cash deposit rates to zero in lieu of revocation.

For Further Information Contact:

Supplementary Information:

Background

Pursuant to section 736 of the Act, the Department published in the Federal Register the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey. See Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India, 51 FR 17384 (May 12, 1986); Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes From Thailand, 51 FR 8341 (March 11, 1986); and Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products From Turkey, 51 FR 17784 (May 15, 1986).

On July 1, 2011, the Department published a notice of initiation of the third sunset reviews of the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey, pursuant to section 751(c) of the Act. See Initiation of Five-Year ("Sunset") Reviews of Antidumping Duty Orders.

Scope of the Antidumping Duty Orders

See Appendix 1.

Analysis of Comments Received

All issues raised in these cases are addressed in the Issues and Decision Memorandum for the Final Results of Expedited Five-Year (Sunset) Reviews of the Antidumping Duty Orders on Certain Circular Welded Carbon Steel Pipes and Tubes from India, Thailand, and Turkey, and Turkish Steel Company, Ltd. ("Turkish Steel Company").

On July 4, 2011, the Government of Turkey filed an entry of appearance as an interested party for the Turkish proceeding. On July 5, 2011, the Government of Turkey requested the Department to extend the 30-day deadline for filing its substantive response as specified in 19 CFR 351.218(d)(3)(i). On July 7, 2011, Saha Thai Steel Pipe Public Company, Ltd. ("Saha Thai"); a Thai producer and exporter, entered an appearance as a respondent interested party. On August 10, 2011, the Department extended the deadline to file a substantive response until August 10, 2011.

On July 20, August 1, and 10, 2011, we received complete substantive responses from the domestic interested parties within the extended deadline established by the Department. Wheatland Tube Company did not file a substantive response. Saha Thai did not file a substantive response. On August 9, 2011, the Government of Turkey submitted a substantive response within the extended deadline. On August 17, 2011, we received rebuttal comments to the Government of Turkey’s substantive response from U.S. Steel Corporation. We received no other substantive responses from respondent interested parties on the three antidumping duty orders currently under review and, therefore, did not have adequate respondent interested party participation pursuant to 19 CFR 351.218(e)(1)(ii)(A).

Based on these circumstances, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department has conducted expedited sunset reviews of these antidumping duty orders.

On July 4, 2011, the Government of Turkey filed an entry of appearance as an interested party for the Turkish proceeding. On July 5, 2011, the Government of Turkey requested the Department to extend the 30-day deadline for filing its substantive response as specified in 19 CFR 351.218(d)(3)(i). On July 7, 2011, Saha Thai Steel Pipe Public Company, Ltd. ("Saha Thai"); a Thai producer and exporter, entered an appearance as a respondent interested party. On August 10, 2011, the Department extended the date to file a substantive response until August 10, 2011.

On July 20, August 1, and 10, 2011, we received complete substantive responses from the domestic interested parties within the extended deadline established by the Department. Wheatland Tube Company did not file a substantive response. Saha Thai did not file a substantive response. On August 9, 2011, the Government of Turkey submitted a substantive response within the extended deadline. 1 On August 17, 2011, we received rebuttal comments to the Government of Turkey’s substantive response from U.S. Steel Corporation. We received no other substantive responses from respondent interested parties on the three antidumping duty orders currently under review and, therefore, did not have adequate respondent interested party participation pursuant to 19 CFR 351.218(e)(1)(ii)(A).

Based on these circumstances, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department has conducted expedited sunset reviews of these antidumping duty orders.

Scope of the Antidumping Duty Orders

See Appendix 1.

Analysis of Comments Received

All issues raised in these cases are addressed in the Issues and Decision Memorandum for the Final Results of Expedited Five-Year (Sunset) Reviews of the Antidumping Duty Orders on Certain Circular Welded Carbon Steel Pipes and Tubes from India, Thailand, and Turkey.

On July 1, 2011, the Department of Commerce ("the Department") initiated the third sunset reviews of the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate substantive responses filed on behalf of the domestic interested parties and inadequate response from respondent interested parties, the Department has conducted expedited sunset reviews of these antidumping duty orders. As a result of these sunset reviews, the Department finds that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping at the level indicated in the "Final Results of Reviews" section of this notice.

DATES: Effective Date: October 28, 2011.


Supplementary Information:

Background

Pursuant to section 736 of the Act, the Department published in the Federal Register the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey. See Antidumping Duty Order; Certain Welded Carbon Steel Standard Pipes and Tubes from India, 51 FR 17384 (May 12, 1986); Antidumping Duty Order; Circular Welded Carbon Steel Pipes and Tubes From Thailand, 51 FR 8341 (March 11, 1986); and Antidumping Duty Order; Welded Carbon Steel Standard Pipe and Tube Products From Turkey, 51 FR 17784 (May 15, 1986).

On July 1, 2011, the Department published a notice of initiation of the third sunset reviews of the antidumping duty orders on certain circular welded carbon steel pipes and tubes from India, Thailand, and Turkey, pursuant to section 751(c) of the Act. See Initiation of Five-Year ("Sunset") Review, 76 FR 38613 (July 1, 2011).

For each of these sunset reviews, the Department received notice of intent to participate from Allied Tube and Conduit, JMC Steel Group, Leavitt Tube, Northwest Pipe Company, TMK IPSCO Tubulars, U.S. Steel Corporation, and Western Tube and Conduit, (collectively, "the domestic interested parties") within the deadline specified in 19 CFR 351.218(d)(1)(i). In addition, Wheatland Tube Company ("Wheatland") registered a summary of appearance and also requested recognition as a domestic interested party. The domestic interested parties claim interested party status under section 771(9)(C) of the Act as U.S. producers of the subject merchandise.

Pursuant to a Temporary Restraining Order issued by the U.S. Court of International Trade on October 13, 2011, the Department of Commerce and U.S. Customs and Border Protection are restrained from lifting the suspension of liquidation on unliquidated entries of diamond sawblades and parts thereof from the Republic of Korea. Pursuant to this Federal Register notice, future entries of such merchandise are subject to suspension of liquidation at the cash deposit rate of zero. Changes to the suspension of liquidation will be consistent with the Court's final ruling.

2The Government of Turkey did not claim to have exported subject merchandise.
EXHIBIT 2
disclosure under administrative protective order, in accordance with 19 CFR 351.305 and 19 CFR 351.306. This initiation and notice are in accordance with section 751(e)(2)(B) of the Act, 19 CFR 351.214, and 19 CFR 351.221(c)(1)(i).

Dated: March 21, 2013.

Gary Tavnerman,
Senior Advisor for Antidumping and Countervailing Duty Operations.

[FR Doc. 2013-07253 Filed 3-27-13; 8:43 am]
BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–983; A–570–900]

Certain Frozen Warmwater Shrimp From the People’s Republic of China and Diamond Sawblades and Parts Thereof From the People’s Republic of China: Notice of Implementation of Determinations Under Section 129 of the Uruguay Round Agreements Act and Partial Revocation of the Antidumping Orders

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: On March 22, 2013, the U.S. Trade Representative (“USTR”) instructed the Department of Commerce (“Department”) to implement its determinations under section 129 of the Uruguay Round Agreements Act (“URAA”) regarding the antidumping investigations of certain frozen warmwater shrimp (“shrimp”) from the People’s Republic of China (“PRC”) and diamond sawblades and parts thereof (“sawblades”) from the PRC. The Department issued its final determinations on March 4, 2013, regarding the offsetting of dumped comparisons with non-dumped comparisons when making average-to-average comparisons of export price and normal value in the investigation challenged by the PRC before the World Trade Organization (“WTO”) in United States—Anti-Dumping Measures on Certain Shrimp and Diamond Saw Blades from China (DS422). The Department is now implementing these determinations.

DATES: The effective date of this determination is March 22, 2013.

FOR FURTHER INFORMATION CONTACT: Irene Cornick (shrimp) and Matthew Renkey (sawblades), AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-6605 and (202) 482-2312, respectively.

SUPPLEMENTARY INFORMATION:

Background

At the written request of USTR, the Department informed interested parties on September 5, 2012, that it was initiating proceedings under section 129 of the URRRA to implement the findings of the WTO dispute settlement panel in United States—Anti-Dumping Measures on Certain Shrimp and Diamond Sawblades from China (DS422) (“Panel Report”). On December 7, 2012, the Department issued the memorandum entitled “Preliminary Results Under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Certain Frozen and Canned Warmwater Shrimp from the People’s Republic of China,” dated December 7, 2012 (“Preliminary Shrimp 129 Determination”), in which the Department recalculated the weighted-average dumping margins from the antidumping investigation of shrimp from the PRC1 by applying the calculation methodology described in Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin During an Antidumping Investigation; Final Modification, 71 FR 77722 (December 27, 2006) (“Final Modification for Investigations”).

On December 17, 2012, the Department issued the memorandum entitled “Preliminary Results under Section 129 of the Uruguay Round Agreements Act: Antidumping Measures on Diamond Sawblades and Parts Thereof from the People’s Republic of China,” dated December 17, 2012 (“Preliminary Sawblades 129 Determination”), in which the Department recalculated one of the weighted-average dumping margins from the antidumping investigation of sawblades from the PRC2 by applying the calculation methodology described in Final Modification for Investigations.

The Department invited interested parties for both shrimp and sawblades to comment on the respective preliminary recalculations. After receiving comments and rebuttal comments from the Interested parties in both cases, the Department issued its final section 129 determinations on March 4, 2013.3

In a March 22, 2013, letter, USTR notified the Department that, consistent with section 129(b)(3) of the URRRA, consultations with the Department and the appropriate congressional committees with respect to the March 4, 2013, determinations have been completed. On March 22, 2013, in accordance with section 129(b)(4) of the URRRA, USTR directed the Department to implement these determinations.

Nature of the Proceeding

Section 129 of the URRRA governs the nature and effect of determinations issued by the Department to implement findings by WTO dispute settlement panels and the Appellate Body. Specifically, section 129(b)(2) of the URRRA provides that, "notwithstanding any provision of the Tariff Act of 1930," within 180 days of a written request from the USTR, the Department shall issue a determination that would render its actions not inconsistent with an adverse finding of a WTO panel or the Appellate Body report. The Statement of Administrative Action, URRRA, H. Doc. 316, Vol. 1, 103d Cong. (1994) ("SAA"), variably refers to such a determination by the Department as a "new," "second," and "different" determination.4 After consulting with

1 See Notice of Final Determination of Sales at Less Than Fair Value: Certain Frozen and Canned Warmwater Shrimp From the People’s Republic of China, 69 FR 70067 (December 8, 2004) (“PRC Shrimp Final Determination”). See also Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the People’s Republic of China, 71 FR 35146 (February 1, 2006) (“PRC Shrimp Amended Final” or “PRC Shrimp Order”). On January 21, 2005, the ITC notified the Department of its final determination that two domestic like products exist for the merchandise covered by the Department’s investigation: (i) Certain non-canned warmwater shrimp and (ii) canned warmwater shrimp and prawns. The ITC determined that there is no injury regarding imports of canned warmwater shrimp and prawns from the PRC. Therefore, canned warmwater shrimp and prawns is not covered by the PRC Shrimp Order.

2 See Notice of Final Determination of Sales at Less Than Fair Value: Certain Frozen and Canned Warmwater Shrimp From the People’s Republic of China, 69 FR 70067 (December 8, 2004) (“PRC Shrimp Final Determination”). See also Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp From the People’s Republic of China, 71 FR 35146 (February 1, 2006) (“PRC Shrimp Amended Final” or “PRC Shrimp Order”). On January 21, 2005, the ITC notified the Department of its final determination that two domestic like products exist for the merchandise covered by the Department’s investigation: (i) Certain non-canned warmwater shrimp and (ii) canned warmwater shrimp and prawns. The ITC determined that there is no injury regarding imports of canned warmwater shrimp and prawns from the PRC. Therefore, canned warmwater shrimp and prawns is not covered by the PRC Shrimp Order.


the dumping margins in the petition.\textsuperscript{16} In addition, the Department must determine an appropriate dumping margin for separate rate companies not selected for individual examination during the investigation. When, as here, the only available rates are zero, de minimis, or based upon adverse facts available, the Department looks to section 735(c)(5) of the Tariff Act of 1930, as amended ("Act") for guidance, which instructs the Department to use "any reasonable method" for assigning the rate to non-selected respondents.\textsuperscript{17} The Department determines that a reasonable method for determining the separate rate for non-selected respondents is a simple average of the adverse-facts available dumping margin assigned to the PRC-Wide Entity and each of the calculated zero or de minimis dumping margins calculated in the original shrimp investigation or as part of the final section 129 determination for shrimp for the PRC.\textsuperscript{18} This is consistent with our past practice in the 2007 Section 129 Determinations.\textsuperscript{19} The separate rate margin is now 22.58 percent. Consequently, because the PRC-wide entity rate of 112.81 percent and the separate rate of 22.58 percent for non-individually examined companies are above de minimis, we will not wholly revoke the PRC Shrimp Order.\textsuperscript{19} The Department will instruct CBP to continue to collect cash deposits for estimated antidumping duties from the separate rate companies and from the PRC-wide entity, as the PRC Shrimp Order, in whole, will not be revoked. Further, if any separate rate companies are added to the investigation's separate rate cash deposit at the time of implementation (i.e., if a separate rate company from the investigation has not had the investigation separate rate cash deposit superseded by a subsequent review rate) we will instruct CBP to collect cash deposits at the new separate rate of 22.58 percent for subject merchandise entered, or withdrawn from warehouse consumption on or after March 22, 2013, the date on which USTR directed the Department to implement this 129 determination. As noted above, the PRC-wide entity rate has not changed from the PRC Shrimp Amended Final and Order, and continues to be 112.81 percent.

**Partial Revocation of the Antidumping Duty Order for Diamond Sawblades and Parts Thereof**

Because the Department has recalculated a dumping margin of zero percent for AT\&M, the Department is revoking the Sawblades Order with respect to AT\&M, for entries made on or after March 22, 2013.\textsuperscript{20} Accordingly, the Department will instruct CBP to liquidate without regard to antidumping duties, entries of sawblades manufactured and exported by AT\&M which were entered, or withdrawn from warehouse, for consumption on or after March 22, 2013, and to discontinue the collection of cash deposits for estimated antidumping duties for AT\&M. No other margin for any other entity is affected by this Section 129 Determination for sawblades and parts thereof from the PRC. We will instruct CBP to continue to suspend liquidation of all entries of subject merchandise from all other exporters or producers, except for AT\&M, as stated above. We will instruct CBP to continue to require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price.

The amended final determinations are issued and published in accordance with section 129(c)(2)(A) of the URAA.

\textsuperscript{16} See Notice of Initiation of Antidumping Duty Investigations: Certain Frozen and Canned Warmwater Shrimp From Brazil, Ecuador, India, Thailand, the People's Republic of China and the Socialist Republic of Vietnam, 69 FR 3879, 3905-3981 (January 27, 2004) (where the Department stated that, 'based on comparisons of EP to NV, calculated in accordance with section 770(c) of the Act, the estimated recalculated dumping margins for certain frozen and canned warmwater shrimp from the PRC range from 112.81 percent to 263.68 percent.

\textsuperscript{17} See section 735(c)(3)(B) of the Act.

\textsuperscript{18} See Shrimp Final 129 Determination Memo at 7-8.

\textsuperscript{19} See Implementation of the Findings of the WTO Panel in U.S.—Zeroding (EC); Notice of Determinations Under Section 129 of the Uruguay Round Agreements Act and Revocations and Partial Revocations of Certain Antidumping Duty Orders, 72 FR 25261, 25263-63 [May 4, 2007] ("2007 Section 129 Determinations") where the Department calculated a simple average of existing AFA margins with above de minimis/zero margins as an All-Others rate following section 129 recalculations for the mandatory respondents that resulted in zero or de minimis rates.

\textsuperscript{20} Pursuant to a Temporary Restraining Order ("TRO") issued by the U.S. Court of International Trade covering sawblades from the PRC on March 6, 2013, and continued on March 13, 2013, Commerce and CBP are restrained from: (1) Excluding or revoking the AT\&M entity and/or any of its members (as described in the TRO) from the Sawblades Order; (2) ordering the lifting of the suspension of liquidation regarding incoming entries produced by these companies; and (3) making or permitting liquidation of any unliquidated entries produced and/or exported by these companies that are subject to the final determination of the less-than-fair-value investigation. Consistent with the final section 129 determination and recognizing that we cannot exclude or revoke the AT\&M entity and/or any of its members from the Sawblades Order, future entries of such merchandise are subject to suspension of liquidation at the cash deposit rate of zero. Subsequent action will be consistent with the final court decision.
the Department and the appropriate congressional committees, the USTR may direct the Department to implement, in whole or in part, the new determinations made under section 129 of the URAA. F.R. 23561 (May 14, 2003) and accompanying issues and Decision Memorandum at Comment 1. See also Notice of Final Determination of Sales at Less Than Fair Value: Certain Frozen and Canned Warmwater Shrimp From the People’s Republic of China, 69 FR 70967, 71004 (December 8, 2004), where the Department stated that “the Department does not require any cash deposit or posting of a bond for Zhenjiang Guolian when the subject merchandise is produced and exported by Zhenjiang Guolian.” Subsequently, in the PRC Shrimp Order, we stated that “pursuant to 738(c)(1)(B) of the Act, we will instruct CBP to suspend liquidation of all entries of certain frozen warmwater shrimps and prawns from the PRC (except merchandise produced and exported by Zhenjiang Guolian because this company has a de minimis effect)” (emphasis added). See PRC Shrimp Order, 70 FR at 5152.

Revocation for Allied is specific to: merchandise manufactured by Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., or Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd., and exported by Allied Pacific (HK) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd.

Revocation for Yelin is specific to: merchandise manufactured by Shantou Yelin Frozen Seafood Co., Ltd., or Zhanjiang Yelin Frozen Seafood Co., Ltd., or Yangjiang City Yelin Frozen Seafood Co., Ltd., or Fujing Yihua Frozen Seafood Co., Ltd., or Shantou Yelin Frozen Seafood Co., Ltd., or Shantou Yelin Frozen Seafood Co., Ltd., or Yangjiang City Yelin Frozen Seafood Co., Ltd., or Fujing Yihua Frozen Seafood Co., Ltd.

The Department’s view is consistent with the “pursuant to 738(c)(1)(B) of the Act, we will instruct CBP to suspend liquidation of all entries of certain frozen warmwater shrimps and prawns from the PRC (except merchandise produced and exported by Zhenjiang Guolian because this company has a de minimis effect)” (emphasis added). See PRC Shrimp Order, 70 FR at 5152.

Revocation for Allied is specific to: merchandise manufactured by Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., or Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd., and exported by Allied Pacific (HK) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd.
Mantovanibenne Official Sponsor of MX2 Yamaha Ricci Racing Team

Three young and promising pilots, Davide Guarneri, Nicolas Aubin and Roberto Lombardi, will have a new sponsor Mantovanibenne. The Italian company has started its collaboration with the MX2 Yamaha Team for 2008 Worldwide Championships races which will take place in different countries where Mantovanibenne is present with its sales network and Dealers. The opening race will be 6 April 2008 in the Valkenswaard circuit, Holland, followed by Spain, Portugal, Bulgaria Grand Prix and Mannove, the first of the two Italian races. The official sponsorship with Yamaha Ricci Racing Team was announced at the Simac Fair in Verona. Mantovanibenne is organizing a racing tour with customers and collaborators.

www.mantovanibenne.com

Hilti acquires majority stake in Indian diamond tool producer

The Hilti Group has purchased an 80% stake in the Indian-based BuhkHarwana Diamond Systems Private Ltd. The two companies have worked together since 2002 and are now taking a step that will strengthen joint development and production of diamond consumables. "We have the same goals as the Hilti Group as we place tremendous value on quality and reliability in the development and production of our diamond cutting discs and diamond consumables," says BuhkHarwana Diamond Systems Private Ltd CEO Nish BuhkHarwana. Based in Navurs, roughly 250 km north of Mumbai, the company was founded in 1971 and specializes in diamond products for the construction industry and stone working. Today the company has some 250 employees and has annual sales of US$15 million. BuhkHarwana Diamond Systems Private Ltd set a goal of further cultivating and expanding existing business and using its high-quality diamond products to generate a greater presence on the international market. "The stake in this company not only provides us with access to valuable product knowledge but also to relevant production technology. The expansion potential of BuhkHarwana Diamond Systems Private Ltd. corresponds to our intent to grow," says Chairman of the Board of Directors of BuhkHarwana Diamond Systems Private Ltd. and Head of Hilti's Electric Tools & Accessories Business Area Matthias Gilser.

www.hilti.com

Husqvarna acquires Sandvik Nora, former Hagby Asahi

Husqvarna has acquired the assets and operation relating to products for the construction industry within Sandvik Nora AB (previously Hagby Asahi AB), a company within Sandvik's mining and construction business area. The acquired operation comprises production and sales of diamond tools and related machines for sawing, drilling and grinding. Annual sales amount to approximately SEK 550M. The operation is based in Nora, Sweden and Vantaa, Finland.

The acquisition complements Husqvarna's product range for the construction industry and reinforces the Group's leading position in the Nordic region. "Husqvarna has a strong market position in Sweden and Finland. Synergies will be achieved with our existing operation in terms of production and distribution. In addition, Husqvarna's floor-grinding machines complement our existing international product offering," says Head of Husqvarna Construction Products Anders Stiby.

Husqvarna is the world's largest producer of lawn mowers, chainsaws and portable petrol-powered garden equipment such as trimmers and blowers. The Group is also a world leader in diamond tools and cutting equipment for the construction and stone industries. Net sales in 2007 were SEK 33.3 billion and the average number of employees was 16,000.

www.husqvarna.com

IDE calles for the Claude J Brown Prize for the Best Paper 2008

Professional demolition engineers within and outside the Institute are invited to submit papers for the 2008 Best Paper Award. There are two categories, "Best Paper" which is open to all and second "Best Paper from a Student Member of the Institute." The prize is set at £1,000 in each category.

Criteria: There is no set title or subject for the technical paper. However the subject must be of relevance to demolition engineering and be the candidate's own researched work. The wide range of subjects to be found in the British Standard BS1187:2000 "Code of Practice for Demolition" could be used as a guide to those suitable. It is expected that papers will consist of 6,000 words plus illustrators. They should contain a bibliography and a reference section. Submissions must be accompanied by a signed statement that it is the candidate's own composition. Entries for the Student, Best Paper Award will be expected to provide proof that they are studying at a recognized university or college. Closing Date: The final date for submission of papers will be 31st August 2008.

Papers should be sent to
IDE Best Paper Award
69 Phipps Lane, Rochester,
Kent ME2 1JL, UK
info@ide.org.uk
Papers will become the property of the Institute of Demolition Engineers who may publish them, with the appropriate credit, on the Members' website. If papers do not meet the required standard no prize will be awarded.

Demco celebrates 20 years in operation

Swiss manufacturer Demco Technic AG has announced that the company is celebrating the 20th anniversary this year. The anniversary is set to be celebrated in the end of September in Seon, Switzerland.

www.demco.ch

Record result for Hilti 2007

Sales growth of 13 %, operating result 26 percent higher, net income up 23 % The Hilti Group has posted double-digit growth figures for the fourth time in succession. In 2007 the company boosted sales once again by 13 % from 4.1 to 4.7 billion Swiss francs. The operating result rose proportionately, compared to sales, advancing 26 percent to 533 million Swiss francs. The Hilti Group's net income increased from 344 to 422 million Swiss francs, marking a rise of 23 %. Growth was purely organic. The average number of employees increased by 9.7 % from 17,250 in 2006 to 18,900. Of the 1,680 new positions created by the Group in 2007, more than 80 % were based in sales.

www.hilti.com

Mantovanibenne 45 years

The year the Italian manufacturer Mantovanibenne celebrates its 45th anniversary. The company based in Mirandola, near Modena was founded by Alberto Mantovan and started out initially making buckets. Demolition equipment followed and complemented by a range of attachments including Quick Couplers, Crushers, Pulverizers, Rotating Pulverizers, Multisystems, Saws, Pile Breakers, Grepplers, Grabs and Rotoring Buckets.

www.mantovanibenne.com

JCB announces successor to long serving US CEO John Patterson

JCB has announced that John Patterson, who has led the company through an unprecedented period of growth in America, is to be succeeded as CEO by Chief Operating Officer Matthew Taylor.

John Patterson, 58, continues as Chairman and CEO of JCB Inc., based in Savannah, Georgia, USA, and will focus on JCB's American business. He will remain on the Main JCB Board as a Director.

Matthew Taylor, 48, will take up his new role of CEO from 1 June. He joined JCB in April 2006 as Managing Director of JCB Sales and in January last year became Group Chief Operating Officer.

John Patterson joined JCB in 1971 as a Field Service Engineer and rose through the company's ranks to become Chief Executive in 1998. He was promoted to Managing Director and CEO in 2004. Under his leadership, JCB's business has doubled in the past four years and the company has undergone the biggest global expansion in its history with new manufacturing facilities brought on line in the USA, Brazil, India and Germany.

www.jcb.com

Finmac strengthens its position in Australia

The Finnish demolition robot manufacturer Finmac Demolition Oy is steadily widening its territory. Recently the company formed an agreement with Sandvik in Australia and two machines have already been delivered to Australia. Sandvik Mining and Construction Australia (Sandvik) is the sole dealer and is providing specialised applications, sales and service support to Finmac customers. New dealers are also continuously being set up in Europe and recently Finmac F15 robots were delivered to an asbestos clearance project in Paris. Pavo Salonen, founder and part owner of the company is very satisfied with the development of the company and the growing sales of its product range.

www.finmac.fi
Hilti buys U.S.-based diamond blade and bit manufacturer

Schaan (FL), July 2, 2009 – The Hilti Corporation is entering the North American professional diamond service contractor market with the purchase of U.S.-based Diamond B, Inc. on June 30.

This move allows Hilti to enhance its global position as the choice provider of equipment and consumables for the professional diamond service contractor.

A 25-year-old company based near Los Angeles, Calif., Diamond B is a top-tier diamond consumables manufacturer and one of the best known brands for this segment in the United States. The strategic acquisition combines the excellent consumable products of Diamond B with Hilti's innovative equipment. Diamond B's experienced sales force accelerates Hilti's entry into the North American diamond service contractor market through an established customer base. Diamond B posted annual sales of $10.8 million (USD) in 2008. Both companies agreed not to disclose the purchase price.

The former owner and president of Diamond B, Webb Burnett, will retire from the business once the transition is complete. Long-time Hilti employee Andrew Hunt, previously the head of Hilti's Singapore market organization, will manage the new subsidiary.

Floor and wall saw blades for the North American market will be manufactured at the U.S.-based production facility. Drilling and sawing equipment will be manufactured in Liechtenstein and further strengthen the position and capacity use of production there.

"The current economic situation not only represents a challenge to companies, it also opens new opportunities," said Marco Meyrat, the Hilti Executive Board Member responsible for worldwide marketing and sales. "With this acquisition, Hilti is strengthening the long-term growth of the entire company. In Diamond B we are gaining one of the best and most professional U.S.-based diamond consumables..."
manufacturers and direct sales force. The many years of experience of both companies in this area will contribute to successfully developing the potential market in North America.”

Hilti supplies the worldwide construction industry with technologically leading products, systems and services that provide construction professionals with innovative solutions and superior added value. The Group employs approximately 20,000 persons in over 120 countries who passionately create enthusiastic customers and build a better future. Hilti generated annual sales of CHF 4.7 billion in 2008. Hilti’s corporate culture is based on integrity, teamwork, commitment and the courage to embrace change. The headquarters of the Hilti Group are located in Schaan, Principality of Liechtenstein.
Diamond Products

Lapidarian Excellence

Ohio-based Diamond Products is no diamond in the rough. Its attributes are quite apparent and profound. The company is a North American jewel when it comes to diamond blades, saws and core rigs and bits, reports Dan Harvey.

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Located in Elyria, Ohio, Diamond Products manufactures its market’s best coring drills, cutting tools and grinding machines.
Products are made with the strongest crystals. This provides clients with tools that demonstrate the highest level of durability. They exhibit the ability to withstand the most intense temperatures. The inherent octahedral shape increases tool life and offers customers faster cutting. Further, they demonstrate high-impact strength against steel and hard aggregate.

These advantages helped Diamond Products become a world leader in the manufacture and distribution of diamond tools and equipment. Versatility is another measure of success: The company boasts the broadest range of wet and dry diamond blades and diamond core bits. Plus, it offers the largest selection of core drill rigs, concrete saws, masonry and block saws and wire saws, along with highway grooving and grinding equipment. The company also manufactures custom concrete trucks and specialty equipment for clients’ unique job requirements.

In North America, Diamond Products is not only one of the largest manufacturers of diamond tools; it’s also one of the best.

“We sell to distributors and pro cutters throughout the United States, Canada and Mexico. Our main focus is to ensure that the customer gets the best diamond tool bits, or diamond tipped tools and the equipment that it runs on,” says Jim Palmer, Diamond Products’ marketing and trade show manager. “Beyond that, we focus on optimal customer service and our ability to customize almost any diamond tool, and then to get that innovation to the customer as quickly possible.”

60-PLUS YEARS OF EXPERIENCE
Diamond Products, which is located just west of Cleveland, has roots that date back to 1945. “Dan Moller founded the company, and the Moller family is still involved in the company’s operations,” relates Palmer.

The business was originally named the Pennsylvania Drilling Company, and it began by manufacturing diamond bits for mining applications. Nineteen years later, in 1964, it changed its name to Diamond Products, to better define its purpose. By this time, the company began focusing on diamond core bits and drilling machines for the construction industry. In the subsequent 46 years, the company expanded its product line to include diamond blades, grinding tools, concrete saws and drill rigs for the construction and stone industry. Recently, Diamond products added specialty equipment and grooving, grinding, and slot cutting equipment to its ever-evolving product line.

During its growth, the company had 12 employees in the 1970s. Today, it has more than 300. “We’re now the second biggest player in our market,” adds Palmer.

INTERNATIONAL PARENTAGE
Diamond Products is now owned by the Tyrolit Group, which is a leading manufacturer of grinding, cut-off, sawing and drilling tools. In turn, Tyrolit, which is based in Austria, is part of the international Swarovsky Group. Tyrolit has more than 4,000 employees, and it encompasses 28 production facilities in 13 countries. Further, Tyrolit has sales offices in Argentina, Australia, Austria, Belgium, Brazil, China, Denmark, Germany, Hungary, Finland, France, the United Kingdom, India, Indonesia, Italy, Canada, the Netherlands, Norway, Poland, Portugal, Russia, Sweden, Switzerland, Spain, Thailand, the Czech Republic, and the United States. The parent company’s brands have earned a leading position in the global arena.

Diamond Products itself has three buildings closely situated in Ohio. “Our main diamond plant is a 42,000-square-foot facility, and our equipment plant measures 51,000 square feet,” reports Palmer.
Further, Diamond Products sells through a network of 15 different warehouses spread out through North America and the world. “We have a good quality control team, and we deploy certain machines to test our equipment, to make sure they run perfectly when they go out the door,” says Palmer.

Specifically, the network includes locations in British Columbia, Ontario and Quebec in Canada; and in Massachusetts, Maryland, Ohio, Illinois, Missouri, Georgia, Florida, Oregon, California and Texas in the United States. The company also has locations in Mexico.

In addition to offering its customers the widest selection of diamond tools and products in the industry, Diamond Products supports what it sells through its customer service, technical service and import/export departments.

“Our main differentiation includes care for the clients and our ability to customize,” says Palmer. “Our motto is ‘whatever it takes.’ And that translates into our customer service and our ability to quickly react to our customers’ needs. Those are not just our major focuses; they are our most considerable strengths.”

Customers reside on the distributor and professional sides. “The distributor side involves a lot of rental houses and small supply stores. The pro side includes the professional concrete cutters that do that kind of work every day.”

**EXTENSIVE PRODUCT LINE**

“Our main product is diamond blades, and we also do core bits,” relates Palmer. “Most of our competitors import the core bit, but we make our own, right here in the United States. We pride ourselves on that. We do import some diamond blades – some of the lower end economy blades – but nearly all of our equipment is made in Ohio.”

As far as diamond blades, Diamond Products offers wet diamond, dry high-speed, specialty, dry turbo, wet masonry and tuck point blades, as well as small diameter blades for electric saws and cup grinders, dry walk behind blades and tile blades.

The company’s core bit line includes wet core, dry core and specialty bits. The saw line includes portable walk behind, small walk behind, medium walk behind, hand held, masonry and tile saws. It also includes floor grinders, wall and wire saws, power units and polishing tools.

“We also offer core rigs and abrasives,” adds Palmer.

Diamond Products markets its concrete, masonry, pavers, block and specialty saws and the diamond blades that run on them under its CORE CUT™ brand label. Core drill rigs and diamond bits that run on them are marketed under the CORE BORE™ brand label.

**GOING GREEN**

Like its parent company, Diamond Products not only works on developing the most effective and economic products, it also seeks to produce the most ecologically friendly solutions. Indeed, Diamond Products works closely with Tyrolit on an excellence in manufacturing program. This program examines all procedures including safety, costs, quality and environmental responsibilities.

Product manufacturing is currently at 75-percent recyclable. Further, all grinding, dust and wet sludge
is captured and picked up by a recycling company and turned into ingots where it is used in foundry applications, the company reports. This environmental responsibility carries over into shipping pallets. All are reused when possible or hauled away to be made into mulch. In addition, fluorescent light bulbs and batteries are picked up and recycled; and the coolants used are people-safe and environmentally friendly and recycled by running through filters and used again.

Diamond Products’ environmental responsibility even extends beyond its products. It deploys a RightFax program that supplements regular faxing, saving paper and toner. The program allows the user to fax directly from a computer to a fax machine. Also, company literature is converted into digital files, so it can be emailed and downloaded on the company Web site, again saving paper and ink. Toner used in company offices is gathered and sent to a recycling facility. Literature that does find its way into the print format is printed by companies certified by the Forest Stewardship Council, who uses recycled paper.

RESPONDING TO TRENDS
As with everyone else, Diamond Products keeps a close eye on the economic climate. “Still, even with the economy the way it is, we haven’t fared too badly,” reports Palmer. “Last year we experienced slight growth. This year, we’re looking at more positive trends towards growth. To weather the storm, we cut back on a few non-essential elements – particularly in marketing, where we had to do away with some of our giveaway items. As far as the factory and production, we had to make slight cuts, but even those have returned to previous levels. What it comes down to is that we just made ourselves more efficient when it comes equipment, processes, products and resources.”

Another trend that Diamond Products keeps an eye on is the import of Asian products. “The impact of this is that the cost of some diamond blades declined. So, we’ve responded by offering lower end items, too, without sacrificing quality.”

In the meantime, Diamond Products is ratcheting up its marketing efforts. “We’re upgrading marketing tools such as our Web site and the exhibit booth that we display at trade shows. We’re updating our look.”

But enhanced marketing means nothing if it can’t be attached to the best product – and Diamond Products offers the best and the newest. “We’re always trying to be more innovative, to come up with products that no one else offers. And when we’re not developing new products, we’re enhancing existing products. But we’re always coming up with something new. For instance, this year we introduced some larger in-line saws and some specialty diamond blades.”

That’s just one way how Diamond Products managed to establish itself as a one-stop shopping source for diamond blades, saws, rigs and bits. The other ways involve world-class technology and materials and, of course, maximized customer service.

www.diamondproducts.com

Featured Article
EXHIBIT 4
NOT SUSCEPTIBLE TO NON-CONFIDENTIAL SUMMARY
Attorney Certification

District of Columbia: SS

I John D. Greenwald, counsel to Husqvarna Construction Products North America, Inc. ("Husqvarna"), certify that (1) I have read the enclosed submission dated July 11, 2013, and (2) based on the information made available to me by Husqvarna, I have no reason to believe that this submission contains any material misrepresentation or omission of fact.

In accordance with section 201.6(b) of the Commission’s rules, I also hereby certify that, to the best of my knowledge, information substantially identical to that for which business proprietary treatment has been requested is not available to the general public.

John D. Greenwald

District of Columbia: SS
Subscribed and sworn to before me, in my presence, this 11th day of July, 2013.

M. Kathleen Mathias
M. Kathleen Mathias, Notary Public, D.C.
My commission expires July 14, 2018.
U.S. INTERNATIONAL TRADE COMMISSION
PUBLIC CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing submission was served this 11th day of July, 2013, by hand delivery, on the following parties:

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