



EAPA Investigation Number 7250: Lyke Industrial Tool, LLC (Notice of Scope Referral, September 19, 2019)

Concerning the Investigation of Evasion of the Antidumping Duty Order on Diamond Sawblades and parts thereof from the People's Republic of China (A-570-900)

On July 25, 2019, CBP initiated its EAPA investigation based on a properly filed allegation that reasonable suggested that Lyke Industrial Tool, LLC (Lyke) had entered merchandise into the customs territory of the United States through evasion of the AD Order. The scope of the Order states that the relevant covered merchandise includes "semi-finished diamond sawblades, including diamond sawblade cores and diamond sawblade segments" are subject to the order. Though semi-finished diamond sawblades are subject to the Order, CBP is unable to determine whether the merchandise at issue is covered merchandise in each combination of inputs noted in the three scenarios below:

Scenario 1: Core sourced from Thailand; segment from China; joined in Thailand.

Scenario 2: Core and segments both sourced from China; joined in Thailand.

Scenario 3: Core sourced from China; segment from Thailand; joined in Thailand

CBP needs a determination on which of these scenarios are covered by the scope of the order. Such a determination will assist CBP's EAPA investigation in determining which merchandise is subject to the payment of AD duties. Previously, Commerce issued a determination in response to a covered merchandise referral from CBP pertaining to the same three scenarios with regard to merchandise that Diamond Tool Technology (DTT) produced in Thailand. However, its determination, which referred to a related anti-circumvention inquiry, pertained solely to DTT's merchandise. Therefore, CBP is seeking another determination that applies to any diamond sawblade producer and exporter that produces or exports diamond sawblades under the circumstances in the three scenarios outlined above.

CBP requests that Commerce make a determination on a country-wide basis with respect to diamond sawblades produced or exported in the manner described in the three scenarios above. The fact that record evidence concerning DTT and Like demonstrates that each produces diamond sawblades in Thailand in the same general manner noted in the three scenarios outlined above indicates a country-wide ruling would be prudent. Please note that Commerce has previously ruled on a country-wide basis.

If you have any questions specific to the EAPA Investigation 7250, please contact CBP at epallegations@cbp.dhs.gov, and please include the EAPA investigation number 7250 in the subject line of the message. For any questions specific to the scope referral and its procedures, please contact Commerce at the Customs and Border Protection Liaison Unit, Enforcement and Compliance, International Trade Administration, at (202) 482-0984.