

MESSAGE NO: 2147111 MESSAGE DATE: 05/26/1992
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-820

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/26/1992 TO

Notice of Lifting of Suspension Date: 01/02/1992

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: FINAL ANTIDUMPING DUTY DETERMINATION OF NEW MINIVANS FROM JAPAN

MESSAGE NO: 2147111

DATE: 05 26 1992

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 820

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PERIOD COVERED: 05 26 1992 TO

LIQ SUSPENSION DATE: 01 02 1992

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL ANTIDUMPING DUTY DETERMINATION OF NEW MINIVANS FROM
JAPAN

1. THE DEPARTMENT OF COMMERCE PUBLISHED ON MAY 26, 1992, ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ABOVE INVESTIGATION.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS AN ON-HIGHWAY MOTOR VEHICLE WHICH GENERALLY HAS THE FOLLOWING CHARACTERISTICS:

&1) A CARGO CAPACITY BEHIND THE FRONT ROW OF SEATS THAT IS & 100 CUBIC FEET OR GREATER AND LESS THAN 200 CUBIC FEET;

- 2) A BODY STRUCTURE, WIDTH AND SEAT CONFIGURATION CAPABLE OF PROVIDING FULL WALK-THROUGH MOBILITY FROM THE FRONT SEAT ROW TO THE THIRD SEAT ROW, OR AT LEAST PARTIAL WALK-THROUGH MOBILITY FROM EITHER (A) THE FRONT SEAT ROW TO THE SECOND SEAT ROW OR (B) THE SECOND SEAT ROW TO THE THIRD SEAT ROW;
- 3) A HOOD THAT IS SLOPING AND A SHORT DISTANCE FROM THE COWL TO THE FRONT BUMPER RELATIVE TO THE OVERALL LENGTH OF THE VEHICLE;
- 4) A GROSS VEHICLE WEIGHT THAT IS LESS THAN 6,000 POUNDS;
- 5) A HEIGHT THAT IS BETWEEN 62 and 75 INCHES;
- 6) A SINGLE, BOX-LIKE STRUCTURE THAT ENVELOPES BOTH THE SPACE FOR THE DRIVER AND FRONT-SEAT PASSENGER AND THE REAR SPACE (WHICH HAS FLAT OR NEARLY FLAT FLOORS AND IS USABLE FOR CARRYING PASSENGERS AND CARGO); AND
- 7) A REAR SIDE PASSENGER ACCESS DOOR (OR DOORS) AND A REAR DOOR (OR DOORS) THAT PROVIDE WIDE AND LEVEL ACCESS TO THE REAR AREA.

A VEHICLE DOES NOT NECESSARILY HAVE TO MEET ALL SEVEN CRITERIA TO BE CONSIDERED A MINIVAN. WE WILL COMPARE THE PHYSICAL CHARACTERISTICS OF VEHICLES WITH THE ABOVE CRITERIA AND DETERMINE ON A CASE-BY-CASE BASIS WHETHER A VEHICLE SHARES ENOUGH PHYSICAL CHARACTERISTICS WITH MINIVANS, AS DESCRIBED BY THE ABOVE SEVEN CRITERIA, TO BE CONSIDERED A MINIVAN. WHILE WE CONSIDER ALL SEVEN OF THE ABOVE CRITERIA IMPORTANT IN DETERMINING WHETHER A VEHICLE IS A MINIVAN, WE CONSIDER THE CRITERIA WHICH REFLECT A MEASUREMENT OF INTERIOR SPACE (COWL LENGTH, WALK-THROUGH CAPABILITY, AND CARGO CAPACITY) TO BE OF PRIMARY IMPORTANCE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-588-820.

4. FOR EXPORTS OF NEW MINIVANS FROM JAPAN, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF THE NEW MINIVANS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER JANUARY 2, 1992, AND SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF BOND EQUAL TO THE ESTIMATED FINAL MARGIN PERCENTAGES LISTED BELOW:

PRODUCER MANUFACTURER NUMBER	CUSTOMS' ID	MARGIN PERCENTAGE
MAZDA MOTOR CORP.	A-588-820-001	12.70
TOYOTA MOTOR CORP.	A-588-820-002	6.75
ALL OTHERS	A-588-820-003	9.88

THE MODULE HAS BEEN UPDATED TO REFLECT THE ABOVE INFORMATION

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH, CUSTOMS HEADQUARTERS (202) 535-4931, OR BY EMAIL TO ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JAMES MAEDER OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION. DEPARTMENT OF COMMERCE, TELEPHONE: (202) 377-4929.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party