

MESSAGE NO: 2176115 MESSAGE DATE: 06/24/1992
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE 2108117
MESSAGE #
(s):

CASE #(s): C-549-804

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/03/1989 TO 12/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CARBON STEEL BUTT-WELD PIPE FITTINGS FROM THAILAND - EXCEPT TTU INDUSTRIAL CORP, LTD. (ENJOINED) C 549-804-001

MESSAGE NO: 2176115

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CASES: C - 549 - 804

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PERIOD COVERED: 11 03 1989 TO 12 31 1990

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR CARBON STEEL BUTT-WELD
PIPE FITTINGS FROM THAILAND - EXCEPT TTU INDUSTRIAL
CORP, LTD. (ENJOINED) C 549-804-001

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER OF FEBRUARY 13, 1992 (57 FR 5248) THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON CARBON STEEL BUTT-WELD PIPE FITTINGS FROM THAILAND (C-549-804). THE REVIEW COVERS THE PERIOD NOVEMBER 3, 1989 THROUGH DECEMBER 31, 1990.

2. THE U.S. COURT OF INTERNATIONAL TRADE HAS ENJOINED

LIQUIDATION OF ALL SHIPMENTS OF THE SUBJECT MERCHANDISE EXPORTED BY TTU INDUSTRIAL CORP., LTD. (TTU), ON OR AFTER NOVEMBER 3, 1989 AND ON OR BEFORE DECEMBER 31, 1990.

3. THE MERCHANDISE COVERED BY THESE INSTRUCTIONS ARE SHIPMENTS OF CARBON STEEL BUTT-WELD PIPE FITTINGS, FROM THAILAND, HAVING AN INSIDE DIAMETER OF LESS THAN 360 MILLIMETERS (FOURTEEN INCHES), IMPORTED IN EITHER FINISHED OR UNFINISHED FORM. THESE FORMED OR FORGED PIPE FITTINGS ARE USED TO JOIN SECTIONS OF PIPING SYSTEMS WHERE CONDITIONS REQUIRE PERMANENT, WELDED CONNECTIONS, AS DISTINGUISHED FROM FITTINGS BASED ON OTHER FASTENING METHODS (E.G., THREADED, GROOVED, OR BOLTED FITTINGS). SUCH MERCHANDISE IS CLASSIFIABLE UNDER ITEM NUMBER 73.07.93.30 OF THE HARMONIZED TARIFF SCHEDULE.

4. THE TOTAL BOUNTIES OR GRANTS WERE FOUND TO BE 1.02 PERCENT AD VALOREM FOR THE PERIOD NOVEMBER 3, 1989 THROUGH DECEMBER 31, 1989 AND 1.76 PERCENT AD VALOREM FOR THE PERIOD JANUARY 1, 1990 THROUGH DECEMBER 31, 1990.

5. ACCORDINGLY, YOU ARE TO ASSESS COUNTERVAILING DUTIES OF 1.02 PERCENT OF THE F.O.B. INVOICE PRICE ON ALL SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 3, 1989 AND EXPORTED ON OR BEFORE DECEMBER 31, 1989, EXCEPT FOR THAT MERCHANDISE EXPORTED BY TTU. FOR THE PERIOD JANUARY 1, 1990 THROUGH DECEMBER 31, 1990, YOU ARE TO ASSESS COUNTERVAILING DUTIES OF 1.76 PERCENT OF THE F.O.B. INVOICE PRICE ON ALL SHIPMENTS EXCEPT THOSE EXPORTED BY TTU.

MANUFACTURER	ID NUMBER	PERIOD	AD VALOREM RATE
TTU	C-549-804-001	11/3/89-12/31/89	LIQUIDATION ENJOINED
ALL OTHERS	C-549-804-000	11/3/89-12/31/89	1.02 PERCENT

TTU C-549-804-001 1/1/90-12/31/90 LIQUIDATION

ENJOINED

ALL OTHERS C-549-804-000 1/1/90-12/31/90 1.76 PERCENT

6. SECTION 778 OF THE TARIFF ACT REQUIRES THAT INTEREST BE PAID ON OVERPAYMENTS OR UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. SUCH INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. PURSUANT TO SECTION 353.24(C) OF THE DEPARTMENT OF COMMERCE REGULATIONS, THE INTEREST SHALL BE CALCULATED AT THAT RATE FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.

7. ENTRIES BETWEEN THE DATES OF THE PRELIMINARY DETERMINATION AND PUBLICATION OF THE COUNTERVAILING DUTY ORDER ARE NOT SUBJECT TO THE INTEREST PROVISIONS OF SECTION 778. THEREFORE, NO INTEREST SHOULD BE COLLECTED OR PAID ON ENTRIES OR WITHDRAWALS MADE ON OR AFTER NOVEMBER 3, 1989 AND ON OR BEFORE JANUARY 17, 1990.

8. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE DECEMBER 31, 1990 IS NOW LIFTED, EXCEPT FOR SHIPMENTS OF THE MERCHANDISE EXPORTED BY TTU ON OR AFTER NOVEMBER 3, 1989 AND EXPORTED ON OR BEFORE DECEMBER 31, 1990. THE SUSPENSION OF LIQUIDATION ON THOSE EXPORTS FROM TTU REMAINS IN EFFECT. LIQUIDATION INSTRUCTIONS FOR THE PERIOD JANUARY 1, 1991 THROUGH DECEMBER 31, 1991 HAVE BEEN TRANSMITTED IN E-MAIL 2119118 OF APRIL 28, 1992. SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THE MERCHANDISE EXPORTED ON OR AFTER JANUARY 1, 1992 WILL CONTINUE.

9. CUSTOMS OFFICERS SHALL COLLECT A CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES IN ACCORDANCE WITH OUR PREVIOUS INSTRUCTIONS ISSUED IN E-MAIL 2108117 OF APRIL 17, 1992. THIS DEPOSIT REQUIREMENT WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW OF THE

COUNTERVAILING DUTY ORDER ON THIS MERCHANDISE.

10. IF CUSTOMS OFFICERS HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH BY E-MAIL TO ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, (202) 377-2786.

11. 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