

MESSAGE NO: 3008116 MESSAGE DATE: 01/08/1993
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE
MESSAGE #
(s):

CASE #(s): A-307-807, A-357-807, A-462-104,
A-462-304, A-463-404

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/29/1992 TO

Notice of Lifting of Suspension Date: 09/30/1992

TO: { Directors Of Field Operations, Port Directors }

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

RE: PRELIMINARY DETERMINATIONS IN THE ANTIDUMPING DUTY INVESTIGATIONS OF FERROSILICON FROM ARGENTINA, KAZAKHSTAN, RUSSIA, UKRAINE, AND VENEZUELA- CRITICAL CIRCUMSTANCES

MESSAGE NO: 3008116	DATE: 01 08 1993
CATEGORY: ADA	TYPE: PRE
REFERENCE:	REFERENCE DATE:
CASES: A - 463 - 404	A - 462 - 104
A - 462 - 304	A - 307 - 807
A - 357 - 807	- -

PERIOD COVERED: 12 29 1992 TO

LIQ SUSPENSION DATE: 09 30 1992

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: PRELIMINARY DETERMINATIONS IN THE ANTIDUMPING DUTY INVESTIGATIONS OF FERROSILICON FROM ARGENTINA, KAZAKHSTAN, RUSSIA, UKRAINE, AND VENEZUELA- CRITICAL CIRCUMSTANCES

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON DECEMBER 29, 1992, NOTICE OF ITS PRELIMINARY DETERMINATIONS THAT FERROSILICON FROM KAZAKHSTAN, RUSSIA, UKRAINE, AND VENEZUELA IS BEING SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE. THE DEPARTMENT OF COMMERCE ALSO WILL PUBLISH IN THE FEDERAL REGISTER ON DECEMBER 29, 1992, NOTICE OF ITS PRELIMINARY DETERMINATION THAT FERROSILICON FROM ARGENTINA IS NOT BEING SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

2. THE MERCHANDISE SUBJECT TO THESE INVESTIGATIONS IS FERROSILICON, A FERROALLOY GENERALLY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, MORE THAN EIGHT PERCENT BUT NOT MORE THAN 96 PERCENT SILICON, NOT MORE THAN 10 PERCENT CHROMIUM, NOT MORE THAN 30 PERCENT MANGANESE, NOT MORE THAN THREE PERCENT PHOSPHOROUS, LESS THAN 2.75 PERCENT MAGNESIUM, AND NOT MORE THAN 10 PERCENT CALCIUM OR ANY OTHER ELEMENT.

CALCIUM SILICON, FERROCALCIUM SILICON, AND MAGNESIUM FERROSILICON ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS. CALCIUM SILICON IS AN ALLOY CONTAINING, BY WEIGHT, NOT MORE THAN FIVE PERCENT IRON, 60 TO 65 PERCENT SILICON AND 28 TO 32 PERCENT CALCIUM. FERROCALCIUM SILICON IS A FERROALLOY CONTAINING BY WEIGHT NOT LESS THAN FOUR PERCENT IRON, 60 TO 65 PERCENT SILICON, AND MORE THAN 10 CALCIUM. MAGNESIUM FERROSILICON IS A FERROALLOY CONTAINING, BY WEIGHT, NOT LESS THAN FOUR PERCENT IRON, NOT MORE THAN 55 PERCENT SILICON, AND NOT LESS THAN 2.75 PERCENT MAGNESIUM.

FERROSILICON IS CLASSIFIABLE UNDER THE FOLLOWING SUBHEADINGS OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS): 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, AND 7202.29.0050. THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES. OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE INVESTIGATIONS IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING COMMERCE INVESTIGATION NUMBERS: A-357-807 (ARGENTINA); A-834-804, (KAZAKHSTAN); A-821-804 (RUSSIA); A-823-804 (UKRAINE); AND A-307-807 (VENEZUELA).

4. FOR CUSTOMS REPORTING PURPOSES ONLY, CERTAIN OF THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING NUMBERS: A-463-404 (KAZAKHSTAN); A-462-104 (RUSSIA); AND A-462-304 (UKRAINE).

5. FOR ALL EXPORTS OF FERROSILICON FROM VENEZUELA. THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH MERCHANDISE THAT IS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

DECEMBER 29, 1992, AND SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE APPROPRIATE ESTIMATED PRELIMINARY MARGIN PERCENTAGE LISTED BELOW.

6. THE DEPARTMENT HAS DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST WITH RESPECT TO EXPORTS OF FERROSILICON MADE BY ALL EXPORTERS FROM KAZAKHSTAN, RUSSIA, AND UKRAINE. THEREFORE, FOR ALL EXPORTS OF FERROSILICON FROM KAZAKHSTAN, RUSSIA, AND UKRAINE. THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH MERCHANDISE THAT IS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON

OR AFTER SEPTEMBER 30, 1992, A DATE 90 DAYS PRIOR TO PUBLICATION OF THE PRELIMINARY DETERMINATION IN THE FEDERAL REGISTER, AND SHALL REQUIRE A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE APPROPRIATE ESTIMATED PRELIMINARY MARGIN PERCENTAGE LISTED BELOW.

MANUFACTURER/PRODUCER/ EXPORTER	IDENTIFICATION NUMBER	WEIGHTED-AVERAGE MARGIN PERCENTGAGE
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KAZAKHSTAN

ALL EXPORTERS	A-463-404-000	104.18%
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RUSSIA

ALL EXPORTERS	A-462-104-000	104.18%
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UKRAINE

ALL EXPORTERS	A-462-304-000	104.18%
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VENEZUELA

CVG-VENEZOLANA DE	A-307-807-001	1.49%
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FERROSILICON

ALL OTHERS	A-307-807-000	1.49%
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FOR ALL EXPORTS OF FERROSILICON FROM ARGENTINA, THE CUSTOMS SERVICE SHALL NOT SUSPEND LIQUIDATION OF SUCH MERCHANDISE.

7. 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 BY E-MAIL ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT JAMES TERPSTRA OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-3965.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

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