

MESSAGE NO: 2213111 MESSAGE DATE: 07/31/1992  
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-122-814

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/13/1992 TO

Notice of Lifting of Suspension Date: 11/22/1991

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL AFFIRMATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE:  
PURE MAGNESIUM FROM CANADA AND RESCISSION OF INVESTIGATION FOR ALLOY  
MAGNESIUM FROM CANADA (A-122-814)

MESSAGE NO: 2213111

DATE: 07 31 1992

CATEGORY: ADA

TYPE: FIN

REFERENCE:

REFERENCE DATE:

CASES: A - 122 - 814

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PERIOD COVERED: 07 13 1992 TO

LIQ SUSPENSION DATE: 11 22 1991

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL AFFIRMATIVE DETERMINATION OF SALES AT LESS THAN FAIR  
VALUE: PURE MAGNESIUM FROM CANADA AND RESCISSION OF  
INVESTIGATION FOR ALLOY MAGNESIUM FROM CANADA (A-122-814)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER  
ON JULY 13, 1992, NOTICE OF ITS FINAL AFFIRMATIVE DETERMINATION  
OF SALES AT LESS THAN FAIR VALUE FOR PURE MAGNESIUM FROM CANADA  
AND RESCISSION OF INVESTIGATION REGARDING ALLOY MAGNESIUM FROM  
CANADA.

2. THE DEPARTMENT OF COMMERCE HAS DETERMINED THAT THE EVIDENCE  
PROVIDED BY THE PETITIONER WAS INSUFFICIENT TO SUPPORT THE

DUMPING ALLEGATION AGAINST ALLOY MAGNESIUM, AND IS THEREFORE RESCINDING THE PORTION OF THIS INVESTIGATION DEALING WITH ALLOY MAGNESIUM FROM CANADA. CUSTOMS SHALL THEREFORE TERMINATE SUSPENSION OF LIQUIDATION OF ALL ENTRIES OF ALLOY MAGNESIUM PURSUANT TO OUR RESCISSION OF THE INVESTIGATION OF THIS CLASS OR KIND OF MERCHANDISE AND SHALL RELEASE ANY CASH DEPOSITS OR BONDS POSTED ON ENTRIES OF ALLOY MAGNESIUM. HOWEVER, ENTRIES OF ALLOY MAGNESIUM WHICH HAVE BEEN SUSPENDED PURSUANT TO THE COMMERCE DEPARTMENT'S AFFIRMATIVE PRELIMINARY DETERMINATION IN THE CONCURRENT COUNTERVAILING DUTY INVESTIGATION SHALL REMAIN SUSPENDED.

3. THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF PURE MAGNESIUM FROM CANADA, EXCEPT ENTRIES FROM TIMMINCO LIMITED, AND EFFECTIVE JULY 13, 1992, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR BOND EQUAL TO THE WEIGHTED-AVERAGE MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/ PRODUCER/EXPORTER	CUSTOMS ID	MARGIN PERCENTAGE
NORSK HYDRO CANADA INC.	A-122-814-001	31.33
TIMMINCO LIMITED	A-122-814-002	00.00
ALL OTHERS	A-122-814-000	31.33

SINCE THE WEIGHTED-AVERAGE MARGIN FOR TIMMINCO LIMITED IS 0.00, IT IS EXCLUDED FROM THE SUSPENSION OF LIQUIDATION.

4. THE DEPARTMENT OF COMMERCE HAS ALSO DETERMINED THAT CRITICAL CIRCUMSTANCES EXIST WITH RESPECT TO NORSK HYDRO CANADA, INC., THEREFORE CUSTOMS SHALL SUSPEND LIQUIDATION OF ALL NORSK HYDRO CANADA INC. ENTRIES THAT WERE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER NOVEMBER 22, 1991, WHICH IS 90 DAYS PRIOR TO THE PUBLICATION OF THE NOTICE OF THE PRELIMINARY DETERMINATION IN THIS INVESTIGATION IN THE FEDERAL REGISTER, AND SHALL REQUIRE A CASH DEPOSIT OR BOND EQUAL TO 31.33 PERCENT.

5. THE PRODUCT COVERED BY THIS INVESTIGATION IS PURE MAGNESIUM FROM CANADA. PURE UNWROUGHT MAGNESIUM CONTAINS AT LEAST 99.8 PERCENT MAGNESIUM BY WEIGHT AND IS SOLD IN VARIOUS SLAB AND INGOT FORMS AND SIZES. GRANULAR AND SECONDARY MAGNESIUM ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION. PURE MAGNESIUM IS CURRENTLY CLASSIFIED UNDER SUBHEADING 8104.11.0000 OF THE HARMONIZED TARIFF SCHEDULE (HTS). ALTHOUGH THE HTS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

6. FOR FURTHER REPORTING PURPOSES, THIS ANTIDUMPING DUTY CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-122-814.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH VIA E-MAIL BY USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT MAGD

ZALOK OF THE OFFICE OF COUNTERVAILING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE: (202)377-4162.

THERE ARE NO RESTRICTIONS ON THE ABOVE INFORMATION.

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## Company Details

\*Party Indicator Value:

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