

MESSAGE NO: 3042111 MESSAGE DATE: 02/11/1993
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-559-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/08/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: PRELIMINARY DETERMINATION ON CERTAIN PORTABLE ELECTRIC
TYPEWRITERS FORM SINGAPORE

MESSAGE NO: 3042111 DATE: 02 11 1993

CATEGORY: ADA TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: A - 559 - 806 - -

- - - -

- - - -

PERIOD COVERED: 02 08 1993 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: PRELIMINARY DETERMINATION ON CERTAIN PORTABLE ELECTRIC
TYPEWRITERS FORM SINGAPORE

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON FEBRUARY 8, 1993, NOTICE OF ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE OF CERTAIN PORTABLE ELECTRIC TYPEWRITERS (CPETS) FROM SINGAPORE.

2. ON OCTOBER 2, 1991, THE DEPARTMENT PUBLISHED IN THE FEDERAL REGISTER NOTICE OF ITS RECISSION OF THE INITIATION AND TERMINATION OF THE ANTIDUMPING DUTY INVESTIGATION OF CPETS FROM SINGAPORE. THE U.S. PETITIONER APPEALED THE DEPARTMENT'S

DECISION TO THE U.S. COURT OF INTERNATIONAL TRADE (CIT) WHO, ON SEPTEMBER 3, 1992, REVERSED THE DEPARTMENT'S DETERMINATION. THE CIT ALSO ORDERED THE DEPARTMENT TO CONTINUE ITS STANDING INQUIRY BY DETERMINING WHETHER THE PETITION WAS FILED ON BEHALF OF THE U.S. INDUSTRY AND, IF SO, TO COMPLETE THE INVESTIGATION. IN ITS PRELIMINARY DETERMINATION, THE DEPARTMENT HAS DETERMINED THAT THE PETITION WAS FILED ON BEHALF OF THE U.S. INDUSTRY AND CALCULATED A PRELIMINARY ANTIDUMPING DUTY MARGIN FOR THE SINGAPORE EXPORTERS.

3. THE MERCHANDISE COVERED BY THIS INVESTIGATION ARE CERTAIN PORTABLE ELECTRIC TYPEWRITERS (CPETS). CPETS ARE DEFINED AS MACHINES THAT PRODUCE LETTERS AND CHARACTERS IN SEQUENCE DIRECTLY

ON A PIECE OF PAPER OR OTHER MEDIA FROM A KEYBOARD INPUT AND MEETING THE FOLLOWING CRITERIA: 1) EASILY PORTABLE, WITH A HANDLE AND/OR CARRYING CASE OR SIMILAR MECHANISM TO FACILITATE THEIR PORTABILITY; 2) ELECTRIC, REGARDLESS OF SOURCE OF POWER; 3) BE COMPRISED OF A SINGLE, INTEGRATED UNIT; 4) HAVING A KEYBOARD EMBEDDED IN THE CHASIS OR FRAME OF THE MACHINE; 5) HAVING A BUILT-IN PRINTER; 6) HAVING A PLATEN OR ROLLER TO ACCOMODATE PAPER; AND 7) ONLY ACCOMODATING ITS OWN DEDICATED OR CAPTIVE SOFTWARE, IF ANY.

BASED ON THE PETITIONER'S REQUEST, THE DEPARTMENT HAS DETERMINED NOT TO INCLUDE ALL TYPES OF PETS (PORTABLE ELECTRIC TYPEWRITERS), WHICH WERE DETERMINED TO BE WITHIN THE SCOPE OF THE ANTIDUMPING ORDER ON PETS FROM JAPAN IN THE DEPARTMENT'S FINAL SCOPE RULING SIGNED ON NOVEMBER 2, 1990 (SEE 55 FR 47358, NOVEMBER 13, 1990).

PETS MEETING THE FOLLOWING CRITERIA ARE EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION: 1) SEVEN LINES OR MORE OF DISPLAY; 2) MORE THAN 32K OF TEXT MEMORY; 3) THE ABILITY TO PERFORM "BLOCK MOVE"; AND 4) A "SEARCH AND REPLACE" FUNCTION. A MACHINE HAVING SOME, BUT NOT ALL, OF THESE FOUR CHARACTERISTICS IS INCLUDED WITHIN THE SCOPE OF THIS INVESTIGATION.

4. THE CPETS SUBJECT TO THIS INVESTIGATION ARE PROVIDED FOR IN SUBHEADINGS 8469.21.00 AND 8469.10.00 OF THE HARMONIZED TARIFF SCHEDULE (HTS). (NOTE: PWPS (PERSONAL WORD PROCESSORS) ARE ALSO PROVIDED FOR IN SUBHEADING 8469.10.00). THE HTS ITEM NUMBERS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION REMAINS DISPOSITIVE.

5. THE U.S. CUSTOMS SERVICE SHALL SUSPEND LILQUIDATION OF ENTRIES THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER FEBRUARY 8, 1993, AND SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ESTIMATED ANTIDUMPING MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/PRODUCER EXPORTER	CUSTOMS ID NUMBER	CURRENT DEPOSIT	DEPOSIT ON AFTER 2/8/93
SMITH CORONA (PTE) LTD.	A-559-806-001	0	16.02
ALL OTHERS	A-559-806-000	0	16.02

6. FOR FURTHER REPORTING PURPOSES, THIS CASE BAS BEEN ASSIGNED INVESTIGATION NUMBER A-559-806.

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 EMAIL ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT ROSS COTJANLE OR CAROLE SHOWERS OF THE OFFICE OF COUNTERVAILING INVESTIGATIONS, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-3534 OR (202) 482-3217, RESPECTIVELY.

8. 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