

MESSAGE NO: 3076204 MESSAGE DATE: 03/17/2003
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: COR PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-580-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1999 TO 12/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CORRECTION AND REPLACEMENT OF MSG 3013201 OF 1/12/03 RE DRAMS FROM KOREA PRODUCED BY HYNIX SEMICONDUCTOR (A-580-812)

MESSAGE NO: 3076204 DATE: 03 17 2003

CATEGORY: ADA TYPE: COR

REFERENCE: REFERENCE DATE:

CASES: A - 580 - 812 - -

- - - -

- - - -

PERIOD COVERED: 05 01 1999 TO 12 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CORRECTION AND REPLACEMENT OF MSG 3013201 OF 1/12/03 RE DRAMS FROM KOREA PRODUCED BY HYNIX SEMICONDUCTOR (A-580-812)

1. THIS IS A CORRECTION OF MESSAGE 3013201 ON 01/12/2003. THE PERIOD IN PARAGRAPH 1 OF THE ABOVE-REFERENCED MESSAGE IS INCORRECT. THE CORRECTED PERIOD IS IN PARAGRAPH 2.

2. FOR ALL SHIPMENTS OF DRAMS FROM KOREA PRODUCED BY HYNIX SEMICONDUCTOR, AND IMPORTED BY ENTITIES OTHER THAN HYNIX SEMICONDUCTOR AMERICA, INC., AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 05/01/1999 THROUGH

12/31/1999, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF ENTRY.

3. DO NOT LIQUIDATE ENTRIES OF DRAMS FROM KOREA PRODUCED BY HYNIX SEMICONDUCTOR AND IMPORTED BY HYNIX SEMICONDUCTOR AMERICA, INC., PURSUANT TO A COURT-ORDERED INJUNCTION ENJOINING LIQUIDATION AS DIRECTED IN E-MAIL MESSAGE NUMBER 2326202 SENT OUT ON 11/22/2002.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAYS INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE

ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT

STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT PAIGE RIVAS AT 202-482-0651, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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