

MESSAGE NO: 3112206

MESSAGE DATE: 04/22/2003

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC

NON-PUBLIC

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-836

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/19/2003

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CASH DEPOSITS FOR POLYVINYL ALCOHOL FROM GERMANY (A-428-836)

MESSAGE NO: 3112206

DATE: 04 22 2003

CATEGORY: ADA

TYPE: ADM

REFERENCE:

REFERENCE DATE:

CASES: A - 428 - 836

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PERIOD COVERED: 02 19 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CASH DEPOSITS FOR POLYVINYL ALCOHOL FROM GERMANY
(A-428-836)

1. ON APRIL 21, 2003, THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS FINAL DETERMINATION IN THE INVESTIGATION OF POLYVINYL ALCOHOL FROM GERMANY.

2. FOR PURPOSES OF THIS INVESTIGATION, THE TERM "POLYVINYL ALCOHOL" INCLUDES ALL PVA HYDROLYZED IN EXCESS OF 80 PERCENT, WHETHER OR NOT MIXED OR DILUTED WITH COMMERCIAL LEVELS OF DEFOAMER OR BORIC ACID, EXCEPT AS NOTED BELOW.

THE FOLLOWING PRODUCTS ARE SPECIFICALLY EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION:

- 1) PVA IN FIBER FORM.
- 2) PVA WITH HYDROLYSIS LESS THAN 83 MOLE PERCENT AND CERTIFIED NOT FOR USE IN THE PRODUCTION OF TEXTILES.
- 3) PVA WITH HYDROLYSIS GREATER THAN 85 PERCENT AND VISCOSITY GREATER THAN OR EQUAL TO 90 CPS.
- 4) PVA WITH A HYDROLYSIS GREATER THAN 85 PERCENT, VISCOSITY GREATER THAN OR EQUAL TO 80 CPS BUT LESS THAN 90 CPS, CERTIFIED FOR USE IN AN INK JET APPLICATION.
- 5) PVA FOR USE IN THE MANUFACTURE OF AN EXCIPIENT OR AS AN EXCIPIENT IN THE MANUFACTURE OF FILM COATING SYSTEMS WHICH ARE COMPONENTS OF A DRUG OR DIETARY SUPPLEMENT, AND ACCOMPANIED BY AN END-USE CERTIFICATION.
- 6) PVA COVALENTLY BONDED WITH CATIONIC MONOMER UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 7) PVA COVALENTLY BONDED WITH CARBOXYLIC ACID UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION EQUAL TO OR GREATER THAN TWO MOLE PERCENT, CERTIFIED FOR USE IN A PAPER APPLICATION.
- 8) PVA COVALENTLY BONDED WITH THIOL UNIFORMLY PRESENT ON ALL POLYMER CHAINS, CERTIFIED FOR USE IN EMULSION POLYMERIZATION OF NON-VINYL ACETIC MATERIAL.
- 9) PVA COVALENTLY BONDED WITH PARAFFIN UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 10) PVA COVALENTLY BONDED WITH SILAN UNIFORMLY PRESENT ON ALL POLYMER CHAINS CERTIFIED FOR USE IN PAPER COATING APPLICATIONS.

- 11) PVA COVALENTLY BONDED WITH SULFONIC ACID UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION LEVEL EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 12) PVA COVALENTLY BONDED WITH ACETOACETYLATE UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION LEVEL EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 13) PVA COVALENTLY BONDED WITH POLYETHYLENE OXIDE UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION LEVEL EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 14) PVA COVALENTLY BONDED WITH QUATERNARY AMINE UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION LEVEL EQUAL TO OR GREATER THAN ONE MOLE PERCENT.
- 15) PVA COVALENTLY BONDED WITH DIACETONEACRYLAMIDE UNIFORMLY PRESENT ON ALL POLYMER CHAINS IN A CONCENTRATION LEVEL GREATER THAN THREE MOLE PERCENT, CERTIFIED FOR USE IN A PAPER APPLICATION.

THE MERCHANDISE UNDER INVESTIGATION IS CURRENTLY CLASSIFIABLE UNDER SUBHEADING 3905.30.00 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR IMPORTS OF POLYVINYL ALCOHOL FROM GERMANY, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

FEBRUARY 19, 2003. EFFECTIVE FEBRUARY 19, 2003, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGIN SHOWN BELOW:

EXPORTER	NUMBER	PERCENTAGE
CLARIANT GMBH	A-428-836-001	19.05
KURARAY SPECIALTIES EUROPE	A-428-836-002	19.05
ALL OTHERS	A-428-836-000	10.75

4. IN ACCORDANCE WITH THE LONGSTANDING POLICY OF THE 1985 TREASURY DECISION, T.D. 85-145, AT THE DISCRETION OF THE CUSTOMS SERVICE, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. AS HAS BEEN THE CASE SINCE ENACTMENT OF THIS TREASURY DECISION, YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMSOFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT MIKE STROLLO OR GREGORY KALBAUGH, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0629 OR (202) 482-3693, RESPECTIVELY.

6. 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