

MESSAGE NO: 3231112 MESSAGE DATE: 08/19/1993
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-816, A-455-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/19/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY ORDER AND AMENDMENTS TO FINAL ON CERTAIN STEEL PRODUCTS (NEGATIVE - CRITICAL CIRCUMSTANCES GERMANY AND POLAND)

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PERIOD COVERED: 08 19 1993 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: ANTIDUMPING DUTY ORDER AND AMENDMENTS TO FINAL
ON CERTAIN STEEL PRODUCTS
(NEGATIVE - CRITICAL CIRCUMSTANCES GERMANY AND POLAND)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON AUGUST 19, 1993, THE NOTICE OF ITS ANTIDUMPING DUTY ORDER AND AMENDMENTS TO FINAL DETERMINATIONS OF SALES AT LESS THAN FAIR VALUE OF CERTAIN HOT-ROLLED CARBON STEEL FLAT PRODUCTS, CERTAIN COLD-ROLLED CARBON STEEL FLAT PRODUCTS, CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS, AND CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM VARIOUS COUNTRIES

2. ONE OF THE FOUR CLASSES OR KINDS OF PRODUCTS COVERED BY THESE

INVESTIGATIONS IS CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE PRODUCTS. THESE PRODUCTS INCLUDE HOT-ROLLED CARBON STEEL UNIVERSAL MILL PLATES (I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH EXCEEDING 150 MILLIMETERS BUT NOT EXCEEDING 1,250 MILLIMETERS AND OF A THICKNESS OF NOT LESS THAN 4 MILLIMETERS, NOT IN COILS AND WITHOUT PATTERNS IN RELIEF), OF RECTANGULAR SHAPE, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES; AND CERTAIN HOT-ROLLED CARBON STEEL FLAT-ROLLED PRODUCTS IN STRAIGHT LENGTHS, OF RECTANGULAR SHAPE, HOT ROLLED, NEITHER CLAD, PLATED, NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, 4.75 MILLIMETERS OR MORE IN THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS, AS CURRENTLY CLASSIFIABLE IN THE HTSUS UNDER SUBHEADINGS:

7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000,
7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000,
7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000,
7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000,
7212.40.5000, AND 7212.50.0000.

INCLUDED IN THESE INVESTIGATIONS ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED

SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") -- FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES. EXCLUDED FROM THESE INVESTIGATIONS IS GRADE X-70 PLATE.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING INVESTIGATIONS NUMBERS:

4. THE U.S. INTERNATIONAL TRADE COMMISSION (ITC) DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO ANY SUBJECT IMPORTS FROM POLAND

AS A RESULT OF THE COMMISSION'S NEGATIVE CRITICAL CIRCUMSTANCES DETERMINATION, THE CUSTOMS SERVICE WILL REFUND ALL CASH DEPOSITS AND RELEASE ALL BONDS COLLECTED ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM POLAND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 6, 1992 AND BEFORE FEBRUARY 4, 1993.

THE ITC NOTIFIED THE DEPARTMENT THAT IMPORTS OF CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE PRODUCTS FROM GERMANY AND POLAND

MATERIALLY INJURE THE U.S. INDUSTRY. THEREFORE, FOR ALL IMPORTS OF CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE PRODUCTS FROM GERMANY

AND POLAND THE CUSTOMS SERVICE SHALL ASSESS ANTIDUMPING DUTIES ON ALL ENTRIES THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER FEBRUARY 4, 1993, AND SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE ESTIMATED MARGIN PERCENTAGES LISTED BELOW:

MFR/PROD EXPORTER	CUSTOMS ID NO	MARGIN PERCENTAGE
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GERMANY

DILLINGER	A-428-816-004	36.00
ALL OTHERS	A-428-816-000	36.00

POLAND

STALEXPORT	A-455-802-001	61.98
ALL OTHERS	A-455-802-000	61.98

5. IN GENERAL, THE DEPOSIT RATE REQUIRED ON EACH ENTRY WILL BE

THAT ASSIGNED TO THE MANUFACTURER OF THE FLAT-ROLLED STEEL PRODUCT. FOR THE ENTRY TO BE ACCEPTED, THE NAME OF THE MANUFACTURER MUST BE CLEARLY IDENTIFIED.

IN THE EVENT THAT THE EXPORTER IS A RESELLER, TRADING COMPANY, OR STEEL SERVICE CENTER, THE FOLLOWING INSTRUCTIONS SHOULD BE FOLLOWED:

(1) IF THE RESELLER, ETC., SIMPLY RE-SELLS THE FLAT-ROLLED STEEL PRODUCT, A DEPOSIT EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.

(2) IF THE RESELLER, ETC., DOES SOME FURTHER PROCESSING BUT DOES NOT TRANSFORM THE FLAT-ROLLED STEEL PRODUCT INTO A CLASS OR KIND OF MERCHANDISE DIFFERENT THAN THAT PURCHASED FROM THE MANUFACTURER, A DEPOSIT EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED. (E.G., IF A RESELLER PURCHASES A FOUR-FOOT WIDE COIL OF HOT-ROLLED STEEL AND SLITS IT INTO FOUR ONE-FOOT WIDE COILS OF HOT-ROLLED STEEL.)

(3) IF THE RESELLER, ETC., DOES FURTHER PROCESSING AND CHANGES THE PRODUCT INTO A DIFFERENT CLASS OR KIND OF MERCHANDISE, A DEPOSIT EQUAL TO THE "ALL OTHER" RATE FOR THE NEW CLASS OR KIND OF MERCHANDISE WILL BE REQUIRED. (E.G., IF A RESELLER GALVANIZED HOT-ROLLED COIL, THE "ALL OTHERS" RATE FOR CORROSION-RESISTANT STEEL WOULD APPLY.)

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH VIA E-MAIL TO ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT STEVE ALLEY, OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE(202) 482-5288.

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

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Company Details

*Party Indicator Value:

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