

MESSAGE NO: 3263112 MESSAGE DATE: 09/20/1993
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CASE #(s): A-122-823, A-201-809, A-351-817

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/09/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL DETERMINATIONS OF ANTIDUMPING DUTY INVESTIGATIONS OF CERTAIN
CUT-TO-LENGTH CARBON STEEL PLATE FROM VARIOUS COUNTRIES

MESSAGE NO: 3263112 DATE: 09 20 1993

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CASES: A - 351 - 817 A - 122 - 823

A - 201 - 809 - -

- - - -

PERIOD COVERED: 07 09 1993 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: FINAL DETERMINATIONS OF ANTIDUMPING DUTY INVESTIGATIONS OF
CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM
VARIOUS COUNTRIES

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON JULY 9, 1993, THE FINAL DETERMINATIONS THAT CERTAIN CARBON
STEEL FLAT PRODUCTS FROM VARIOUS COUNTRIES ARE BEING OR ARE
LIKELY TO BE, SOLD IN THE UNITED STATES AT LESS THAN FAIR VALUE.

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 NON-METALLIC 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 NON-METALLIC 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 HTS UNDER ITEM NUMBERS 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 HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTIONS OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

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

BRAZIL	A-351-817
CANADA	A-122-823
MEXICO	A-201-809

4. THE PRELIMINARY ANTIDUMPING DETERMINATION WITH REGARD TOIPSCO'S ENTRIES OF CUT-TO-LENGTH CARBON STEEL PLATE WAS NEGATIVE. THE FINAL DETERMINATION IS AFFIRMATIVE. THEREFORE, FOR THESE ENTRIES, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION FOR THESE PRODUCTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER JULY 9, 1993, AND SHALL REQUIRE A CASH DEPOSIT RATE OR THE POSTING OF A BOND EQUAL TO THE ESTIMATED FINAL MARGIN INDICATED BELOW.

THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALLCUT-TO-LENGTH CARBON STEELPLATE FROM BRAZIL, CANADA, AND MEXICO THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER FEBRUARY 4, 1993, AND, EFFECTIVE JULY 9, 1993, SHALL REQUIRE A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ESTIMATED FINAL MARGINS LISTED BELOW:

MANUFACTURER\PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
BRAZIL		
COSIPA	A-351-817-001	109.00
USIMINAS	A-351-817-002	42.08
ALL OTHERS	A-351-817-000	75.54
CANADA		
IPSCO	A-122-823-002	1.47
STELCO INC.	A-122-823-003	68.70
ALL OTHERS	A-122-823-000	61.95
MEXICO		
AHMSA	A-201-809-003	49.25
ALL OTHERS	A-201-809-000	49.25

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

MUSTBE CLEARLY IDENTIFIED.

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

(1) IF THE RESELLER, ETC., SIMPLY RESELLS THE FLAT-ROLLED PRODUCT, A DEPOSITOR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.

(2) IF THE RESELLER, ETC., DOES SOME FURTHER PROCESSING BUT DOES NOTTRANSFORM THE FLAT-ROLLED STEEL PRODUCT INTO A CLASS OR KIND OF MERCHANDISE DIFFERENT THAN THAT PURCHASEDFROM THE MANUFACTURER,A DEPOSIT OR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURERWILL BE REQUIRED (E.G., IF A RESELLERPURCHASES A FOUR-FOOT WIDEONE INCH THICK PLATE AND SLITS IT INTO TWO, TWO-FOOT WIDE PLATES).

(3) IF THE RESELLER, ETC., DOES FURTHER PROCESSING AND CHANGES THE PRODUCT INTO A DIFFERENT CLASS OR KIND OF MERCHANDISE, A DEPOSIT OR BOND EQUAL TO THE THE "ALL OTHERS" RATEFOR THE NEW CLASS OR KIND WILL APPLY (E.G., IF A RESELLER PURCHASES A COIL OF HOT-ROLLED STEEL OF A THICKNESS OF 4.75 MILLIMETERS OR MORE AND CUTS THE STEEL TO LENGTH, THE "ALL OTHERS" RATE FOR CUT-TO-LENGTH PLATE WOULD APPLY).

(4) IF THE RESELLER, ETC., IS RELATED TO THE MANUFACTURER OF THE SUBJECT MERCHANDISE, A DEPOSIT OR BOND EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.

6. FOR MERCHANDISE ENTERED UNDER 9802.00.60 (AMERICAN GOODS RETURNED), IF THE PRODUCT HAS BEEN TRANSFORMED INTO A CLASS OR KIND OF MERCHANDISE SUBJECT TO THIS INVESTIGATION IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT ORBOND EQUAL TO THE FOREIGN MANUFACTURER'S ASSIGNED RATE ON THE FULL VALUE OF THE PRODUCT WILL BE REQUIRED. FOR THE PURPOSES OF ANTIDUMPING AND

COUNTERVAILING DUTIES, GALVANIZING CONSTITUTES SUBSTANTIAL TRANSFORMATION (E.G., U.S. ORIGIN COLD-ROLLED STEEL GALVANIZED IN ANOTHER COUNTRY IS SUBJECT TO THE AD VALOREM CASH DEPOSIT FOR CORROSION-RESISTANT STEEL FROM THE SUBJECT COUNTRY).

7. FOR U.S. ORIGIN MERCHANDISE WHICH IS TOLLED IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT OR BOND IS REQUIRED ON THE VALUE ADDED ON THE SUBJECT MERCHANDISE IN THE COUNTRY SUBJECT TO INVESTIGATION.

8. 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 EDWARD YANG OR RICHARD WEIBLE, OFFICE OF AGREEMENTS COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE ON 202-482-3793.

9. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

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