

MESSAGE NO: 3290111 MESSAGE DATE: 10/16/1992  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-583-008

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/01/1983 TO 04/30/1984

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CIRCULAR WELDED CARBON STEEL PIPES  
AND TUBES FROM TAIWAN- EXPORT/MANUFACTURED BY FEMCO

MESSAGE NO: 3290111

DATE: 10 16 1992

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 583 - 008

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PERIOD COVERED: 10 01 1983 TO 04 30 1984

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR CIRCULAR WELDED CARBON STEEL  
PIPES AND TUBES FROM TAIWAN- EXPORT/MANUFACTURED BY FEMCO

1. FOR SHIPMENTS OF CERTAIN CIRCULAR WELDED CARBON STEEL PIPES  
AND TUBES FROM TAIWAN EXPORTED/MANUFACTURED BY FAR EAST MACHINERY

CO (FEMCO) AND SOLD THROUGH/TO {PACIFIC CHAO METALS} DURING THE  
OCTOBER 1, 1983 THROUGH APRIL 30, 1984 PERIOD, ASSESS DUMPING  
DUTIES OF {US\$60.97} PER METRIC TON FOR SUBJECT MERCHANDISE. THE  
INVOICE NUMBERS BETWEEN FEMCO AND ITS CUSTOMER REPORTED FOR THESE

TRANSACTIONS ARE {IM-5462 AND PC/NS 8404} AND WERE REPORTED TO

HAVE BEEN MADE THROUGH THE PORT OF {LOS ANGELES}. ALTHOUGH THE DATE OF SALE FOR THESE INVOICES (I.E., APRIL 9, 1984 FOR INVOICE IM-5462 AND APRIL 25, 1984 FOR INVOICE PC/NS 8404), FELL WITHIN THE REVIEW PERIOD AND SHOULD BE ASSESSED DUMPING DUTIES, THE MERCHANDISE WAS NOT SHIPPED FROM TAIWAN UNTIL AFTER THE DATE OF SALE AND MAY NOT HAVE ENTERED THE UNITED STATES UNTIL AFTER THE REVIEW PERIOD. MERCHANDISE SOLD TO {PACIFIC CHAO METALS BY FEMCO} PRIOR TO THE REVIEW CORRESPONDING TO INVOICE {IM-5724} DATED {AUGUST 4, 1983} WHICH WAS SHIPPED FROM TAIWAN DURING OCTOBER 1983, SHOULD BE LIQUIDATED WITHOUT REGARD TO DUMPING DUTIES.

2. FOR ALL SHIPMENTS OF CERTAIN CIRCULAR WELDED CARBON STEEL PIPES AND TUBES FROM TAIWAN MANUFACTURED BY FEMCO AND SOLD THROUGH/TO {UNITED CUBIC INC.} DURING THE OCTOBER 1, 1983 THROUGH APRIL 30, 1984 PERIOD, ASSESS DUMPING DUTIES OF {US\$43.10} PER METRIC TON FOR SUBJECT MERCHANDISE. THESE ENTRIES WERE REPORTED TO HAVE BEEN MADE THROUGH THE PORTS OF {CAMDEN AND TAMPA}. SINCE THE SALES WERE MADE IN {MARCH AND APRIL 1984}, THE ENTRIES MAY NOT HAVE ENTERED THE UNITED STATES UNTIL AFTER THE REVIEW PERIOD.

3. MERCHANDISE SOLD BY FEMCO TO/THROUGH {K. KUHN INTERNATIONAL INC.} CORRESPONDING TO INVOICES {P44842 THROUGH P44845 DATED AUGUST 15, 1983}, WHICH WAS SHIPPED FROM TAIWAN DURING SEPTEMBER 1983 AND REPORTED AS HAVING BEEN ENTERED THROUGH {BRIDGEPORT}, SHOULD BE LIQUIDATED WITHOUT REGARD TO DUMPING DUTIES.

4. MERCHANDISE COVERED BY THIS ORDER INCLUDES WELDED CARBON STEEL PIPES AND TUBES OF CIRCULAR CROSS SECTION, WITH WALLS NOT THINNER THAN 0.065 INCHES, AND 0.375 INCHES OR MORE BUT NOT OVER 4.5 INCHES IN OUTSIDE DIAMETER, WHICH WERE CLASSIFIABLE DURING THE REVIEW PERIOD UNDER ITEMS 610.3231, 610.3234, 610.3241, 610.3242, AND 610.3252 OF THE TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED, AND ARE CURRENTLY CLASSIFIABLE UNDER ITEM 73067.30.50 OF THE HARMONIZED TARIFF SCHEDULE.

IN ACCORDANCE WITH C.I.E. N-15/88 DATED APRIL 21, 1988, REPORT TO

CUSTOMS SERVICE HEADQUARTERS ANY DUMPING DUTIES DUE.

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, WHICH REQUIRE INTEREST ON OVERPAYMENTS OF UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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. IMMEDIATELY FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF THE AFFECTED ENTRIES UNTIL A DECISION IS MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.

7. WHERE THE USE OF THE ATTACHED INFORMATION RESULTS IN THE ASSESSMENT OF DUMPING DUTIES, REQUIRE OF THE IMPORTER THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. PRIOR TO APPRAISEMENT AND LIQUIDATION SUCH A STATEMENT MUST ACCOMPANY EACH ENTRY ON WHICH DUTY IS TO BE ASSESSED. COMMERCE HAS AUTHORIZED CUSTOMS TO DOUBLE THE ANTIDUMPING DUTIES IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT.

8. YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.

9. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THESE INSTRUCTIONS, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THESE INSTRUCTIONS AND YOU SHOULD PROCEED WITH LIQUIDATION.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH VIA EMAIL ATTRIBUTE HQ OAB. THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT ARTHUR N. DUBOIS ON 202-482-8312, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE.

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## Company Details

\*Party Indicator Value:

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