

MESSAGE NO: 3309112 MESSAGE DATE: 11/04/1992
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-475-201, A-475-203

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1990 TO 04/30/1991

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS ON ANTIFRICTION BEARINGS AND PARTS
THEREOF FROM ITALY - FIATAVIO S.P.A.

MESSAGE NO: 3309112 DATE: 11 04 1992

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 475 - 203 - -

A - 475 - 201 - -

- - - -

PERIOD COVERED: 05 01 1990 TO 04 30 1991

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS ON ANTIFRICTION BEARINGS AND
PARTS THEREOF FROM ITALY - FIATAVIO S.P.A.

1. FOR ALL SHIPMENTS OF ITALIAN CYLINDRICAL ROLLER BEARINGS
EXPORTED BY FIATAVIO S.P.A., AND ENTERED, OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION BY PRATT AND WHITNEY DURING THE PERIOD

MAY 1, 1990 THROUGH APRIL 30, 1991, ASSESS A DUMPING LIABILITY
EQUAL TO 41.29 PERCENT OF THE PER-UNIT ENTERED CUSTOMS VALUE.

SIMILARLY, ALL SHIPMENTS OF ITALIAN CYLINDRICAL ROLLER BEARINGS
EXPORTED BY FIATAVIO S.P.A. AND ENTERED OR WITHDRAWN FROM

WAREHOUSE FOR CONSUMPTION BY AEROSPATIALE HELICOPTER CORPORATION

DURING THIS PERIOD SHOULD BE LIQUIDATED FREE OF DUMPING LIABILITY.

2. FOR ALL SHIPMENTS OF ITALIAN BALL BEARINGS EXPORTED BY FIATAVIO, S.P.A., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION BY PRATT AND WHITNEY DURING THE PERIOD MAY 1, 1990 THROUGH APRIL 30, 1991, ASSESS A DUMPING LIABILITY EQUAL TO 6.98 PERCENT OF THE PER-UNIT ENTERED CUSTOMER VALUE. FOR ALL SHIPMENTS OF ITALIAN BALL BEARINGS EXPORTED BY FIATAVIO, S.P.A., AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION BY AEROSPATIALE HELICOPTER CORPORATION DURING THE PERIOD MAY 1, 1990 THROUGH APRIL 30, 1991, SHOULD BE LIQUIDATED FREE OF DUMPING LIABILITY.

3. FOR ENTRIES OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 15, 1989 THROUGH APRIL 30, 1991, THE ASSESSMENT OF DUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT, WHICH REQUIRES INTEREST TO BE PAID ON OVERPAYMENTS OR UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. CALCULATE INTEREST FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION, USING THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. 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.

5. IN ACCORDANCE WITH C.I.E. N-15/ 88, DATED APRIL 21, 1988, REPORT TO CUSTOMS SERVICE HEADQUARTERS ANY ANTIDUMPING DUTIES DUE.

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 APPICABILITY OF THE ADDITIONAL INFORMATION.

7. WHENEVER THE IMPLEMENTATION OF THE ABOVE INSTRUCTIONS RESULTS IN ASSESSMENT OF ANTIDUMPING DUTIES, REQUIRE OF THE IMPORTER, PRIOR TO LIQUIDATION, THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

8. EFFECTIVE UPON RECEIPT OF THIS MESSAGE, YOU SHOULD PROCEED WITH LIQUIDATION.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH BY E-MAIL ATTRIBUTE HQ OAB. THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT AMY BEARGIE AT (FTS) 482-4733, OFFICE OF ANTIDUMPING DUTY COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

BERNARD CARREAU
DIRECTOR, DIVISION II
OFFICE OF ANTIDUMPING COMPLIANCE

NANCY MCTIERNAN
DIRECTOR
IMPORT SPECIALIST DIVISION

Company Details

*Party Indicator Value:

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