

MESSAGE NO: 3336201 MESSAGE DATE: 12/02/2003
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE 0090208
MESSAGE #
(s):

CASE #(s): A-580-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/29/1992 TO 04/30/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR DYNAMIC RANDOM ACCESS MEMORY
SEMICONDUCTORS FROM KOREA (A-580-812) AND EXPORTED FROM OTHER COUNTRIES

MESSAGE NO: 3336201 DATE: 12 02 2003
CATEGORY: ADA TYPE: LIQ
REFERENCE: 0090208 REFERENCE DATE: 03 30 2000
CASES: A - 580 - 812 - -
 - - - -
 - - - -

PERIOD COVERED: 10 29 1992 TO 04 30 1994

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR DYNAMIC RANDOM ACCESS
MEMORY SEMICONDUCTORS FROM KOREA (A-580-812) AND
EXPORTED FROM OTHER COUNTRIES

1. THE FOLLOWING INJUNCTIONS ON DYNAMIC RANDOM ACCESS MEMORY
SEMICONDUCTORS (DRAMS) SUBJECT TO THE ANTIDUMPING DUTY ORDER ON
DRAMS FROM KOREA, CONTINUE TO BE IN EFFECT AND THESE ENTRIES
SHOULD REMAIN UNLIQUIDATED:

(A) DRAMS PRODUCED BY LG SEMICON CO., LTD (PREVIOUSLY KNOWN AS
GOLDSTAR ELECTRON CO., LTD.) AND IMPORTED BY HITACHI
SEMICONDUCTOR (AMERICA) INC., WHICH ARE SUBJECT TO COURT-ORDERED
INJUNCTION (SEE E-MAIL MESSAGE NUMBERED 0090208).

(B) DRAMS PRODUCED BY LG SEMICON CO., LTD (PREVIOUSLY KNOWN AS GOLDSTAR ELECTRON CO., LTD.) AND IMPORTED BY FENTON CORPORATION, ROOSTER ELECTRONICS, AND KST CORPORATION, WHICH ARE SUBJECT TO COURT-ORDERED INJUNCTION (SEE E-MAIL MESSAGE NUMBERED 0061203).

(C) DRAMS IMPORTED BY NISSEI SANGYO AMERICA, LTD., WHICH ARE SUBJECT TO COURT-ORDERED INJUNCTION (SEE E-MAIL MESSAGE NUMBERED 0102217).

HOWEVER FOR ALL OTHER SHIPMENTS OF DRAMS FROM KOREA, EXPORTED FROM ANY COUNTRY AND NOT COVERED BY MESSAGE # 3273211, DATED 09/30/2003; MESSAGE # 3273212, DATED 09/30/2003; MESSAGE # 3279205, DATED 10/06/2003; AND MESSAGE # 3303203, DATED 10/30/2003, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/29/1992 THROUGH 04/30/1994, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF ENTRY.

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

3. 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. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON

UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED 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.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BUREAU OF CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES PLEASE CONTACT DAVINA HASHMI AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G204: RT).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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