

MESSAGE NO: 4043212 MESSAGE DATE: 02/12/2004
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: ORD-Order PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 3245209
MESSAGE #
(s):

CASE #(s): C-580-851

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/02/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: COUNTERVAILING DUTY ORDER ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM REPUBLIC OF KOREA AND MULTIPLE ENTRY (BLANKET) CERTIFICATIONS (C-580-851)

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CASES: C - 580 - 851

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PERIOD COVERED: 09 02 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: COUNTERVAILING DUTY ORDER ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM REPUBLIC OF KOREA AND MULTIPLE ENTRY (BLANKET) CERTIFICATIONS (C-580-851)

1. THIS IS MESSAGE FIVE OF FIVE REGARDING BLANKET CERTIFICATIONS.

PURSUANT TO MESSAGES 3246205 AND 3246212 (DATED 09/03/2003), 3245209 (DATED 09/02/2003), AND 3251229 AND 3251230 (DATED 09/08/2003), IMPORTERS MAY MAKE CERTIFICATIONS TO CUSTOMS

REGARDING THE IMPORTATION OF REMOVABLE MEMORY MODULES PLACED ON

MOTHERBOARDS, DRAMS AND MEMORY MODULES. THIS MESSAGE AUTHORIZES CUSTOMS TO ACCEPT FROM INDIVIDUAL IMPORTERS CERTIFICATIONS FOR A SINGLE ENTRY OR A BLANKET CERTIFICATION TO COVER MULTIPLE ENTRIES, WHICH ARE DESCRIBED IN PARAGRAPHS 3, 4 AND 5, BELOW.

A BLANKET CERTIFICATION MUST BE FILED WITH THE PORT DIRECTOR AT THE PORT OF ENTRY ON THE LETTERHEAD OF THE CERTIFYING COMPANY, MUST LIST THE PRODUCTS COVERED BY NAME AND HTSUS SUB-HEADING NUMBER, MUST IDENTIFY THE FOREIGN MANUFACTURER BY NAME AND ADDRESS, AND MUST BE SIGNED BY AN OFFICIAL OF THE CERTIFYING FIRM.

A BLANKET CERTIFICATION WILL REMAIN VALID, AND MAY BE USED, FOR ONE YEAR FROM THE DATE OF APPROVAL BY THE PORT DIRECTOR, UNLESS THE PORT DIRECTOR REVOKES THE APPROVAL PRIOR TO ITS EXPIRATION. IN APPROVING THE USE OF A BLANKET CERTIFICATION, THE PORT DIRECTOR SHOULD CONSIDER THE RELIABILITY OF THE IMPORTER AND CUSTOMS BROKER.

AN IMPORTER FOR WHOM THE USE OF A BLANKET CERTIFICATION HAS BEEN APPROVED MUST INCLUDE, ON THE INVOICE USED IN CONNECTION WITH THE ENTRY AND ENTRY SUMMARY PROCEDURES FOR EACH SHIPMENT COVERED BY

THE BLANKET CERTIFICATION, A STATEMENT REFERRING TO THE BLANKET CERTIFICATION AND INCORPORATING IT BY REFERENCE. THIS STATEMENT NEED NOT BE SIGNED.

THE CERTIFYING OFFICIAL NEED NOT BE AN EXECUTIVE OF THE COMPANY. AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE CERTIFICATIONS.

IF AN IMPORTER DOES NOT PROVIDE ANY CERTIFICATION (SINGLE ENTRY OR BLANKET), CUSTOMS SHALL REFER TO MESSAGES 3246205 AND 3246212 (DATED 09/03/2003), 3245209 (DATED 09/02/2003), AND 3251229 AND 3251230 (DATED 09/08/2003) FOR CASH DEPOSIT INSTRUCTIONS.

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS (DRAMS) FROM KOREA, WHETHER ASSEMBLED OR UNASSEMBLED. ASSEMBLED DRAMS INCLUDE ALL PACKAGE TYPES. UNASSEMBLED DRAMS INCLUDE PROCESSED WAFERS, UNCUT DIE, AND CUT DIE. PROCESSED WAFERS FABRICATED IN KOREA, BUT ASSEMBLED INTO FINISHED SEMICONDUCTORS (DRAMS) OUTSIDE KOREA ARE ALSO INCLUDED IN THE SCOPE. PROCESSED WAFERS FABRICATED OUTSIDE KOREA AND ASSEMBLED INTO FINISHED SEMICONDUCTORS IN KOREA ARE NOT INCLUDED IN THE SCOPE.

THE SCOPE OF THIS INVESTIGATION ADDITIONALLY INCLUDES MEMORY MODULES CONTAINING DRAMS FROM KOREA. A MEMORY MODULE IS A COLLECTION OF DRAMS, THE SOLE FUNCTION OF WHICH IS MEMORY. MEMORY MODULES INCLUDE SINGLE IN-LINE PROCESSING MODULES, SINGLE IN-LINE MEMORY MODULES, DUAL IN-LINE MEMORY MODULES, SMALL OUTLINE DUAL IN-LINE MEMORY MODULES, RAMBUS IN-LINE MEMORY MODULES, AND MEMORY CARDS OR OTHER COLLECTIONS OF DRAMS, WHETHER

UNMOUNTED OR MOUNTED ON A CIRCUIT BOARD. MODULES THAT CONTAIN OTHER PARTS THAT ARE NEEDED TO SUPPORT THE FUNCTION OF MEMORY ARE

COVERED. ONLY THOSE MODULES THAT CONTAIN ADDITIONAL ITEMS WHICH ALTER THE FUNCTION OF THE MODULE TO SOMETHING OTHER THAN MEMORY, SUCH AS VIDEO GRAPHICS ADAPTER BOARDS AND CARDS, ARE NOT INCLUDED IN THE SCOPE. THIS INVESTIGATION ALSO COVERS FUTURE DRAMS MODULE TYPES.

THE SCOPE OF THIS INVESTIGATION ADDITIONALLY INCLUDES, BUT IS NOT LIMITED TO, VIDEO RANDOM ACCESS MEMORY, AND SYNCHRONOUS GRAPHICS

RAM, AS WELL AS VARIOUS TYPES OF DRAMS, INCLUDING FAST PAGE-MODE, EXTENDED DATA-OUT, BURST EXTENDED DATA-OUT, SYNCHRONOUS DYNAMIC

RAM, RAMBUS DRAM, AND DOUBLE DATA RATE DRAM. THE SCOPE ALSO INCLUDES ANY FUTURE DENSITY, PACKAGING, OR ASSEMBLING OF DRAMS.

ALSO INCLUDED IN THE SCOPE OF THIS INVESTIGATION ARE REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS, WITH OR WITHOUT A CENTRAL

PROCESSING UNIT, UNLESS THE IMPORTER OF THE MOTHERBOARDS CERTIFIES WITH THE CUSTOMS SERVICE THAT NEITHER IT, NOR A PARTY RELATED TO IT OR UNDER CONTRACT TO IT, WILL REMOVE THE MODULES FROM THE MOTHERBOARDS AFTER IMPORTATION. THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE DRAMS OR MEMORY MODULES THAT ARE RE-IMPORTED FOR REPAIR OR REPLACEMENT, PROVIDED THAT THE IMPORTING COMPANY CAN DEMONSTRATE THAT THE DRAMS OR MEMORY MODULES ARE BEING RE-IMPORTED FOR REPAIR OR REPLACEMENT TO THE SATISFACTION OF CUSTOMS.

THE DRAMS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8542.21.8005 AND 8542.21.8021 THROUGH 8542.21.8029 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). THE MEMORY MODULES CONTAINING DRAMS FROM KOREA, DESCRIBED ABOVE, ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 8473.30.10.40 OR 8473.30.10.80 OF THE HTSUS.

REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS, DESCRIBED ABOVE,

ARE CLASSIFIABLE UNDER SUBHEADING 8471.50.0085. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE DEPARTMENT'S WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION REMAINS DISPOSITIVE.

3. AS DESCRIBED IN PARAGRAPH 2, ABOVE, THE SCOPE OF THIS INVESTIGATION INCLUDES REMOVABLE MEMORY MODULES PLACED ON MOTHERBOARDS, WITH OR WITHOUT A CENTRAL PROCESSING UNIT, UNLESS THE IMPORTER OF THE MOTHERBOARDS CERTIFIES WITH CUSTOMS THAT NEITHER IT, NOR A PARTY RELATED TO IT OR UNDER CONTRACT TO IT, WILL REMOVE THE MODULES FROM THE MOTHERBOARDS AFTER IMPORTATION.

FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MOTHERBOARDS MUST CERTIFY THE FOLLOWING:

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MOTHERBOARDS) AND THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT OF MOTHERBOARDS AND THE MEMORY MODULES THEY CONTAIN

. I FURTHER CERTIFY THAT NEITHER (COMPANY IMPORTING THE MOTHERBOARDS) NOR A PARTY TO, OR UNDER CONTRACT TO, (COMPANY IMPORTING THE MOTHERBOARDS) WILL REMOVE THE MEMORY MODULES CONTAINED IN THESE MOTHERBOARDS AFTER IMPORTATION.

OR,

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MOTHERBOARDS) AND THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT AND FUTURE SHIPMENTS OF MOTHERBOARDS AND THE MEMORY MODULES THEY CONTAIN. I FURTHER CERTIFY THAT, FOR THIS SHIPMENT AND ALL FUTURE SHIPMENTS OF MOTHERBOARDS IMPORTED BY (COMPANY IMPORTING MOTHERBOARDS) DURING A PERIOD OF ONE YEAR BEGINNING ON THE DATE ON WHICH CUSTOMS APPROVES THIS BLANKET CERTIFICATION, NEITHER (COMPANY IMPORTING THE MOTHERBOARDS) NOR A PARTY TO, OR UNDER CONTRACT TO, (COMPANY IMPORTING THE MOTHERBOARDS) WILL REMOVE THE MEMORY MODULES PLACED ON THE MOTHERBOARDS AFTER IMPORTATION.

4. THE SCOPE OF THIS INVESTIGATION INCLUDES DRAMS PACKAGED AND/OR ASSEMBLED IN ALL COUNTRIES THAT CONTAIN UNASSEMBLED KOREAN DRAMS.

THE IMPORTER OF ASSEMBLED DRAMS MAY CERTIFY WITH CUSTOMS THAT THE ASSEMBLED DRAMS DO NOT CONTAIN ANY UNASSEMBLED KOREAN DRAMS, IN WHICH CASE, NO SUSPENSION OF LIQUIDATION IS REQUIRED. FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE ASSEMBLED DRAMS MUST CERTIFY THE FOLLOWING

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I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING DRAMS), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT OF ASSEMBLED DRAMS, AND THAT THESE ASSEMBLED DRAMS DO NOT CONTAIN UNASSEMBLED KOREAN DRAMS.

OR,

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING DRAMS), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT AND FUTURE SHIPMENTS OF ASSEMBLED DRAMS, AND THAT THE ASSEMBLED DRAMS CONTAINED IN THIS SHIPMENT DO NOT CONTAIN UNASSEMBLED KOREAN DRAMS. I FURTHER CERTIFY THAT, FOR ALL SHIPMENTS OF ASSEMBLED DRAMS IMPORTED BY (COMPANY IMPORTING DRAMS) DURING A PERIOD OF ONE YEAR BEGINNING ON THE DATE ON WHICH CUSTOMS APPROVES THIS BLANKET CERTIFICATION, THE ASSEMBLED DRAMS IMPORTED BY (COMPANY IMPORTING DRAMS) WILL NOT CONTAIN UNASSEMBLED KOREAN DRAMS.

5. THE SCOPE OF THIS INVESTIGATION INCLUDES MEMORY MODULES FROM ALL COUNTRIES THAT CONTAIN KOREAN DRAMS (ASSEMBLED OR UNASSEMBLED). THE IMPORTER OF MEMORY MODULES MAY CERTIFY WITH CUSTOMS THAT THE MEMORY MODULES DO NOT CONTAIN ANY KOREAN DRAMS,

IN WHICH CASE, NO SUSPENSION OF LIQUIDATION IS REQUIRED. FOR NO SUSPENSION OF LIQUIDATION TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MEMORY MODULES MUST CERTIFY THE FOLLOWING:

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MEMORY MODULES), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT OF MEMORY MODULES, AND THAT THESE MEMORY MODULES DO NOT CONTAIN KOREAN DRAMS.

OR,

I, HEREBY, CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MEMORY MODULES), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THIS SHIPMENT AND FUTURE SHIPMENTS OF MEMORY MODULES, AND THAT THE DRAMS CONTAINED IN THIS SHIPMENT DO NOT CONTAIN KOREAN DRAMS. I FURTHER CERTIFY THAT, FOR ALL SHIPMENTS OF MEMORY MODULES IMPORTED BY (COMPANY IMPORTING DRAMS) DURING A PERIOD OF ONE YEAR

BEGINNING ON THE DATE ON WHICH CUSTOMS APPROVES THIS BLANKET CERTIFICATION, THE MEMORY MODULES IMPORTED BY (COMPANY IMPORTING DRAMS) WILL NOT CONTAIN KOREAN DRAMS.

6. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: C-580-851. FOR CUSTOMS PURPOSES, FOR ALL ASSEMBLED DRAMS FROM THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED) AND FOR ALL MEMORY MODULES FROM

THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED), THE FOLLOWING COUNTRIES HAVE BEEN ASSIGNED THEIR OWN CASE NUMBER. THE FIRST THREE DIGITS REPRESENT THE COUNTRY IN QUESTION, THE NEXT THREE DIGITS WILL BE 222, AND THE LAST THREE DIGITS WILL BE THE SAME AS IN THE COMMERCE CASE FOR EACH RESPECTIVE MANUFACTURER. THE FIRST SIX DIGITS ARE GIVEN BELOW:

INDONESIA	C-560-222
PORTUGAL	C-471-222

THIS LIST IS FOR CONVENIENCE AND CUSTOMS PURPOSES AND MAY BE AMENDED, DEPENDING ON CHANGES IN PATTERNS OF TRADE. IF AN IMPORT SPECIALIST SHOULD BECOME AWARE OF SHIPMENTS WITHIN THE SCOPE OF THIS COUNTERVAILING DUTY INVESTIGATION FROM THIRD COUNTRIES NOT IN THE AD/CVD MODULE, THEY SHOULD CONTACT CUSTOMS HEADQUARTERS IMMEDIATELY. CUSTOMS HEADQUARTERS SHOULD NOTIFY THE DEPARTMENT OF COMMERCE ABOUT SUCH SHIPMENTS.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G1O1:RL).

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

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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