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MESSAGE STATUS: Active CATEGORY: Antidumping
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SUB-TYPE:

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MESSAGE #
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CASE #(s): A-588-405

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/11/1985 TO

Notice of Lifting of Suspension Date: 06/11/1985

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE RULING AND LIQUIDATION INSTRUCTIONS FOR CERTAIN CELLULAR
MOBILE TELEPHONES AND SUBASSEMBLIES FROM JAPAN - FUJITSU

MESSAGE NO: 4026111 DATE: 01 26 1994

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 405 - -

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PERIOD COVERED: TO

LIQ SUSPENSION DATE: 06 11 1985

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: SCOPE RULING AND LIQUIDATION INSTRUCTIONS FOR CERTAIN
CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES FROM
JAPAN - FUJITSU

1. ON SEPTEMBER 30, 1993, IN RESPONSE TO A REQUEST BY FUJITSU LIMITED, FUJITSU AMERICA, INC., AND FUJITSU NETWORK TRANSMISSION SYSTEMS INC., THE DEPARTMENT ISSUED A FINAL SCOPE RULING FINDING THE FUJITSU MODEL F80P-172 HAND-HELD PORTABLE CELLULAR TELEPHONE (PCT), AND CERTAIN OF ITS ACCESSORIES, NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES FROM JAPAN.

2. THE DEPARTMENT DETERMINED THAT BECAUSE THE FUJITSU F80P-172 COMBINATION UNIT SATISFIES ALL OF THE CRITERIA ESTABLISHED FOR DETERMINING WHETHER MERCHANDISE IS "POCKET-SIZE AND SELF-CONTAINED", AND FURTHER, BECAUSE THE F80P-172 COMBINATION UNIT WAS DESIGNED AND INTENDED PRIMARILY FOR PORTABLE, HAND-HELD USE AND BECAUSE THERE IS NOTHING ON THE RECORD THAT INDICATES THAT THE UNIT IS NOT PRIMARILY A PORTABLE CELLULAR TELEPHONE, THE DEPARTMENT DETERMINED THAT THE F80P-172 COMBINATION UNIT IS NOT WITHIN THE SCOPE OF THE ORDER.

3. FURTHER, BECAUSE THE MERCHANDISE IDENTIFIED AS STANDARD AND OPTIONAL ACCESSORIES FOR THE F80P-172 ARE EITHER A NECESSARY PART OF THE EXCLUDED PRODUCT OR ARE NOT CMTS, CMT EQUIPMENT, CMT TRANSCEIVERS OR CONTROL UNITS, OR SUBASSEMBLIES THEREOF, THEY ARE DEEMED TO BE OUTSIDE THE SCOPE OF THE ORDER.

4. THE FOLLOWING PART NUMBERS REFER TO THE F80P-172 PCT AND ACCESSORIES COVERED BY THIS SCOPE RULING:

M01B-1936-B031 PORTABLE TELEPHONE UNIT W/OUT BATTERY PACK
M01B-1936-B033 PORTABLE TELEPHONE UNIT W/OUT BATTERY PACK
M01B-1849-C055 PORTABLE TELEPHONE UNIT W/OUT BATTERY PACK AND
NAME PLATE
M01B-1849-C057 PORTABLE TELEPHONE UNIT W/OUT BATTERY PACK AND
NAME PLATE
M370-3911-0001 NAME PLATE
M370-3925-0001 NAME PLATE
M98L-1518-0165 LARGE BATTERY
M98L-1518-0164 SMALL BATTERY
M98L-1518-0167 LARGE BATTERY
M98L-1518-0166 SMALL BATTERY
M98L-1518-0287 SMALL BATTERY
M14L-11300120#001A AC/DC ADAPTOR
M01B-1849-C073 DESK CHARGER WITH NAME PLATE AND STAND
M01B-2053-D022 PORTABLE TELEPHONE DISPLAY SAMPLE W/OUT BATTERY

AND NAME PLATE

M01B-2053-D020 PORTABLE TELEPHONE DISPLAY SAMPLE W/OUT BATTERY
AND NAME PLATE M01B-1849-C068 PORTABLE
TELEPHONE DISPLAY SAMPLE W/OUT BATTERY
M01B-1849-C069 PORTABLE TELEPHONE DISPLAY SAMPLE W/OUT BATTERY
H63L-2045-0002 CONNECTOR W/COAXIAL CONTACT
M98L-1518-0168 DISPLAY SAMPLE BATTERY
M14L-1130-0302 MINI RAPID TRAVEL CHARGER
H63L-2045-0004 CONNECTOR W/OUT COAXIAL CONTACT
H63L-2045-0005 CONNECTOR W/OUT COAXIAL CONTACT

THE DEPARTMENT DETERMINED THAT THE ABOVE REFERENCED
MERCHANDISE IS EXCLUDED FROM THE SCOPE OF THE ORDER.

5. EFFECTIVE IMMEDIATELY, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE MERCHANDISE LISTED ABOVE. UNDER SECTION 778 OF THE TARIFF ACT OF 1930, INTEREST IS PAYABLE ON OVERPAYMENTS AND UNDERPAYMENTS OF AMOUNTS DEPOSITED ON ENTRIES SUSPENDED UNDER THIS ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF DEPOSIT 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. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO THE MERCHANDISE LISTED ABOVE. WHERE THE DEPARTMENT HAS NOT INSTRUCTED OTHERWISE, CONTINUE TO SUSPEND LIQUIDATION ON ALL OTHER ENTRIES OF CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES THEREOF FROM JAPAN.

IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE AD/CVD BRANCH VIA E-MAIL ATTRIBUTE 'HQ OAB.' THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT WENDY FRANKEL AT (202) 482-5253 OR THOMAS O. BARLOW AT (202) 482-5256, OF THE

OFFICE OF ANTIDUMPING COMPLIANCE, INTERNATIONAL TRADE
ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. 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