

MESSAGE NO: 4057209 MESSAGE DATE: 02/26/2004
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-462-816

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/10/2002 TO 10/06/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON-REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CARBON AND ALLOY STEEL WIRE ROD FROM UKRAINE (A-462-816)

MESSAGE NO: 4057209 DATE: 02 26 2004

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 462 - 816 - -

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PERIOD COVERED: 04 10 2002 TO 10 06 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NON-REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS FOR
CARBON AND ALLOY STEEL WIRE ROD FROM
UKRAINE (A-462-816)

1. THIS MESSAGE PERTAINS TO COMMERCE ORDER NUMBER A-823-812 (CUSTOMS AND BORDER PROTECTION ORDER NUMBER A-462-816). THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN

ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH

DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY ON SUBJECT MERCHANDISE EXPORTED ON OR AFTER 04/10/2002 AND ON OR BEFORE 10/06/2002, AND ON OR AFTER 10/29/2002 AND ON OR BEFORE 09/30/2003. FIELD OFFICES SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION OF ALL SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER 10/07/2002 AND ON OR BEFORE 10/28/2002. ALL ESTIMATED ANTIDUMPING DUTIES DEPOSITED ON ENTRIES OF THE SUBJECT MERCHANDISE DURING THIS PERIOD SHALL BE REFUNDED AND THE BONDS OR OTHER SECURITY RELEASED

AT THE TIME OF LIQUIDATION.

MERCHANDISE	CASE NUMBER	PERIOD
CARBON AND ALLOY STEEL	A-823-812/A-462-816	04/10/2002- 10/06/2002
WIRE ROD FROM UKRAINE		AND 10/29/2002- 09/30/2003

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

3. PLEASE NOTE THAT ON NOVEMBER 12, 2003, THE DEPARTMENT REVOKED THIS ANTIDUMPING DUTY ORDER IN PART WITH RESPECT TO CERTAIN 1080 TIRE CORD QUALITY WIRE ROD AND CERTAIN GRADE 1080 TIRE BEAD QUALITY WIRE ROD AND PUBLISHED THE REVOCATION IN THE FEDERAL REGISTER ON NOVEMBER 12, 2003 (68 FR 64079). IN MESSAGE NUMBER 4016209, THE DEPARTMENT INSTRUCTED CUSTOMS TO LIQUIDATE ALL ENTRIES OF THE NOTED MERCHANDISE THAT WERE ENTERED OR WITHDRAWN

FROM WAREHOUSE AND UNLIQUIDATED ON OR AFTER JULY 24, 2003, WITHOUT REGARD TO ANTIDUMPING DUTIES. ENTRIES OF THE NOTED MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE AND UNLIQUIDATED

BEFORE JULY 24, 2003, ARE SUBJECT TO ANTIDUMPING DUTIES.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR 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 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP 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 HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP 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 G309:LS).

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