

MESSAGE NO: 4069113 MESSAGE DATE: 03/10/1994  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: OTH-Other PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-206

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/02/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF COURT DECISION COVERING CEILING FANS FROM THE "PRC" (A-570-206)

MESSAGE NO: 4069113 DATE: 03 10 1994

CATEGORY: ADA TYPE: OTH

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 206 - -

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PERIOD COVERED: 03 02 1994 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: NOTICE OF COURT DECISION COVERING CEILING FANS FROM  
THE "PRC" (A-570-206)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON MARCH 2, 1994, NOTICE OF A COURT DECISION REGARDING THE ANTIDUMPING ORDER ON CEILING FANS FROM THE PEOPLE'S REPUBLIC OF CHINA. (A-570-807).

2. ON JANUARY 5, 1994, THE UNITED STATES COURT OF INTERNATIONAL TRADE AFFIRMED THE DEPARTMENT OF COMMERCE'S MAY 14, 1993, REMAND DETERMINATION REGARDING CEC ELECTRICAL MANUFACTURING (INTERNATIONAL) COMPANY, LTD.: CEC INDUSTRIES (SHENZHEN) LTD.;

AND CEC (USA) TEXAS GROUP, INC. (COLLECTIVELY "CEC") (SEE SLIP OP. 94-2). THE REMAND RESULTED IN A FINDING OF A DE MINIMIS MARGIN AND A NEGATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE FOR THE CEILING FAN INVESTIGATION OF CEC. THEREFORE CEC IS EXCLUDED FROM THE ANTIDUMPING DUTY ORDER ON CEILING FANS FROM THE PRC.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (A-570-807). THIS NUMBER SHOULD BE USED WHEN DEALING WITH THE DEPARTMENT OF COMMERCE ONLY.

FOR CUSTOMS PURPOSES ONLY, THE IDENTIFICATION NUMBER IS (A-570-206).

4. BASED ON THE REMAND RESULTS, THE U.S. CUSTOMS SERVICE SHOULD TERMINATE THE SUSPENSION OF LIQUIDATION OF SUBJECT MERCHANDISE OF CEC ENTERED OR WITHDRAWN FOR CONSUMPTION ON OR AFTER OCTOBER 25, 1991, AND SHOULD LIQUIDATE ENTRIES WITHOUT REGARD TO ANTIDUMPING DUTIES. ADDITIONALLY, YOU SHOULD RELEASE ALL CASH DEPOSITS OR BONDS POSTED ON ENTRIES OF SUBJECT MERCHANDISE FROM CEC WHICH ENTERED THE UNITED STATES ON OR AFTER OCTOBER 25, 1991.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, WHICH REQUIRES INTEREST TO BE PAID ON OVERPAYMENTS AND UNDERPAYMENTS OF AMOUNTS DEPOSITED AS ESTIMATED DUMPING DUTIES. CALCULATE INTEREST FROM THE DATE OF PAYMENT OF ESTIMATED DUMPING DUTIES THROUGH THE DATE OF LIQUIDATION, USING THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE FOR SUCH PERIOD.

6. DUE TO THE NEGATIVE DETERMINATION WITH REGARD TO CEC, THE "ALL OTHERS" RATE APPLICABLE TO THIS ORDER HAS BEEN REDUCED. CONSEQUENTLY, THE U.S. CUSTOMS SERVICE SHOULD CONTINUE TO SUSPEND

LIQUIDATION OF ALL ENTRIES THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 15, 1994, AT THE MARGIN PERCENTAGES LISTED BELOW.

MANUFACTURER/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
CEC ELECTRIC MANUFACTURING (INTERNATIONAL) CO.	A-570-206-001	EXCLUDED
CEC INDUSTRIES (SHENZHEN) LTD.	A-570-206-002	EXCLUDED
WING TAT ELECTRICAL	A-570-206-003	1.65
CHINA MILES CO	A-570-206-004	1.65
ALL OTHERS	A-570-206-000	1.65

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICES, PLEASE CONTACT VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE

DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT JEFFERY B. DENNING, OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-4194.

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

NANCY MCTIERNAN

## Company Details

\*Party Indicator Value:

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