

MESSAGE NO: 4116113 MESSAGE DATE: 04/26/1994
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ADL PUBLIC NON-PUBLIC
SUB-TYPE:
FR CITE: FR FR CITE DATE:
REFERENCE 4101111
MESSAGE #
(s):
CASE #(s): A-412-602
EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 09/01/1988 TO 08/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING FINAL RESULTS OF ADMINISTRATIVE REVIEW 1989 - 1990 OF CERTAIN FORGED STEEL CRANKSHAFTS FROM THE UNITED KINGDOM (A-412-602) AND LIQUIDATION INSTRUCTIONS.

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CASES: A - 412 - 602

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PERIOD COVERED: 09 01 1988 TO 08 31 1990

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: ANTIDUMPING FINAL RESULTS OF ADMINISTRATIVE REVIEW 1989 - 1990 OF CERTAIN FORGED STEEL CRANKSHAFTS FROM THE UNITED KINGDOM (A-412-602) AND LIQUIDATION INSTRUCTIONS.

1. DISREGARD E-MAIL INSTRUCTIONS 4101111 DATED APRIL 11, 1994. THE FOLLOWING IS AN AMENDMENT TO THOSE INSTRUCTIONS. ENTRIES OF UNITED ENGINEERING & FORGING (UEF) MADE DURING THE PERIODS SEPTEMBER 1, 1988 THROUGH AUGUST 31, 1989 AND SEPTEMBER 1, 1989, THROUGH AUGUST 31, 1990 ARE ENJOINED FROM LIQUIDATION. FOR ALL OTHER ENTRIES, THE FOLLOWING INSTRUCTIONS ARE APPLICABLE.

THE DEPARTMENT OF COMMERCE HAD COMPLETED ITS ADMINISTRATIVE

REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FORGED STEEL CRANKSHAFTS (CFSCS) FROM THE UNITED KINGDOM AND PUBLISHED THE RESULTS IN THE FEDERAL REGISTER ON SEPTEMBER 27, 1993. THE PERIOD OF REVIEW WAS FROM SEPTEMBER 1, 1989, THROUGH AUGUST 31, 1990. THE INSTRUCTIONS BELOW ARE FOR CASH DEPOSIT AND APPRAISEMENT PURPOSES.

2. THE RESULTS OF THIS REVIEW WERE CHALLENGED BY UEF BEFORE THE COURT OF INTERNATIONAL TRADE. A PRELIMINARY INJUNCTION WAS GRANTED TO UEF ON FEBRUARY 25, 1994.

3. THE PRODUCT COVERED BY THIS REVIEW ARE SHIPMENTS OF CERTAIN FORGED STEEL CRANKSHAFTS. THE TERM "CRANKSHAFTS," AS USED IN THIS REVIEW, INCLUDED FORGED CARBON OR ALLOY STEEL CRANKSHAFTS WITH A SHIPPING WEIGHT BETWEEN 40 AND 750 POUNDS, WHETHER MACHINED OR UNMACHINED. THE PRODUCTS ARE CURRENTLY CLASSIFIABLE UNDER HTSUS ITEMS 8483.10.10 AND 8483.10.30. NEITHER CAST CRANKSHAFTS NOR FORGED CRANKSHAFTS WITH SHIPPING WEIGHTS OF LESS THAN 40 POUNDS OR MORE THAN 750 POUNDS ARE SUBJECT TO THIS REVIEW.

4. ACCORDINGLY, FOR SHIPMENTS OF CFSCS FROM THE UNITED KINGDOM THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 27, 1993, CUSTOMS OFFICIALS SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE ESTIMATED MARGIN PERCENTAGES LISTED BELOW.

MANUFACTURER/PRODUCER EXPORTER	CUSTOMS ID#	MARGIN PERCENTAGE
UNITED ENGINEERING & FORGING (UEF)	A-412-602-001	9.77%
ALL OTHER	A-412-602-000	6.55%

5. THESE CASH DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW.

6. BECAUSE OF THE PRELIMINARY INJUNCTION NOTED ABOVE IN PARAGRAPH 2, FOR ALL COMPANIES EXCEPT FOR UEF LIQUIDATE ENTRIES OF THIS MERCHANDISE DURING THE PERIOD SEPTEMBER 1, 1989 THROUGH AUGUST 31, 1990 AT THE RATE OF 6.55 PERCENT OF THE ENTERED VALUE.

7. WHENEVER THE USE OF THE ABOVE VALUES RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, REQUIRE A REIMBURSEMENT STATEMENT FROM THE IMPORTER PRIOR TO LIQUIDATION AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR FAILS TO RESPOND TO THE FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

8. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT OF THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, WHICH REQUIRE INTEREST ON OVERPAYMENTS OF UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. 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.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE REGIONAL AD/CVD COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING AND COUNTERVAILING DUTY BRANCH, USING E-MAIL ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT BRIAN SMITH OF THE OFFICE OF ANTIDUMPING INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202) 482-1766.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

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Company Details

*Party Indicator Value:

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