

MESSAGE NO: 4146111 MESSAGE DATE: 05/26/1994
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: INI-Initiation of Review PUBLIC NON-PUBLIC
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CASE #(s): A-462-106, A-462-307, A-570-833

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/26/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: INITATION OF ANTIDUMPING DUTY INVESTIGATION OF ALLOY MAGNESIUM
FROM PRC (A-570-833) THE RUSSIAN FEDERATION (A-462-106) AND UKRAINE (A-462-307)

MESSAGE NO: 4146111 DATE: 05 26 1994

CATEGORY: ADA TYPE: INI

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 833 A - 462 - 307

A - 462 - 106 - -

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PERIOD COVERED: 05 26 1994 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: INITATION OF ANTIDUMPING DUTY INVESTIGATION OF ALLOY
MAGNESIUM FROM PRC (A-570-833) THE RUSSIAN FEDERATION
(A-462-106) AND UKRAINE (A-462-307)

1. THE DEPARTMENT OF COMMERCE PUBLISHED ON APRIL 26, 1994, THE
NOTICE OF ITS INITIATION OF THE ANTIDUMPING DUTY INVESTIGATIONS
OF ALLOY MAGNESIUM FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC")
(A-570-833), THE RUSSIAN FEDERATION (A-462-106), AND UKRAINE
(A-462-307).

2. THE PRODUCTS COVERED BY THESE INVESTIGATIONS ARE IMPORTS OF
ALLOY PRIMARY MAGNESIUM REGARDLESS OF CHEMISTRY, FORM, OR SIZE,
UNLESS EXPRESSLY EXCLUDED FROM THESE INVESTIGATIONS. PRIMARY

MAGNESIUM IS A METAL OR ALLOY CONTAINING BY WEIGHT PRIMARILY THE ELEMENT MAGNESIUM AND PRODUCED BY DECOMPOSING RAW MATERIALS INTO MAGNESIUM METAL.

THESE INVESTIGATIONS COVER ALLOY PRIMARY MAGNESIUM PRODUCTS THAT CONTAIN 50% OR GREATER, BUT LESS THAN 99.8%, PRIMARY MAGNESIUM, BY WEIGHT. PRODUCTS THAT HAVE THE AFOREMENTIONED PRIMARY MAGNESIUM CONTENT, BUT THAT DO NOT CONFORM TO ASTM SPECIFICATIONS OR OTHER INDUSTRY OR CUSTOMER-SPECIFIC SPECIFICATIONS, ARE INCLUDED IN THE SCOPE OF THESE INVESTIGATIONS. IN ADDITION TO PRIMARY MAGNESIUM, "ALLOY" MAGNESIUM GENERALLY CONTAINS ONE OR MORE OF THE FOLLOWING ITEMS IN AMOUNTS LESS THAN THE PRIMARY MAGNESIUM ITSELF: (1) OTHER ELEMENTS DELIBERATELY ADDED TO THE PRIMARY MAGNESIUM; (2) MAGNESIUM SCRAP OR SECONDARY MAGNESIUM; (3) OXIDIZED MAGNESIUM; AND (4) OTHER ELEMENTS PRESENT AS IMPURITIES.

ALLOY PRIMARY MAGNESIUM IS SOLD IN VARIOUS PHYSICAL FORMS AND SIZES, INCLUDING INGOTS, SLABS, ROUNDS, BILLETS, AND OTHER SHAPES.

EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS ARE PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS AND POWDER), AND SECONDARY MAGNESIUM.

GRANULAR MAGNESIUM, TURNINGS, AND POWDER ARE CLASSIFIABLE UNDER HTSUS SUBHEADING 8104.30.00. MAGNESIUM GRANULES AND TURNINGS (ALSO REFERRED TO AS CHIPS) ARE PRODUCED BY GRINDING AND/OR CRUSHING PRIMARY MAGNESIUM AND THUS HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM. ALTHOUGH NOT SUCEPTIBLE TO PRECISE MEASUREMENT

BECAUSE OF THEIR IRREGULAR SHAPES, TURNINGS OR CHIPS ARE TYPICALLY PRODUCED IN COARSE SHAPES AND HAVE A MAXIMUM LENGTH OF LESS THAN ONE INCH. ALTHOUGH SOMETIMES PROUCED IN LARGER SIZES, GRANULES ARE MORE REGULARLY SHAPED THAN TURNINGS OR CHIPS, AND HAVE A TYPICAL SIZE OF 2MM IN DIAMETER OR SMALLER.

POWDERS ARE ALSO PRODUCED FROM GRINDING AND/OR CRUSHING PRIMARY MAGNESIUM AND HAVE THE SAME CHEMISTRY AS PRIMARY MAGNESIUM, BUT ARE EVEN SMALLER THAN GRANULES OR TURNINGS. POWDERS ARE DEFINED BY THE SECTION NOTES TO SECTION XV, THE SECTION OF THE HTSUS IN WHICH SUBHEADING 8104.30.00 APPEARS, AS PRODUCTS OF WHICH 90% OR MORE BY WEIGHT WILL PASS THROUGH A SIEVE HAVING A MESH APERTURE OF 1MM (SEE HTSUS, SECTION XV, BASE METALS AND ARTICLES OF BASE METALS, NOTE 6(B)). ACCORDINGLY, THE EXCLUSION OF MAGNESIUM TURNINGS, GRANULES, AND POWDER FROM THE SCOPE INCLUDE PRODUCTS HAVING A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF ONE INCH OR LESS. THE PRODUCTS SUBJECT TO THESE INVESTIGATIONS ARE CLASSIFIABLE UNDER SUBHEADINGS 8104.19.00 AND 8104.20.00 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADING ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION IS DISPOSITIVE.

3. FOR FURTHER DEPARTMENT OF COMMERCE REPORTING PURPOSES, CASES HAVE BEEN ASSIGNED INVESTIGATION NUMBERS A-570-833 (CHINA), A-821-806 (RUSSIA), AND A-823-807 (UKRAINE). FOR CUSTOMS REPORTING PURPOSES, THE FOLLOWING IDENTIFICATION NUMBERS HAVE BEEN ASSIGNED: A-462-106 (RUSSIA) AND A-462-307 (UKRAINE).

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING COORDINATOR, TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT ERIK WARGA, OFFICE OF ANTIDUMPING, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0922.

5. 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