

MESSAGE NO: 4228117 MESSAGE DATE: 08/16/1994
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: REV-Revocation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-816

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/16/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: REVOCATION OF COUNTERVAILING DUTY ORDER & TERMINATION TERMINATION
OF SUSPENSION OF LIQ. ON SOFTWOOD LUMBER PRODUCTS FROM CANADA (C-122-
816)

MESSAGE NO: 4228117

DATE: 08 16 1994

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CASES: C - 122 - 816

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PERIOD COVERED: 08 16 1994 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: REVOCATION OF COUNTERVAILING DUTY ORDER & TERMINATION
TERMINATION OF SUSPENSION OF LIQ. ON SOFTWOOD LUMBER
PRODUCTS FROM CANADA (C-122-816)

1. ON TUESDAY, AUGUST 16, 1994, THE DEPARTMENT OF COMMERCE
PUBLISHED IN THE FEDERAL REGISTER A "NOTICE OF PANEL
DECISION, REVOCATION OF COUNTERVAILING DUTY ORDER AND
TERMINATION OF SUSPENSION OF LIQUIDATION" (59 FR 42030) ON
CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA (C-122-816).

2. ON FEBRUARY 23, 1994, THE BINATIONAL PANEL CONVENED UNDER THE
UNITED STATES-CANADA FREE TRADE AGREEMENT ISSUED A DECISION

AFFIRMING THE DEPARTMENT OF COMMERCE'S DETERMINATION ISSUED PURSUANT TO REMAND THAT THE CANADIAN PROVINCIAL GOVERNMENTS WERE NOT PROVIDING COUNTERAVAILABLE SUBSIDIES TO PRODUCERS OR EXPORTERS OF SOFTWOOD LUMBER. THE BINATIONAL PANEL'S DECISION BECAME FINAL ON MARCH 17, 1994 (59 FR 12584). THE UNITED STATES REQUESTED THAT AN EXTRAORDINARY CHALLENGE COMMITTEE BE CONVENED TO REVIEW THE BINATIONAL PANEL'S DECISION. ON AUGUST 3, 1994, THE ECC AFFIRMED THE BINATIONAL PANEL'S FEBRUARY 23, 1994, ORDER AFFIRMING THE DEPARTMENT OF COMMERCE'S REDETERMINATION. THEREFORE, WE ARE REVOKING THE COUNTERVAILING DUTY ORDER ON CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA, EFFECTIVE MARCH 17, 1994, AND ORDERING THE TERMINATION OF SUSPENSION OF LIQUIDATION.

3. THE PRODUCTS COVERED BY THIS ORDER (C-122-816) ARE CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA. THESE LUMBER PRODUCTS

INCLUDE: (1) CONIFEROUS WOOD, SAWN OR CHIPPED LENGTHWISE, SLICED OR PEELED, WHETHER OR NOT PLANED, SANDED OR FINGER-JOINTED, OF A THICKNESS EXCEEDING SIX MILLIMETERES; (2) CONIFEROUS WOOD SIDING (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBITTED, CHAMFERED, V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES, WHETHER OR NOT PLANED, SANDED, OR FINGER-JOINTED; (3) OTHER CONIFEROUS WOOD (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBITTED, CHAMFERED V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES, WHETHER OR NOT PLANED, SANDED, OR FINGER-JOINTED; (4) CONIFEROUS WOOD FLOORING (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBITTED, CHAMFERED V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES, WHETHER OR NOT PLANED, SANDED, OR FINGER-JOINTED.

SUCH PRODUCTS ARE CURRENTLY PROVIDED FOR UNDER SUBHEADINGS

4407.1000, 4409.1010, 4409.1020, 4409.1090, RESPECTIVELY, OF THE HARMONIZED TARIFF SCHEDULE (HTS). ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING REMAINS DISPOSITIVE.

4. THEREFORE, ALL UNLIQUIDATED ENTRIES OF THIS MERCHANDISE ENTERED ON OR AFTER MARCH 17, 1994 SHOULD NOW BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES. IN ADDITION, FUTURE ENTRIES OF THIS MERCHANDISE SHOULD NO LONGER BE SUSPENDED FROM LIQUIDATION. SEPARATE INSTRUCTIONS WILL BE ISSUED WITH RESPECT TO SUSPENDED ENTRIES MADE PRIOR TO MARCH 17, 1994.
5. THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT REQUIRE THAT INTEREST BE PAID ON OVERPAYMENTS OR UNDERPAYMENTS OF AMOUNTS DEPOSITED AS COUNTERVAILING DUTIES. SUCH INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. THE INTEREST SHALL BE CALCULATED AT THAT RATE FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.
6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE, (202) 482-2786.
7. 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