

MESSAGE NO: 4321112 MESSAGE DATE: 11/17/1993  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: ORD-Order PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-122-823, A-201-809, A-351-817

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/04/1993 TO

Notice of Lifting of Suspension Date: 02/04/1993

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY ORDERS OF CERTAIN CUT-TO-LENGTH CARBON STEEL  
PLATE FROM BRAZIL, CANADA AND MEXICO

MESSAGE NO: 4321112 DATE: 11 17 1993

CATEGORY: ADA TYPE: ORD

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CASES: A - 351 - 817 A - 122 - 823

A - 201 - 809 - -

- - - -

PERIOD COVERED: TO

LIQ SUSPENSION DATE: 02 04 1993

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

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: ANTIDUMPING DUTY ORDERS OF CERTAIN CUT-TO-LENGTH CARBON  
STEEL PLATE FROM BRAZIL, CANADA AND MEXICO

1. ON JULY 9, 1993, THE DEPARTMENT OF COMMERCE (DEPARTMENT)  
PUBLISHED IN THE FEDERAL REGISTER THE DEPARTMENT'S FINAL  
DETERMINATION THAT CERTAIN CARBON STEEL FLAT PRODUCTS FROM  
VARIOUS COUNTRIES ARE BEING, OR ARE LIKELY TO BE, SOLD IN THE  
UNITED STATES AT LESS THAN FAIR VALUE. ON AUGUST 16, 1993, THE  
DEPARTMENT PUBLISHED NOTICES OF ITS ANTIDUMPING DUTY ORDERS OF  
CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS AND  
CUT-TO-LENGTH CARBON STEEL PLATE FROM VARIOUS COUNTRIES.//2.

ONE OF THE FOUR CLASSES OR KINDS OF PRODUCTS COVERED BY THESE

INVESTIGATIONS IS CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE PRODUCTS. THESE PRODUCTS INCLUDE HOT-ROLLED CARBON STEEL UNIVERSAL MILL PLATES (I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH EXCEEDING 150 MILLIMETERS BUT NOT EXCEEDING 1,250 MILLIMETERS AND OF A THICKNESS OF NOT LESS THAN 4 MILLIMETERS, NOT IN COILS AND WITHOUT PATTERNS IN RELIEF), OF RECTANGULAR SHAPE, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NON-METALLIC SUBSTANCES; AND CERTAIN HOT-ROLLED CARBON STEEL FLAT-ROLLED PRODUCTS IN STRAIGHT LENGTHS, OF RECTANGULAR SHAPE, HOT ROLLED, NEITHER CLAD, PLATED, NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NON-METALLIC SUBSTANCES, 4.75 MILLIMETERS OR MORE IN THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS, AS CURRENTLY CLASSIFIABLE IN THE HTS UNDER ITEM NUMBERS

7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, AND 7212.50.0000. INCLUDED IN THESE INVESTIGATIONS ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE

SUCH CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") -- FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES. EXCLUDED FROM THESE INVESTIGATIONS IS GRADE X-70 PLATE./ /ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTIONS OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.//3. FOR FURTHER REPORTING PURPOSES, THESE CASES HAVE BEEN ASSIGNED THE FOLLOWING

INVESTIGATION NUMBERS:// BRAZIL A-351-817/  
CANADA A-122-823/ MEXICO

A-201-809//4. ON AUGUST 9, 1993, THE ITC NOTIFIED THE DEPARTMENT THAT IMPORTS OF CUT-TO-LENGTH CARBON STEEL PLATE FROM BRAZIL, CANADA AND MEXICO MATERIALLY INJURE THE U.S. INDUSTRY. SEVERAL PARTIES TO THE CANADA CASE HAVE ALLEGED THAT THE DEPARTMENT'S FINAL DETERMINATIONS CONTAINED MINISTERIAL ERRORS

WHICH SHOULD BE CORRECTED. HOWEVER, ON JULY 9, 1993, THE DEPARTMENT RECEIVED A REQUEST FOR BINATIONAL PANEL REVIEW OF ITS DETERMINATIONS. BECAUSE THIS CASE IS CURRENTLY IN LITIGATION, THE DEPARTMENT DOES NOT HAVE JURISDICTION TO CORRECT MINISTERIAL ERRORS AT THIS TIME. THEREFORE, THE U.S. CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF ALL CUT-TO-LENGTH CARBON STEEL PLATE FROM BRAZIL, CANADA, AND MEXICO THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION,

ON OR AFTER FEBRUARY 4, 1993, AND SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE WEIGHTED AVERAGE ESTIMATED FINAL ANTIDUMPING MARGINS LISTED BELOW://

MANUFACTURER

PRODUCER	CUSTOMS ID NUMBER	MARGIN/ PERCENTAGE//BRAZIL/	EXPORTER
COSIPA	A-351-817-001	109.00/	
USIMINAS	A-351-817-002	42.08/ALL	
OTHERS	A-351-817-000	75.54//CANADA/	
IPSCO	A-122-823-002	1.47/STELCO	
INC.	A-122-823-003	68.70/ALL OTHERS	
	A-122-823-000	61.95//MEXICO/AHMSA	
	A-201-809-003	49.25/ALL OTHERS	
	A-201-809-000	49.25//5. IN	

GENERAL, THE DEPOSIT RATE REQUIRED ON EACH ENTRY WILL BE THAT ASSIGNED TO THE MANUFACTURER OF THE FLAT-ROLLED STEEL PRODUCT. FOR

THE ENTRY TO BE ACCEPTED, THE NAME OF THE MANUFACTURER MUST BE CLEARLY IDENTIFIED.//IN GENERAL, IN THE EVENT THAT THE EXPORTER IS A RESELLER, TRADING COMPANY, OR STEEL SERVICE CENTER, THE FOLLOWING INSTRUCTIONS SHOULD BE FOLLOWED://(1) IF THE RESELLER, ETC., SIMPLY RESELLS THE FLAT-ROLLED PRODUCT, A CASH DEPOSIT EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.//(2) IF THE RESELLER, ETC., DOES SOME FURTHER PROCESSING BUT DOES NOT TRANSFORM THE FLAT-ROLLED STEEL PRODUCT INTO A CLASS OR KIND OF MERCHANDISE DIFFERENT THAN THAT PURCHASED FROM THE MANUFACTURER, A DEPOSIT EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED (E.G., IF A RESELLER PURCHASES A FOUR-FOOT WIDE, ONE INCH THICK PLATE AND SLITS IT INTO TWO,

TWO-FOOT WIDE PLATES).//3) IF THE RESELLER, ETC., DOES FURTHER PROCESSING AND CHANGES THE PRODUCT INTO A DIFFERENT CLASS

OR KIND OF MERCHANDISE, A DEPOSIT EQUAL TO THE "ALL OTHERS" RATE FOR THE NEW CLASS OR KIND WILL APPLY (E.G., IF A RESELLER PURCHASES A COIL OF HOT-ROLLED STEEL OF A THICKNESS OF 4.75 MILLIMETERS OR MORE AND CUTS THE STEEL TO LENGTH, THE "ALL OTHERS" RATE FOR CUT-TO-LENGTH PLATE WOULD APPLY)./

//4) IF THE RESELLER, ETC., IS RELATED TO THE MANUFACTURER OF THE SUBJECT MERCHANDISE, A DEPOSIT EQUAL TO THE RATE ASSIGNED TO THE MANUFACTURER WILL BE REQUIRED.//6. IF MERCHANDISE ENTERED UNDER 9802.00.60 (AMERICAN GOODS RETURNED) HAS BEEN TRANSFORMED INTO A CLASS OR KIND OF MERCHANDISE SUBJECT TO THIS INVESTIGATION IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT EQUAL TO THE FOREIGN MANUFACTURER'S ASSIGNED RATE ON THE FULL VALUE OF THE PRODUCT WILL BE REQUIRED.//7. FOR THE PURPOSES OF ANTIDUMPING AND COUNTERVAILING DUTIES, GALVANIZING CONSTITUTES SUBSTANTIAL TRANSFORMATION (E.G., U.S. ORIGIN COLD-ROLLED STEEL GALVANIZED IN ANOTHER COUNTRY IS SUBJECT TO THE AD VALOREM CASH DEPOSIT FOR CORROSION-RESISTANT STEEL FROM THE SUBJECT COUNTRY).//8. FOR U.S. ORIGIN MERCHANDISE WHICH IS "TOLLED" IN A COUNTRY SUBJECT TO INVESTIGATION, A DEPOSIT IS REQUIRED ON THE FULL VALUE OF THE SUBJECT MERCHANDISE FROM THE COUNTRY SUBJECT TO INVESTIGATION, UNLESS AND UNTIL THE CIRCUMSTANCES OF THE TOLLING HAVE BEEN ESTABLISHED BY THE DEPARTMENT IN AN ADMINISTRATIVE REVIEW. MERCHANDISE IS TOLLED WHEN THE ORIGINAL MANUFACTURER HAS THE MERCHANDISE FURTHER PROCESSED BY ANOTHER COMPANY WHILE RETAINING

TITLE OR OWNERSHIP TO THE MERCHANDISE. THESE INSTRUCTIONS SUPERSEDE THE DEPARTMENT'S PREVIOUS INSTRUCTIONS ON TOLLED MERCHANDISE.//9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE AD CVD BRANCH VIA EMAIL ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT EDWARD YANG OR RICHARD WEIBLE, OFFICE OF AGREEMENTS COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE ON 202-482-3793.//

10. 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