

MESSAGE NO: 4321207 MESSAGE DATE: 11/16/2004
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4002209
MESSAGE #
(s):

CASE #(s): C-427-817

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/26/1999 TO 11/06/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AMENDMENT OF FINAL DETERMINATION AND PARTIAL REVOCATION OF
COUNTERVAILING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL
PLATE FROM FRANCE (C-427-817)

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CASES: C - 427 - 817

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PERIOD COVERED: 07 26 1999 TO 11 06 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AMENDMENT OF FINAL DETERMINATION AND PARTIAL REVOCATION
OF COUNTERVAILING DUTY ORDER ON CERTAIN CUT-TO-LENGTH
CARBON-QUALITY STEEL PLATE FROM FRANCE (C-427-817)

1. ON FEBRUARY 10, 2000, THE DEPARTMENT OF COMMERCE PUBLISHED A
NOTICE OF AMENDED FINAL DETERMINATIONS: CERTAIN CUT-TO-LENGTH
CARBON-QUALITY STEEL PLATE FROM INDIA AND THE REPUBLIC OF KOREA;
AND NOTICE OF COUNTERVAILING DUTY ORDERS: CERTAIN CUT-TO-LENGTH
CARBON-QUALITY STEEL PLATE FROM FRANCE, INDIA, INDONESIA, ITALY,
AND THE REPUBLIC OF KOREA (MESSAGE NUMBER 0196201). ON NOVEMBER
17, 2003, THE DEPARTMENT PUBLISHED A NOTICE OF IMPLEMENTATION
UNDER SECTION 129 REVOKING THE COUNTERVAILING DUTY ORDER ON

CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE PRODUCTS FROM FRANCE, EFFECTIVE NOVEMBER 7, 2003 (MESSAGE NUMBER 4002209).

2. ON SEPTEMBER 24, 2004, THE DEPARTMENT PUBLISHED A NOTICE OF AMENDED FINAL DETERMINATION PURSUANT TO FINAL COURT DECISION AND PARTIAL REVOCATION OF ORDER. SEE CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM FRANCE: NOTICE OF AMENDED FINAL DETERMINATION PURSUANT TO FINAL COURT DECISION AND PARTIAL REVOCATION OF ORDER, 69 FR 57266 (SEPTEMBER 24, 2004). IN THIS AMENDED FINAL DETERMINATION, THE DEPARTMENT IS FINDING THAT GTS INDUSTRIES S.A. DOES NOT RECEIVE COUNTERAVAILABLE SUBSIDIES ON CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM FRANCE.

3. AS A RESULT OF THE AMENDED FINAL DETERMINATION, NO SUSPENSION OF LIQUIDATION ON ENTRIES OF SUBJECT MERCHANDISE BY GTS INDUSTRIES S.A. IS REQUIRED. FOR ALL SHIPMENTS BY GTS INDUSTRIES S.A. OF CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM FRANCE THAT REMAIN UNLIQUIDATED, CBP IS DIRECTED TO DISCONTINUE ANY SUSPENSION OF LIQUIDATION FOR SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JULY 26, 1999, AND TO RELEASE ANY BOND OR OTHER SECURITY, AND REFUND ANY CASH DEPOSIT. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT DO NOT APPLY TO ENTRIES BEFORE FEBRUARY 10, 2000, THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER.

4. FOR ENTRIES OF SUBJECT MERCHANDISE, PRODUCED OR EXPORTED BY GTS INDUSTRIES S.A., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD JULY 26, 1999 TO NOVEMBER 6, 2003, LIQUIDATE WITHOUT REGARD TO COUNTERVAILING DUTIES.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES BY GTS INDUSTRIES S.A. OF CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM FRANCE UNDER THE COUNTERVAILING DUTY ORDER ONLY.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON ENTRIES OF

THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF

THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING 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.

7. THE LIFTING OF SUSPENSION OF LIQUIDATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES THAT MAY BE SUBJECT TO ANTIDUMPING DUTIES UNDER THE COMPANION ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE PRODUCTS FROM FRANCE (A-427-816). SEE NOTICE OF AMENDMENT OF FINAL DETERMINATIONS OF SALES AT LESS THAN FAIR VALUE AND ANTIDUMPING DUTY ORDERS: CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE PRODUCTS FROM FRANCE, INDIA, INDONESIA, ITALY, JAPAN AND THE REPUBLIC OF KOREA, 65 FR 6585 (FEBRUARY 10, 2000). INSTRUCTIONS REGARDING LIQUIDATION OF ENTRIES UNDER THE ANTIDUMPING DUTY ORDER DURING THE PERIOD 07/29/1999 THROUGH 01/31/2004 WERE SENT IN MESSAGES NUMBERS 1087209, 2107209, 3101205, AND 4190209.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY OF1:JNC).

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

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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