

MESSAGE NO: 5158112 MESSAGE DATE: 06/07/1995
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-333-402

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/07/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE CLARIFICATION, LIQUIDATION INSTRUCTIONS & REVOCATION OF
COUNTERVAILING DUTY ORDER ON CERTAIN APPAREL FROM PERU (C-333-402-001)

MESSAGE NO: 5158112 DATE: 06 07 1995

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 333 - 402 - -

- - - -

- - - -

PERIOD COVERED: 06 07 1995 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: SCOPE CLARIFICATION, LIQUIDATION INSTRUCTIONS & REVOCATION
OF COUNTERVAILING DUTY ORDER ON CERTAIN APPAREL FROM PERU
(C-333-402-001)

1. THE DEPARTMENT OF COMMERCE PUBLISHED A NOTICE IN THE FEDERAL REGISTER THAT IDENTIFIED THOSE HARMONIZED TARIFF SCHEDULE (HTS) ITEM NUMBERS THAT MOST REASONABLY CORRESPOND TO THE SCOPE OF THE COUNTERVAILING DUTY ORDER ON CERTAIN APPAREL FROM PERU (C-333-402-001) AS IT WAS ORIGINALLY DEFINED BY THE TARIFF SCHEDULE OF THE UNITED STATES ITEM NUMBERS.

2. THE AMENDED HTS SCOPE OF THE ORDER (C-333-402-001)~ IS

DEFINED AS FOLLOWS:

4202.1240, 4202.2270, 4202.2280(A), 4202.9215, 4202.9260,
6102.1000, 6102.3010, 6103.1100, 6103.1210, 6103.1910,
6103.2100,, 6103.2200 , 6103.2300 , 6103.2910, 6103.4110,
6103.4210(B), 6103.4310, 6103.4910(C), 6104.1100, 6104.1310,
6104.1910, 6104.2100 , 6104.2300 , 6104.2910 , 6104.3100,
6104.3310, 6104.3910(C), 6104.4100, 6104.4310, 6104.4410,
6104.5100(D), 6104.5310(D), 6104.5910(C)(D), 6104.6100(D),
6104.6210, 6104.6315(D), 6104.6920(C)(D), 6105.1000(D),
6106.1000(D), 6106.2010(D), 6106.9010(D), 6109.1000(D),
6110.1010, 6110.1020, 6110.2020(D), 6110.3015,
6116.9100, 6116.9364, 6116.9374, 6117.1010,
6117.1020, 6201.1100, 6201.1330, 6201.9120,
6201.9325, 6202.1100, 6202.1330, 6202.9120,
6202.9220, 6202.9340, 6204.2100, 6204.2230,
6204.2300, 6204.2920, 6204.3120(D), 6204.3340(D),
6204.3920(D), 6204.4120(D), 6204.4230(E), 6204.4330(D),
6204.4430(D), 6204.5100(D), 6204.5320(D), 6204.5920,
6204.6190(D), 6204.6240(F)(D), 6204.6325(D), 6204.6920(D),
6205.2020(G), 6214.2000, 6505.9030, 6505.9040

~ THE ORDER COVERS ALL PRODUCTS IDENTIFIED, OTHER THAN
HAND-KNIT ALPACA GARMENTS.

(A) COVERAGE EXCLUDES HANDBAGS WITH OUTER SURFACE OF
COTTON.

COVERAGE LIMITED TO GARMENTS THAT WOULD BE SUBJECT TO
THIS ORDER IF SEPARATELY ENTERED.

(B) COVERAGE LIMITED TO GARMENTS HAVING EMBROIDERY OR
PERMANENTLY AFFIXED APPLIQUE WORK ON THE OUTER SURFACE.

(C) COVERAGE LIMITED TO GARMENTS OF ARTIFICIAL FIBERS,
CONTAINING 23 PERCENT OR MORE BY WEIGHT OF WOOL OR FINE
ANIMAL HAIR.

(D) COVERAGE EXCLUDES GARMENTS HAVING EMBROIDERY OR PERMANENTLY AFFIXED APPLIQUE WORK ON THE OUTER SURFACE.

(E) COVERAGE EXCLUDES DRESSES OF PILE FABRIC AND OTHER DRESSES OF FABRIC HAVING YARNS OF DIFFERENT COLORS.

(F) COVERAGE EXCLUDES GIRLS' GARMENTS, WOMEN'S SHORTS, WOMEN'S TROUSERS AND BREECHES OF PILE FABRIC AND OTHER WOMEN'S TROUSERS AND BREECHES OF BLUE DENIM.

(G) COVERAGE EXCLUDES SHIRTS OF PILE FABRIC AND OTHER SHIRTS OF FABRIC HAVING YARNS OF DIFFERENT COLORS.

3. THEREFORE, ALL SHIPMENTS OF MERCHANDISE NOT COVERED BY THE IDENTIFIED HTS ITEM NUMBERS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 18, 1992, SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES. CUSTOMS SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION FOR MERCHANDISE ENTERING UNDER HTS ITEM NUMBERS SPECIFICALLY NOT IDENTIFIED.

4. ADDITIONALLY, ALL MERCHANDISE COVERED BY THE IDENTIFIED HTS ITEM NUMBERS THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER MAY 18, 1992, AND EXPORTED ON OR BEFORE DECEMBER 31, 1994 SHOULD BE LIQUIDATED AT THE RATE OF 0.00 PERCENT OF THE ENTERED VALUE FOR ALL COMPANIES.

5. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR 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 PAYMENT OF ESTIMATED COUNTERVAILING DUTIES IS REQUIRED 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

6. ON MAY 4, 1995, THE DEPARTMENT PUBLISHED NOTICE OF ITS REVOCATION OF THE COUNTERVAILING DUTY ORDER ON CERTAIN APPAREL FROM PERU (C-333-402-001). THEREFORE, AS OF MAY 4, 1995, THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE IS LIFTED. IN ADDITION, ALL MERCHANDISE WHICH WAS SUBJECT TO THIS ORDER WHICH WAS EXPORTED ON OR AFTER JANUARY 1, 1995 SHOULD NOW BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PRGORAMS, ANTIDUMPING/COUNTERVAILING DUTY USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-2786.

8. 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