

MESSAGE NO: 5136201 MESSAGE DATE: 05/16/2005
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5109201
MESSAGE #
(s):
CASE #(s): A-462-819

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 04/02/2005 TO 04/14/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION FOR THE ANTIDUMPING DUTY ORDER ON MAGNESIUM METAL FROM THE RUSSIAN FEDERATION (A-462-819)

MESSAGE NO: 5136201

DATE: 05 16 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 5109201

REFERENCE DATE: 04 19 2005

CASES: A - 462 - 819

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PERIOD COVERED: 04 02 2005 TO 04 14 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION FOR THE ANTIDUMPING DUTY ORDER ON MAGNESIUM METAL FROM THE RUSSIAN FEDERATION (A-462-819)

1. ON APRIL 15, 2005, THE DEPARTMENT OF COMMERCE ("DEPARTMENT") PUBLISHED IN THE FEDERAL REGISTER AN ANTIDUMPING DUTY ORDER (A-821-819) ON MAGNESIUM METAL ("MAGNESIUM") FROM THE RUSSIAN FEDERATION ("RUSSIA") (70 FR 19930).

2. THE PRODUCTS COVERED BY THIS ORDER ARE PRIMARY AND SECONDARY PURE AND ALLOY MAGNESIUM METAL, REGARDLESS OF

CHEMISTRY, RAW MATERIAL SOURCE, FORM, SHAPE, OR SIZE. MAGNESIUM IS A METAL OR ALLOY CONTAINING BY WEIGHT PRIMARILY THE ELEMENT MAGNESIUM. PRIMARY MAGNESIUM IS PRODUCED BY DECOMPOSING RAW MATERIALS INTO MAGNESIUM METAL. SECONDARY MAGNESIUM IS PRODUCED BY RECYCLING MAGNESIUM-BASED SCRAP INTO MAGNESIUM METAL. THE MAGNESIUM COVERED BY THIS INVESTIGATION INCLUDES BLENDS OF PRIMARY AND SECONDARY MAGNESIUM.

THE SUBJECT MERCHANDISE INCLUDES THE FOLLOWING PURE AND ALLOY MAGNESIUM METAL PRODUCTS MADE FROM PRIMARY AND/OR SECONDARY MAGNESIUM, INCLUDING, WITHOUT LIMITATION, MAGNESIUM CAST INTO INGOTS, SLABS, ROUNDS, BILLETS, AND OTHER SHAPES, AND MAGNESIUM GROUND, CHIPPED, CRUSHED, OR MACHINED INTO RASPIINGS, GRANULES, TURNINGS, CHIPS, POWDER, BRIQUETTES, AND OTHER SHAPES: (1) PRODUCTS THAT CONTAIN AT LEAST 99.95 PERCENT MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM); (2)

PRODUCTS THAT CONTAIN LESS THAN 99.95 PERCENT BUT NOT LESS THAN 99.8 PERCENT MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM); AND (3) CHEMICAL COMBINATIONS OF MAGNESIUM AND OTHER MATERIAL(S) IN WHICH THE MAGNESIUM CONTENT IS 50 PERCENT OR GREATER, BUT LESS THAN 99.8 PERCENT, BY WEIGHT, WHETHER OR NOT CONFORMING TO AN "ASTM SPECIFICATION FOR MAGNESIUM ALLOY." A.

A. THE MEANING OF THIS TERM IS THE SAME AS THAT USED BY THE AMERICAN SOCIETY FOR TESTING AND MATERIALS IN ITS ANNUAL BOOK OF ASTM STANDARDS: VOLUME 01.02 ALUMINUM AND MAGNESIUM ALLOYS.

THE SCOPE OF THIS INVESTIGATION EXCLUDES: (1) MAGNESIUM THAT IS IN LIQUID OR MOLTEN FORM; AND (2) MIXTURES CONTAINING 90 PERCENT OR LESS MAGNESIUM IN GRANULAR OR POWDER FORM BY WEIGHT AND ONE OR MORE OF CERTAIN NON-MAGNESIUM GRANULAR MATERIALS TO MAKE MAGNESIUM-BASED REAGENT MIXTURES, INCLUDING LIME, CALCIUM METAL, CALCIUM

SILICON, CALCIUM CARBIDE, CALCIUM CARBONATE, CARBON, SLAG COAGULANTS, FLUORSPAR, NEPHALINE SYENITE, FELDSPAR, ALUMINA (AL₂O₃), CALCIUM ALUMINATE, SODA ASH, HYDROCARBONS, GRAPHITE, COKE, SILICON, RARE EARTH METALS/MISCHMETAL, CRYOLITE, SILICA/FLY ASH, MAGNESIUM OXIDE, PERICLASE, FERROALLOYS, DOLOMITE LIME, AND COLEMANITE. B.

B. THIS SECOND EXCLUSION FOR MAGNESIUM-BASED REAGENT MIXTURES IS BASED ON THE EXCLUSION FOR REAGENT MIXTURES IN THE 2000-2001 INVESTIGATIONS OF MAGNESIUM FROM CHINA, ISRAEL, AND RUSSIA. SEE FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE: PURE MAGNESIUM IN GRANULAR FORM FROM THE PEOPLE'S REPUBLIC OF CHINA, 66 FR 49345 (SEPTEMBER 27, 2001); FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE: PURE MAGNESIUM FROM ISRAEL, 66 FR 49349 (SEPTEMBER 27, 2001); FINAL DETERMINATION OF SALES AT NOT LESS THAN FAIR VALUE: PURE MAGNESIUM FROM THE RUSSIAN FEDERATION, 66 FR 49347 (SEPTEMBER 27, 2001). THESE MIXTURES ARE NOT MAGNESIUM ALLOYS, BECAUSE THEY ARE NOT CHEMICALLY COMBINED IN LIQUID FORM AND CAST INTO THE SAME INGOT.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIABLE UNDER ITEMS 8104.11.00, 8104.19.00, 8104.30.00, AND 8104.90.00 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). ALTHOUGH THE HTSUS ITEMS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-821-819.

FOR CUSTOMS PURPOSES ONLY THE FOLLOWING IDENTIFICATION NUMBERS SHOULD BE USED: A-462-819.

4. IN ACCORDANCE WITH SECTION 733(d) OF THE TARIFF ACT OF 1930, AS AMENDED ("ACT"), THE DEPARTMENT IS DISCONTINUING THE SUSPENSION OF LIQUIDATION ON ALL SHIPMENTS OF THE SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER APRIL 2, 2005 AND ON OR BEFORE APRIL 14, 2005. SEE NOTICE OF ANTIDUMPING DUTY ORDER: MAGNESIUM METAL FROM THE RUSSIAN FEDERATION (70 FR 19930), APRIL 15, 2005. U.S. CUSTOMS AND BORDER PROTECTION ("CBP") OFFICERS ARE DIRECTED TO RELEASE ANY BOND OR OTHER SECURITY AND REFUND ANY CASH DEPOSIT ON SUCH ENTRIES.

5. INTEREST PROVISIONS OF SECTION 778 OF THE ACT DO NOT APPLY.

6. EFFECTIVE APRIL 15, 2005, CBP SHALL RESUME SUSPENSION OF LIQUIDATION ON ALL ENTRIES OF MAGNESIUM FROM RUSSIA AND REQUIRE THE POSTING OF A CASH DEPOSIT EQUAL TO THE MARGINS LISTED IN THE ORDER IN ACCORDANCE WITH THE INSTRUCTIONS ISSUED BY THE DEPARTMENT. SEE CBP MESSAGE NUMBER 5109201, DATED APRIL 19, 2005.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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 O6:JGR).

8. 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