

MESSAGE NO: 5207116 MESSAGE DATE: 07/26/1995
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-006

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/22/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE RULING ON STEEL JACKS FROM CANADA (A-122-006) WHITING
EQUIPMENT CANADA, INC.(WHITING)

MESSAGE NO: 5207116 DATE: 07 26 1995

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 122 - 006 - -

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PERIOD COVERED: 06 22 1995 TO

LIQ SUSPENSION DATE:

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

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: SCOPE RULING ON STEEL JACKS FROM CANADA (A-122-006)
WHITING EQUIPMENT CANADA, INC.(WHITING)

1. ON JUNE 22, 1995, IN RESPONSE TO A REQUEST BY WHITING EQUIPMENT CANADA, INC. (WHITING), THE DEPARTMENT OF COMMERCE (THE DEPARTMENT) ISSUED A FINAL SCOPE RULING THAT WHITING'S RAIL VEHICLE ELECTRIC JACKS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY FINDING ON STEEL JACKS FROM CANADA (A-122-006).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE ANTIDUMPING

FINDING APPLIES ONLY TO HAND-OPERATED, MULTI-PURPOSE STEEL JACKS, FROM 36 TO 64 INCHES HIGH. BECAUSE WHITING'S JACKS ARE ELECTRICALLY-OPERATED RAIL VEHICLE JACKS THAT RANGE IN HEIGHT FROM 90 TO OVER 138 INCHES AND WHOSE USE IS LIMITED TO THE LIFTING OF RAILROAD VEHICLES, THEY ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING FINDING ON STEEL JACKS FROM CANADA.

3. EFFECTIVE IMMEDIATELY, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF WHITING'S RAIL VEHICLE ELECTRIC JACKS.
4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO WHITING'S RAIL VEHICLE ELECTRIC JACKS.
5. THE REFUND OF CASH DEPOSITS 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 ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING 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 SERVICE CODE OF 1954 FOR SUCH PERIOD.
6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF STEEL JACKS FROM CANADA, SUBJECT TO THE ANTIDUMPING DUTY FINDING COVERING STEEL JACKS FROM CANADA.
7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY USING THE ATTRIBUTE "HQ

OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT RON TRENTAM ON 202-482-4793, OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

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

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

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