

MESSAGE NO: 5313207 MESSAGE DATE: 11/09/2005

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: ADM PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5136205
MESSAGE #
(s):

CASE #(s): C-122-839

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 12/20/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CLARIFICATION OF CASH DEPOSIT INSTRUCTIONS FOR CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA (C-122-839)

MESSAGE NO: 5313207

DATE: 11 09 2005

CATEGORY: CVD

TYPE: ADM

REFERENCE: 5136205

REFERENCE DATE: 05 16 2005

CASES: C - 122 - 839

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PERIOD COVERED: 12 20 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CLARIFICATION OF CASH DEPOSIT INSTRUCTIONS FOR CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA (C-122-839)

REF: MESSAGE NO. 5136205, 05/16/2005 AND MESSAGE NO. 5124201, 05/04/05

1. THE DEPARTMENT OF COMMERCE AMENDED THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA FOR THE PERIOD 5/22/2002 THROUGH 3/31/2003. THIS AMENDMENT WAS PUBLISHED ON 02/24/2005 IN THE FEDERAL REGISTER (70 FR 9046) AND CHANGED THE CASH DEPOSIT RATE FOR ALL PRODUCERS/EXPORTERS, OTHER THAN COMPANIES MENTIONED

IN PARAGRAPHS SIX, SEVEN, AND EIGHT OF CUSTOMS INSTRUCTIONS MESSAGE #5136205, DATED 05/16/2005. THIS IS A CLARIFICATION OF MESSAGE #5136205, DATED 05/16/2005.

2. FOR PURPOSES OF INTERPRETING THE DEPARTMENT'S INSTRUCTION THAT THE EXCLUSIONS FROM THE CVD ORDER APPLY TO MERCHANDISE "PRODUCED AND EXPORTED" BY EXCLUDED COMPANIES, THE DEPARTMENT INTENDS FOR THE EXCLUDED COMPANY TO BE CONSIDERED THE EXPORTING ENTITY IN CASES WHERE THE EXCLUDED COMPANY

- (1) IS THE EXPORTER-OF-RECORD IN CANADA,
- (2) IS THE IMPORTER-OF-RECORD IN THE UNITED STATES,
- (3) IS RESPONSIBLE FOR TRANSPORTING THE LUMBER TO THE U.S. CUSTOMER,
- (4) IS RESPONSIBLE FOR MAINTAINING PHYSICAL POSSESSION OF THE MERCHANDISE DURING TRANSIT AND BEARS THE RISK OF LOSS UNTIL DELIVERY IS MADE TO THE U.S. CUSTOMER, AND
- (5) KEEPS TITLE TO THE LUMBER UNTIL THE U.S. CUSTOMER TAKES POSSESSION AND MAKES PAYMENT.

3. EFFECTIVE 12/20/2004, ENTRY SUMMARIES COVERING MERCHANDISE TO BE EXCLUDED FROM THE SCOPE OF THIS ORDER LUMBER PRODUCED AND EXPORTED BY EXCLUDED COMPANIES AS DESCRIBED IN PARAGRAPH 2, ABOVE MUST BE ACCOMPANIED BY A CERTIFICATION FROM THE IMPORTER AS FOLLOWS:

WE, THE UNDERSIGNED IMPORTER, HEREBY CERTIFY THAT:

- (1) WE ARE THE EXPORTER-OF-RECORD IN CANADA,
- (2) WE ARE THE IMPORTER-OF-RECORD IN THE UNITED STATES,
- (3) WE ARE RESPONSIBLE FOR TRANSPORTING THE LUMBER TO THE U.S. CUSTOMER,
- (4) WE ARE RESPONSIBLE FOR MAINTAINING PHYSICAL POSSESSION OF THE MERCHANDISE DURING TRANSIT AND BEARS THE RISK OF LOSS UNTIL DELIVERY IS MADE TO THE U.S. CUSTOMER, AND
- (5) WE MAINTAIN TITLE TO THE LUMBER UNTIL THE U.S. CUSTOMER TAKES POSSESSION AND MAKES PAYMENT.

4. 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 O3:MGS).

5. 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