

MESSAGE NO: 6068112 MESSAGE DATE: 03/08/1996
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-201-003

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1990 TO 12/31/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERAMIC TILE FROM MEXICO (C-201-003)

MESSAGE NO: 6068112

DATE: 03 08 1996

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CASES: C - 201 - 003

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PERIOD COVERED: 01 01 1990 TO 12 31 1992

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: LIQUIDATION INSTRUCTIONS FOR CERAMIC TILE FROM MEXICO
(C-201-003)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER OF JUNE 8, 1992, THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON CERAMIC TILE FROM MEXICO (C-201-003) FOR THE PERIOD JANUARY 1, 1990 THROUGH DECEMBER 31, 1990. LIQUIDATION INSTRUCTIONS FOR ALL COMPANIES EXCEPT CERAMICA REGIOMONTANA, S.A., (C-201-003-056) WERE COVERED IN OUR EARLIER MESSAGE #2233114 DATED AUGUST 20, 1992.

2. THE DEPARTMENT OF COMMERCE HAS ALSO PUBLISHED IN THE FEDERAL REGISTER OF APRIL 14, 1995, THE FINAL RESULTS OF ITS

ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER (C-201-003) ON CERAMIC TILE FROM MEXICO FOR THE PERIOD JANUARY 1, 1992 THROUGH DECEMBER 31, 1992.

3. ON FEBRUARY 21, 1996, THE DEPARTMENT OF COMMERCE ANNOUNCED AN AMENDMENT TO THE REVOCATION OF THE COUNTERVAILING DUTY ORDER ON

CERAMIC TILE FROM MEXICO (C-201-003) IN ACCORDANCE WITH THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT'S (THE CAFC'S), DECISION IN CERAMICA REGIOMONTANA, S.A. V. UNITED STATES, CT. NO. 95-1026, (SEPTEMBER 6, 1995).

PURSUANT TO THAT DECISION, THE DEPARTMENT OF COMMERCE INSTRUCTED THE UNITED STATES CUSTOMS SERVICE, IN OUR EARLIER MESSAGE #6044118 DATED FEBRUARY 13, 1996, TO LIQUIDATE ALL OUTSTANDING ENTRIES OF CERAMIC TILE FROM MEXICO MANUFACTURED BY CERAMICA REGIOMONTANA, S.A., (C-201-003-056), CERAMICAS Y PISOS INDUSTRIALES DE CULIACAN, S.A. DE C.V., (C-201-003-055), AND INDUSTRIAS INTERCONTINENTAL, S.A., (C-201-003-057) EXPORTED ON OR AFTER JANUARY 1, 1986 AND ON OR BEFORE DECEMBER 31, 1986.

4. PURSUANT TO THE SAME DECISION AND IN ACCORDANCE WITH THE MARCH 1, 1996 ORDERS OF THE UNITED STATES COURT OF INTERNATIONAL TRADE (CIT), THE EARLIER MESSAGE #2233114 DATED AUGUST 20, 1992, STAYING THE LIQUIDATION OF ANY ENTRIES OF CERAMIC TILE FROM CERAMICA REGIOMONTANA, S.A., (C-201-003-056) EXPORTED ON OR AFTER JANUARY 1, 1990 AND ON OR BEFORE DECEMBER 31, 1990, IS NOW LIFTED. ACCORDINGLY, YOU ARE INSTRUCTED TO LIQUIDATE ALL ENTRIES OF CERAMIC TILE FROM MEXICO MADE BY CERAMICA REGIOMONTANA, S.A., (C-291-003-056) EXPORTED ON OR AFTER JANUARY 1, 1990 AND ON OR BEFORE DECEMBER 31, 1990 AND ASSESS COUNTERVAILING DUTIES AT ZERO PERCENT.

5. IN ADDITION, YOU ARE INSTRUCTED TO LIQUIDATE ALL ENTRIES OF CERAMIC TILE FROM MEXICO EXPORTED ON OR AFTER JANUARY 1, 1992 AND ON OR BEFORE DECEMBER 31, 1992 AND ASSESS COUNTERVAILING DUTIES AT ZERO PERCENT.

6. IMPORTS COVERED BY THE ORDER WERE SHIPMENTS OF MEXICAN

CERAMIC TILE, INCLUDING NON-MOSAIC, GLAZED, AND UNGLAZED CERAMIC FLOOR AND WALL TILE. DURING THE REVIEW PERIOD, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER THE HARMONIZED TARIFF SCHEDULE ITEM NUMBERS 6907.10.0000, 6907.90.0000, 6908.10.0000, AND 6908.90.0000.

7. 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 OF 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.

8. 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 ATTRIBUTE " HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST AT (202) 482-2786, OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

9. 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