

MESSAGE NO: 6068203 MESSAGE DATE: 03/09/2006
MESSAGE STATUS: Active CATEGORY: Antidumping
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MESSAGE #
(s):

CASE #(s): A-583-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2003 TO 06/30/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INST. AND NOTIFICATION OF PARTIAL RESCISSION OF ADMIN. REVIEW ON STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN(A-583-831-002/3/6/7/9/13/14/15/16/17)

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CASES: A - 583 - 831 - -

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PERIOD COVERED: 07 01 2003 TO 06 30 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INST. AND NOTIFICATION OF PARTIAL RESCISSION OF ADMIN. REVIEW ON STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN(A-583-831-002/3/6/7/9/13/14/15/16/17)

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL SHEET AND STRIP IN COILS (SUBJECT MERCHANDISE) FROM TAIWAN (A-583-831), COVERING THE PERIOD 07/01/2003 THROUGH 06/30/2004 WITH RESPECT TO THE FOLLOWING MANUFACTURERS/EXPORTERS:

COMPANY

CASE NUMBER

EMERDEX STAINLESS FLAT-ROLLED PRODUCTS INC. A-583-831-013
EMERDEX STAINLESS STEEL INC. A-583-831-014
EMERDEX GROUP A-583-831-015
CHAIN CHON INDUSTRIAL CO., LTD. A-583-831-016
CHINA STEEL CORPORATION A-583-831-017
YIEH MAU CORP. A-583-831-002
TUNG MUNG DEVELOPMENT CO., LTD. A-583-831-003
TA CHEN STAINLESS PIPE CO., LTD. A-583-831-006
TANG ENG IRON WORKS COMPANY, LTD. A-583-831-007
YIEH LOONG ENTERPRISE COMPANY, LTD. A-583-831-009

2. THIS ADMINISTRATIVE REVIEW HAS BEEN RESCINDED WITH RESPECT TO THESE MANUFACTURERS/EXPORTERS FOR THE FOLLOWING REASONS:

A. THE DEPARTMENT OF COMMERCE DETERMINED THAT EMERDEX STAINLESS FLAT-ROLLED PRODUCTS INC., EMERDEX STAINLESS STEEL INC., AND THE EMERDEX GROUP ARE NOT PRODUCERS OR EXPORTERS COVERED BY THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN.

B. THERE IS NO EVIDENCE THAT CHAIN CHON INDUSTRIAL CO., LTD., CHINA STEEL CORPORATION, YIEH MAU CORP., TA CHEN STAINLESS PIPE CO., LTD., TANG ENG IRON WORKS COMPANY, LTD., AND YIEH LOONG ENTERPRISE COMPANY, LTD., EXPORTED SUBJECT MERCHANDISE TO THE UNITED STATES DURING THE PERIOD 07/01/2003 THROUGH 06/30/2004.

C. THERE IS NO EVIDENCE THAT TUNG MUNG DEVELOPMENT CO., LTD. SOLD SUBJECT MERCHANDISE TO THE MIDDLEMAN, TA CHEN STAINLESS PIPE CO., LTD., DURING THE PERIOD 07/01/2003 THROUGH 06/30/2004 (TUNG MUNG'S DIRECT EXPORTS WERE EXCLUDED FROM THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN).

3 THE NOTICE OF PARTIAL RESCISSION WITH RESPECT TO CHAIN CHON INDUSTRIAL CO., LTD., CHINA STEEL CORPORATION, YIEH MAU CORP., TA CHEN STAINLESS PIPE CO., LTD., TANG ENG IRON WORKS COMPANY, LTD., YIEH LOONG ENTERPRISE COMPANY, LTD., AND TUNG MUNG DEVELOPMENT CO., LTD. WAS PUBLISHED IN THE FEDERAL REGISTER ON FEBRUARY 13, 2006 (71 FR 7519). THE NOTICE OF PARTIAL RESCISSION WITH RESPECT

TO EMERDEX STAINLESS FLAT-ROLLED PRODUCTS INC., EMERDEX STAINLESS STEEL INC., AND EMERDEX GROUP WAS PUBLISHED IN THE FEDERAL REGISTER ON AUGUST 9, 2005 (70 FR 46137).

4. NOTWITHSTANDING THE ABOVE, LIQUIDATE THE FOLLOWING ENTRIES IN ACCORDANCE WITH THE INSTRUCTIONS BELOW:

A. ENTRY NUMBERS 11324851721 AND 11325450762, WHICH CONSIST OF MERCHANDISE PRODUCED BY TUNG MUNG DEVELOPMENT CO., LTD., SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES (SEE 70 FR 17658).

B. ENTRY NUMBER 11296907446 IS AN ENTRY OF NON-SUBJECT MERCHANDISE PRODUCED BY TA CHEN STAINLESS PIPE CO., LTD. AND SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES.

5. FOR ALL OTHER SUBJECT MERCHANDISE PRODUCED BY THE COMPANIES LISTED IN PARAGRAPH ONE ABOVE AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 07/01/2003 THROUGH 06/30/2004, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN IS 12.61 PERCENT.

6. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION FOR SUBJECT MERCHANDISE FROM THE EXPORTERS/MANUFACTURERS LISTED ABOVE

THAT ENTERED DURING THE PERIOD 07/01/2003 THROUGH 06 /30/2004 OCCURRED WITH THE PUBLICATION OF THE RESCISSION NOTICE ON AUGUST 9, 2005 (70 FR 46137) (NOTICE OF RESCISSION WITH RESPECT TO EMERDEX STAINLESS FLAT-ROLLED PRODUCTS INC., EMERDEX STAINLESS STEEL INC., AND THE EMERDEX GROUP) AND ON FEBRUARY 13, 2006 (71 FR 7519) (NOTICE OF RESCISSION WITH RESPECT TO CHAIN CHON INDUSTRIAL CO., LTD., CHINA STEEL CORPORATION, YIEH MAU CORP., TA CHEN STAINLESS PIPE CO., LTD., TANG ENG IRON WORKS COMPANY, LTD., YIEH LOONG ENTERPRISE COMPANY, LTD., AND UNG MUNG DEVELOPMENT CO., LTD.). FOR ALL OTHER SHIPMENTS OF STAINLESS STEEL SHEET AND STRIP IN COILS FROM TAIWAN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED

ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930.

SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS, 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 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

9. 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 THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY(GENERATED BY O4: MB).

10. 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