

MESSAGE NO: 6097216 MESSAGE DATE: 04/07/2006
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-201-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2002 TO 07/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR GRAY PORTLAND CEMENT & CLINKER FROM MEXICO PROD'D OR EXP'D BY CEMEX OR GCCC (A-201-802-001, A-201-802-004, A-201-802-006)

MESSAGE NO: 6097216

DATE: 04 07 2006

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CASES: A - 201 - 802

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PERIOD COVERED: 08 01 2002 TO 07 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR GRAY PORTLAND CEMENT & CLINKER FROM MEXICO PROD'D OR EXP'D BY CEMEX OR GCCC (A-201-802-001, A-201-802-004, A-201-802-006)

1. THE DEPARTMENT OF COMMERCE HAS ISSUED THE AMENDED FINAL RESULTS OF REVIEW OF CERTAIN MANUFACTURERS/EXPORTERS SUBJECT TO THE ANTIDUMPING DUTY ORDER ON GRAY PORTLAND CEMENT AND CLINKER (CEMENT) FROM MEXICO FOR THE PERIOD 08/01/2002 THROUGH 07/31/2003. THE NOTICE WILL BE PUBLISHED IN THE FEDERAL REGISTER SHORTLY.

2. FOR ALL SHIPMENTS OF CEMENT FROM MEXICO PRODUCED OR EXPORTED

BY CEMEX, S.A. DE C.V.(CEMEX)(A-201-802-001), OR GCC CEMENTO, S.A. DE C.V. (GCCC)(A-201-802-006)(FORMERLY KNOWN AS CEMENTOS DE CHIHUAHUA, S.A. DE C.V. (CDC)(A-201-802-004)), IMPORTED BY OR SOLD TO (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION) THE FIRMS LISTED BELOW, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/2002 THROUGH 07/31/2003, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE PER-UNIT AMOUNTS LISTED BELOW.

IMPORTER OR CUSTOMER	PER-UNIT
AMOUNT	
SUNBELT CEMENT INC.	\$.10 PER MT
GCC RIO GRANDE, INC.	\$.10 PER MT
RIO GRANDE PORTLAND CEMENT CORP.	\$.10 PER MT
CEMEX CEMENT, INC. (FORMERLY KNOWN AS CEMEX USA CEMENT, INC., AND SUNBELT CEMENT, INC.)	\$.10 PER MT
GULF COAST PORTLAND CEMENT CO. (FORMERLY KNOWN AS HM GULF COAST PORTLAND CEMENT COMPANY)	\$.10 PER MT
CEMEX CEMENT OF TEXAS, L.P. (FORMERLY KNOWN AS CEMEX USA CEMENT OF TEXAS L.P. AND SUNBELT CEMENT OF TEXAS L.P.)	\$.10 PER MT
CEMEX PACIFIC COAST CEMENT CORPORATION (FORMERLY KNOWN AS PACIFIC COAST CEMENT CORPORATION)	\$.10 PER MT
CEMEX CORP. (CEMEX USA, INC.) (FORMERLY KNOWN AS CEMEX USA, INC., AND SUNBELT CORPORATION)	\$.10 PER MT
CEMEX CEMENT, INC.	\$.10 PER MT

CEMEX, INC. (SOUTHDOWN, INC.) (FORMERLY KNOWN AS

SOUTHDOWN, INC., SOUTHDOWN SUGARS, INC., AND
REALTY OPERATORS, INC.)

\$.10 PER MT

3. CBP SHALL ONLY LIQUIDATE ENTRIES OF CEMENT PRODUCED BY CEMEX OR GCCC THAT WERE IMPORTED BY THE IMPORTERS LISTED IN PARAGRAPH TWO WHICH ALSO APPEAR ON THE LIST OF ENTRIES PROVIDED BY THE IMPORTERS WITH THE CBP FORM 4811, DATED 04/03/2006 FOR CEMEX AND 03/06/2006 FOR GCCC, WHICH DESIGNATED SUNTRUST BANK, HAVING EITHER AGENT NUMBER 58-0466330-CX OR 58-0466330-GC, AS THE AGENT.

4. PURSUANT TO THE PUBLICATION OF THE NOTICE OF THE SETTLEMENT AGREEMENT ON GRAY PORTLAND CEMENT AND CLINKER FROM MEXICO (71 FR 13082 (03/14/2006)), NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE DURING THE PERIOD 08/01/2002 THROUGH 07/31/2003 OCCURRED ON APRIL 3, 2006. FOR ALL OTHER SHIPMENTS OF CEMENT FROM MEXICO YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY 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 AND 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 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 CODE OF 1954 FOR SUCH PERIOD.

6. PURSUANT TO THE SETTLEMENT AGREEMENT GCCC AND CEMEX HAVE PROVIDED THE APPROPRIATE REIMBURSEMENT STATEMENTS FOR ALL

ENTRIES COVERED BY THESE INSTRUCTIONS.

7. 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 O5:JOF).

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