

MESSAGE NO: 6167205 MESSAGE DATE: 06/16/2006
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-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/02/2004 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 ANTIDUMPING DUTY ORDER ON HAND TRUCKS & CERTAIN PARTS FROM CHINA (A-570-891) LIQ THE TWO MODELS WELDING CARTS (ITEMS 43615 AND 93851)

MESSAGE NO: 6167205

DATE: 06 16 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 891

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PERIOD COVERED: 12 02 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER ON HAND TRUCKS & CERTAIN PARTS FROM CHINA (A-570-891) LIQ THE TWO MODELS WELDING CARTS (ITEMS 43615 AND 93851)

1. ON 2/15/06, IN RESPONSE TO A REQUEST BY CENTRAL PURCHASING, LLC. ("CENTRAL PURCHASING"), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CENTRAL PURCHASING'S TWO MODELS OF WELDING CARTS (ITEMS 43615 AND 93851) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-891).

2. THE DEPARTMENT OF COMMERCE DETERMINED THAT THE TWO MODELS

OF WELDING CARTS (ITEMS 43615 AND 93851) DO NOT CONSTITUTE HAND TRUCKS AND CERTAIN PARTS THEREOF AND DO NOT OTHERWISE MEET THE DESCRIPTION OF MERCHANDISE COVERED BY THIS ANTIDUMPING DUTY ORDER. THEREFORE, THE TWO MODELS OF WELDING CARTS (ITEMS 43615 AND 93851) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA. THEY ARE TYPICALLY IMPORTED UNDER HEADING 8716.80.50.10 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"), ALTHOUGH THEY MAY ALSO BE IMPORTED UNDER HEADING 8716.80.50.90. SPECIFIC PARTS OF A HAND TRUCK, NAMELY THE VERTICAL FRAME, THE HANDLING AREA AND THE PROJECTING EDGES OR TOE PLATE, OR ANY COMBINATION THEREOF, ARE TYPICALLY IMPORTED UNDER HEADING 8716.90.50.60 OF THE HTSUS.

3. EFFECTIVE 12/2/04, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE TWO MODELS OF WELDING CARTS (ITEMS 43615 AND 93851), LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE TWO MODELS OF WELDING CARTS (ITEMS 43615 AND 93851), LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY 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 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF SUBJECT HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA.

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 THE OFFICE OF AD/CVC ENFORCEMENT, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 08: HES).

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