

MESSAGE NO: 6170112 MESSAGE DATE: 06/18/1996
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-475-819

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/17/1995 TO 02/13/1996

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION IN THE COUNTERVAILING DUTY
INVESTIGATION OF CERTAIN PASTA FROM ITALY (C-475-819)

MESSAGE NO: 6170112 DATE: 06 18 1996

CATEGORY: CVD TYPE: FIN

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CASES: C - 475 - 819 - -

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PERIOD COVERED: 10 17 1995 TO 02 13 1996

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: NOTICE OF FINAL DETERMINATION IN THE COUNTERVAILING DUTY
INVESTIGATION OF CERTAIN PASTA FROM ITALY (C-475-819)

1. ON JUNE 14, 1996, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION THAT CERTAIN BENEFITS WHICH CONSTITUTE SUBSIDIES WITHIN THE MEANING OF THE COUNTERVAILING DUTY LAW ARE BEING PROVIDED TO THE PRODUCERS, MANUFACTURERS, OR EXPORTERS OF CERTAIN PASTA FROM ITALY.

2. THE SCOPE OF THIS INVESTIGATION CONSISTS OF CERTAIN NON-EGG DRY PASTA IN PACKAGES OF 5 POUNDS (OR 2.27 KILOGRAMS) OR LESS, WHETHER OR NOT ENRICHED OR FORTIFIED OR CONTAINING MILK OR OTHER

OPTIONAL INGREDIENTS SUCH AS CHOPPED VEGETABLES, VEGETABLE PUREES, MILK, GLUTEN, DIASTASES, VITAMINS, COLORING AND FLAVORINGS, AND UP TO TWO PERCENT EGG WHITE. THE PASTA COVERED BY THIS INVESTIGATION IS TYPICALLY SOLD IN THE RETAIL MARKET, IN FIBERBOARD OR CARDBOARD CARTONS OR POLYETHYLENE OR POLYPROPYLENE BAGS, OF VARYING DIMENSIONS.

EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION ARE REFRIGERATED, FROZEN, OR CANNED PASTAS, AS WELL AS ALL FORMS OF EGG PASTA, WITH THE EXCEPTION OF NON-EGG DRY PASTA CONTAINING UP TO TWO PERCENT EGG WHITE. ALSO EXCLUDED ARE IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY THE ASSOCIAZIONE MARCHIGIANA AGRICOLTURA BIOLOGICA ("AMAB").

THE MERCHANDISE UNDER INVESTIGATION IS CURRENTLY CLASSIFIABLE UNDER SUBHEADING 1902.19.20 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS). ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER: (C-475-819).

4. FOR IMPORTS OF CERTAIN PASTA FROM ITALY, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

OCTOBER 17, 1995 THROUGH FEBRUARY 13, 1996. IF THE INTERNATIONAL TRADE COMMISSION (ITC) ISSUES A FINAL AFFIRMATIVE INJURY DETERMINATION, THE DEPARTMENT OF COMMERCE WILL INSTRUCT CUSTOMS TO REINSTATE SUSPENSION OF LIQUIDATION.

5. 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 JENNIFER YESKE, VINCE KANE, TODD HANSEN, OR CYNTHIA THIRUMALAI, OFFICE OF COUNTERVAILING DUTY INVESTIGATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0189, 482-2815, 482-1276 AND 482-4087 RESPECTIVELY.

6. 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