

MESSAGE NO: 6229202 MESSAGE DATE: 08/17/2006

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE MESSAGE # 6145202
(s):

CASE #(s): A-122-822, A-201-108, A-351-108,
A-357-108, A-412-108, A-423-108

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2003 TO 07/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTION FOR CERTAIN CORROSION RESISTANT CARBON STEEL FLAT PRODUCTS FROM CANADA (A-122-822, A-201-108, A-351-108, A-357-108, A-412-108, & A-423-108)

MESSAGE NO: 6229202

DATE: 08 17 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 6145202

REFERENCE DATE: 05 25 2006

CASES: A - 122 - 822

A - 201 - 108

A - 351 - 108

A - 357 - 108

A - 412 - 108

A - 423 - 108

PERIOD COVERED: 08 01 2003 TO 07 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTION FOR CERTAIN CORROSION RESISTANT CARBON STEEL FLAT PRODUCTS FROM CANADA (A-122-822, A-201-108, A-351-108, A-357-108, A-412-108, & A-423-108)

1. IN MESSAGE NUMBER 4067111 SENT 03/08/1994, THE DEPARTMENT OF COMMERCE ASSIGNED CASH DEPOSIT RATES APPLICABLE TO MERCHANDISE ORIGINALLY PRODUCED IN OTHER COUNTRIES BUT EXPORTED AS SUBJECT MERCHANDISE FROM CANADA. PARAGRAPH 11 OF MESSAGE 4067111 STATES THAT FOR PURPOSES OF AD DUTIES, GALVANIZING CONSTITUTES SUBSTANTIAL TRANSFORMATION (E.G., U.S. ORIGIN STEEL PLATE GALVANIZED IN ANOTHER COUNTRY IS SUBJECT TO THE AD VALOREM CASH DEPOSIT FOR CORROSION RESISTANT STEEL FROM THE SUBJECT COUNTRY).

PLEASE REFER TO PARAGRAPHS 6 AND 9 OF MESSAGE NUMBER 4067111 TO DETERMINE WHAT FURTHER PROCESSING CONSTITUTES SUBSTANTIAL TRANSFORMATION FOR PURPOSES OF THIS CASE.

2. IN MESSAGE NUMBER 4067111, THE DEPARTMENT ESTABLISHED A SPECIFIC FORMAT FOR U.S. CUSTOMS AND BORDER PROTECTION (CBP) TO IDENTIFY AND ASSIGN CASH DEPOSIT RATES FOR MERCHANDISE ORIGINALLY PRODUCED IN OTHER COUNTRIES BUT EXPORTED AS SUBJECT MERCHANDISE FROM CANADA. THIS IDENTIFICATION NUMBER (A-XXX-108-ZZZ) DENOTES THE COUNTRY OF ORIGIN (-XXX), AS DETERMINED BY CBP, THE SUBJECT MERCHANDISE (-108), AND THE UNIQUE COMPANY CODE (-ZZZ), WHICH CORRESPONDS TO THE CANADIAN COMPANY THAT SUBSTANTIALLY TRANSFORMED MERCHANDISE THAT WAS ORIGINALLY PRODUCED IN OTHER COUNTRIES INTO SUBJECT MERCHANDISE FROM CANADA. IN GENERAL, THE DEPOSIT RATE REQUIRED ON EACH ENTRY WILL BE THAT ASSIGNED FOR THAT REVIEW PERIOD TO THE CANADIAN COMPANY (MANUFACTURER OR EXPORTER) THAT SUBSTANTIALLY TRANSFORMED THE PRODUCT FOR AD PURPOSES, OR THE ALL OTHERS RATE IF THE COMPANY HAS NO RATE SPECIFICALLY ASSIGNED TO IT.

3. THE DEPARTMENT IS NOW INSTRUCTING CBP TO LIQUIDATE SUCH ENTRIES FROM CANADA SUSPENDED UNDER A-201-108, A-351-108, A-357-108, A-412-108, AND A-423-108 ACCORDING TO THE RATE ASSIGNED TO THE CANADIAN MANUFACTURER OR EXPORTER (A-122-822) FOR THE PERIOD 08/01/2003 THROUGH 07/31/2004. THE RATES APPLICABLE TO THE CANADIAN MANUFACTURERS OR EXPORTERS ARE THE FOLLOWING:

CASE NUMBER SUSPENDED: A-201-108-000
CANADIAN COMPANY NUMBER: A-122-822-000 (ALL OTHERS)
RATE: 18.71 PERCENT

CASE NUMBER SUSPENDED: A-351-108-001
CANADIAN COMPANY NUMBER: A-122-822-001 (DOFASCO/SOREVCO)
RATE: DOFASCO IMPORTER-SPECIFIC RATE IN PARAGRAPH 1 OF MESSAGE 6145202 DATED 05/25/2006.

CASE NUMBER SUSPENDED: A-357-108-999
CANADIAN COMPANY NUMBER: A-122-822-999 (UNKNOWN MFR.)

RATE: 18.71 PERCENT

CASE NUMBER SUSPENDED: A-412-108-000

CANADIAN COMPANY NUMBER: A-122-822-000 (ALL OTHERS)

RATE: 18.71 PERCENT

CASE NUMBER SUSPENDED: A-423-108-000

CANADIAN COMPANY NUMBER: A-122-822-000 (ALL OTHERS)

RATE: 18.71 PERCENT

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2003 THROUGH 07/31/2004, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (71 FR 13582) ON 03/16/2006.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR 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 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 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.

7. 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.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT 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 O6:SC).

9. 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