

MESSAGE NO: 6233202 MESSAGE DATE: 08/21/2006
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-428-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/09/1988 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR & ANTIDUMPING SCOPE RULING ON CERTAIN BALL BEARINGS FROM GERMANY FROM THE SCHAEFFLER GROUP (A-428-201)

MESSAGE NO: 6233202 DATE: 08 21 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 428 - 201 - -

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PERIOD COVERED: 11 09 1988 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR & ANTIDUMPING SCOPE RULING
ON CERTAIN BALL BEARINGS FROM GERMANY FROM THE
SCHAEFFLER GROUP (A-428-201)

1. ON 07/31/2006, IN RESPONSE TO A REQUEST FROM SCHAEFFLER KG AND SCHAEFFLER GROUP USA, INC. (SCHAEFFLER GROUP), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CERTAIN AUTOMOBILE STRUT COMPONENTS CONTAINING BALL BEARINGS MANUFACTURED IN GERMANY

(SCHAEFFLER GROUP PART NUMBERS F-234456, F-224294, F-210061, F-219876, F-230378, F-216546, AND 9191181) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING BALL BEARINGS AND PARTS THEREOF FROM GERMANY (A-428-201).

2. THE COMMERCE DEPARTMENT HAS PREVIOUSLY DETERMINED THAT ALL ITEMS OTHER THAN WHEEL HUB UNITS ENTERING UNDER TSUSA ITEM 692.3295 (FOR MISCELLANEOUS AUTOMOTIVE PARTS) WERE EXCLUDED FROM THE SCOPE OF THE ANTIDUMPING ORDER ON BALL BEARINGS FROM GERMANY. BECAUSE THE SCHAEFFLER GROUP STRUT COMPONENTS ARE ENTERED UNDER

HTSUS SUBHEADING 8708.99.7060, THE SUCCESSOR TO TSUSA ITEM 692.3295, AND ARE NOT WHEEL HUB UNITS, COMMERCE FOUND THAT THEY ARE NOT SUBJECT TO THE ANTIDUMPING ORDER ON BALL BEARINGS FROM GERMANY.

3. EFFECTIVE 07/31/2006, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988, OF SCHAEFFLER GROUP STRUT COMPONENTS CONTAINING THE PART NUMBERS LISTED IN PARAGRAPH ONE OF THIS MESSAGE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE STRUT COMPONENTS AS IDENTIFIED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION 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 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. UNLESS, OTHERWISE INSTRUCTED, CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF BALL BEARINGS SUBJECT TO THE ANTIDUMPING DUTY ORDER

COVERING BALL BEARINGS FROM GERMANY.

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:EAA).

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