

MESSAGE NO: 6234207 MESSAGE DATE: 08/22/2006
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6125204
MESSAGE #
(s):

CASE #(s): A-565-801

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2005 TO 01/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: RESCISSION OF AD ADMIN REV ON STAINLESS STEEL BUTT- -WELD PIPE FITTINGS FROM THE PHILIPPINES (A-565-801) TUNG FONG IND (-002) & ENLIN STEEL CORP (-001)

MESSAGE NO: 6234207

DATE: 08 22 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 6125204

REFERENCE DATE: 05 05 2006

CASES: A - 565 - 801

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PERIOD COVERED: 02 01 2005 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: RESCISSION OF AD ADMIN REV ON STAINLESS STEEL BUTT-

-WELD PIPE FITTINGS FROM THE PHILIPPINES (A-565-801)

TUNG FONG IND (-002) & ENLIN STEEL CORP (-001)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL BUTT-WELD PIPE FITTINGS FROM THE PHILIPPINES (A-565-801), COVERING THE PERIOD 02/01/2005 THROUGH 01/31/2006, HAS BEEN RESCINDED AT THE REQUEST OF THE PETITIONERS (THE REVIEW COVERED TUNG FONG INDUSTRIAL CO., INC. (A-565-801-002) AND ENLIN STEEL CORPORATION (A-565-801-001)). YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD LISTED BELOW

AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

STAINLESS STEEL BUTT-WELD PIPE FITTINGS

THE PHILIPPINES

A-565-801

PERIOD: 02/01/2005 THROUGH 01/31/2006

LIQUIDATE ALL ENTRIES FROM THE FOLLOWING FIRMS:

TUNG FONG INDUSTRIAL CO., INC. (A-565-801-002)

ENLIN STEEL CORPORATION (A-565-801-001)

2. NOTE THAT LIQUIDATION OF ALL ADDITIONAL ENTRIES OF STAINLESS STEEL BUTT-WELD PIPE FITTINGS FROM THE PHILIPPINES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2005 THROUGH 01/31/2006 WAS REFERENCED IN THE AUTOMATIC LIQUIDATION INSTRUCTIONS (SEE MESSAGE NUMBER 6125204, DATED 05/05/2006).

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED IN PARAGRAPH 1 ABOVE OCCURRED WITH THE PUBLICATION OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW (71 FR 38620) DATED 07/07/2006. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. 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 PAYS INTEREST ON OVERPAYMENTS, OR ASSESSES 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 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.

5. 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.

6. 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 OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:RMJ).

7. 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