

MESSAGE NO: 7080115 MESSAGE DATE: 03/21/1997
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-401-040

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1992 TO 05/31/1993

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON-REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS

MESSAGE NO: 7080115

DATE: 03 21 1997

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 401 - 040

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PERIOD COVERED: 06 01 1992 TO 05 31 1993

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NON-REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH
SECTION 353.22 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING FINDING FOR THE
PERIOD AND ON THE MERCHANDISE LISTED BELOW. THEREFORE, IN
ACCORDANCE WITH SECTION 353.22(e) OF THE COMMERCE DEPARTMENT

REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

MERCHANDISE/CASE NUMBER PERIOD

STAINLESS STEEL PLATE FROM SWEDEN

A-401-040 06/01/92-05/31/93

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. 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 THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRY SUMMARIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE

ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CR 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS ANTIDUMPING/COUNTERVAILING DUTY USING THE ATTRIBUTE " HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT FRED BAKER AT 202-482-2924, OF OFFICE 8, GROUP 3, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ
(ACTING)

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party