

MESSAGE NO: 6331112 MESSAGE DATE: 11/27/1995
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-357-803, C-507-601, C-549-701,
C-614-701

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1994 TO 12/31/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

MESSAGE NO: 6331112

DATE: 11 27 1995

CATEGORY: CVD

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: C - 357 - 803

C - 507 - 601

C - 614 - 701

C - 549 - 701

- -

- -

PERIOD COVERED: 01 01 1994 TO 12 31 1994

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, TECHNICAL PROGRAMS

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE DESCRIBED COUNTERVAILING DUTY ORDERS FOR THE JANUARY 1, 1994 THROUGH DECEMBER 31, 1994 REVIEW PERIOD.
2. THE COUNTERVAILING DUTY ORDERS AND CORRESPONDING MERCHANDISE COVERED BY THESE INSTRUCTIONS IS AS FOLLOWS:

LEATHER FROM ARGENTINA (C-357-803) COVERS SHIPMENTS FROM ARGENTINA OF BOVINE LEATHER (EXCLUDING UPPER AND LINING

LEATHER NOT EXCEEDING 28 SQUARE FEET, BUFFALO LEATHER, AND UPHOLSTERY LEATHER), SWINE, REPTILE (EXCLUDING VEGETABLE PRETANNED AND NOT FANCY REPTILE LEATHER), PATENT LEATHER, CALF AND KIP PATENT LAMINATED AND METALIZED LEATHER. THIS MERCHANDISE IS CURRENTLY CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE (HTS) ITEM NUMBERS 4104.10.60, 4104.10.80, 4104.21.00, 4104.22.00, 4104.29.50, 4104.29.90, 4104.31.50, 4104.31.60, 4104.31.80, 4104.39.50, 4104.39.60, 4104.39.80, 4105.12.00, 4105.19.00, 4105.20.30, 4105.20.60, 4107.10.00, 4107.29.60, 4107.90.30, 4107.90.60, 4109.00.30, 4109.00.40, AND 4109.00.70.

CERTAIN ROASTED IN-SHELL PISTACHIO NUTS FROM IRAN (C-507-601), WHETHER ROASTED IN IRAN OR ELSEWHERE, FROM WHICH THE HULLS HAVE BEEN REMOVED, LEAVING THE INNER HARD SHELLS AND THE EDIBLE MEAT. SUCH MERCHANDISE IS CLASSIFIABLE UNDER HTS ITEM NUMBER 2008.19.30.

CERTAIN STEEL WIRE NAILS FROM NEW ZEALAND (C-614-701) INCLUDING ONE-PIECE ROUND WIRE, TWO-PIECE ROUND WIRE, STEEL WIRE SHANKS AND LEAD HEADS. SUCH MERCHANDISE IS CLASSIFIABLE UNDER HTS ITEM NUMBERS 7317.00.55, 7317.00.65, AND 7317.00.75.

CERTAIN STEEL NAILS FROM THAILAND (C-549-701) INCLUDING ONE-PIECE ROUND WIRE NAILS. SUCH MERCHANDISE IS CLASSIFIABLE UNDER HTS ITEM NUMBER 7317.00.55.

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3. THEREFORE, IN ACCORDANCE WITH SECTION 355.22(G) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON LEATHER FROM ARGENTINA AND ROASTED IN-SHELL PISTACHIOS NUTS FROM IRAN EXPORTED ON OR AFTER JANUARY 1, 1994 AND ON OR BEFORE DECEMBER 31, 1994. IN ADDITION, IN ACCORDANCE WITH SECTION 355.22(G) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE

TIME OF ENTRY ON NAILS FROM NEW ZEALAND AND THAILAND EXPORTED ON OR AFTER JANUARY 1, 1994 WHICH ENTERED ON OR BEFORE DECEMBER 31, 1994.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

LEATHER

ARGENTINA

ULTRAHIDE C-357-803-001 01/01/94-12/31/94 24.16 PERCENT

ESPOSITO C-357-803-002 01/01/94-12/31/94 8.02 PERCENT

ALL OTHER FIRMS C-357-803-000 01/01/94-12/31/94 14.97 PERCENT

ROASTED IN-SHELL

PISTACHIOS NUTS

IRAN

ALL FIRMS C-507-601 01/01/94-12/31/94 317.89 PERCENT

STEEL WIRE NAILS

NEW ZEALAND

PERSON KNOWLES &

RYLAND BROTHERS C-614-701-001 01/01/94-12/31/94 ZERO PERCENT

CONSOLIDATED METAL

INDUSTRIES C-614-701-002 01/01/94-12/31/94 ZERO PERCENT

ALL OTHER FIRMS C-614-701-000 01/01/94-12/31/94 1.52 PERCENT

STEEL WIRE NAILS

THAILAND

ALL FIRMS C-549-701 01/01/94-12/31/94 ZERO PERCENT

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR LEATHER FROM ARGENTINA AND ROASTED IN-SHELL PISTACHIO NUTS FROM IRAN EXPORTED ON OR AFTER JANUARY 1, 1994 AND ON OR BEFORE DECEMBER 31, 1994 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THIS MERCHANDISE EXPORTED AFTER DECEMBER 31, 1994 WILL CONTINUE. THE COUNTERVAILING DUTY ORDERS ON NAILS FROM THAILAND AND NEW ZEALAND HAVE BEEN REVOKED ON AUGUST 9, 1994, FOR ENTRIES MADE ON OR AFTER JANUARY 1, 1995.

THEREFORE, WITH THE ISSUANCE OF THIS EMAIL, SUSPENSION OF LIQUIDATION HAS BEEN LIFTED FOR ALL PERIODS AND EFFECTIVE AUGUST 9, 1995, SUSPENSION OF LIQUIDATION HAS BEEN TERMINATED.

6. THE ASSESSMENT OF COUNTERVAIING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAYS INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVIALING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED COUNTERVAILING 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.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THEOFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE (202) 482-2786.

8. 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