

MESSAGE NO: 7142112 MESSAGE DATE: 05/22/1997
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: OTH-Other PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-832

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/20/1995 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CLARIFICATION OF ANTIDUMPING ORDER PURE MAGNESIUM FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-832)

MESSAGE NO: 7142112 DATE: 05 22 1997

CATEGORY: ADA TYPE: OTH

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 832 - -

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PERIOD COVERED: 12 20 1995 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: CLARIFICATION OF ANTIDUMPING ORDER PURE MAGNESIUM FROM
THE PEOPLE'S REPUBLIC OF CHINA (A-570-832)

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON DECEMBER 20, 1995, NOTICE OF ITS AMEDNDED ANTIDUMPING DUTY
ORDER IN THE ANTIDUMPING DUTY INVESTIGATION OF PURE MAGNESIUM
FROM THE PEOPLE'S REPUBLIC OF CHINA. THIS NOTICE CLARIIFIES THE
PRODUCT COVERAGE OF THE ANTIDUMPING ORDER AND REVISES PARAGRAPH 2

OF MESSAGE OF 6228111 DATED 8/15/96.

2. THE PRODUCT COVERED BY THIS ORDER IS PURE PRIMARY MAGNESIUM

REGARDLESS OF CHEMISTRY, FORM OR SIZE UNLESS EXPRESSLY EXCLUDED FROM THE SCOPE OF THIS ORDER. PURE PRIMARY MAGNESIUM ENCOMPASSES PRODUCTS (INCLUDING, BUT NOT LIMITED TO, BUTT ENDS, STUBS, CROWNS AND CRYSTALS) WITH THE FOLLOWING PRIMARY MAGNESIUM CONTENTS:

(1) PRODUCTS THAT CONTAIN AT LEAST 99.95% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM);

(2) PRODUCTS THAT CONTAIN LESS THAN 99.95%, BUT NOT LESS THAN 99.8% PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM); AND

(3) PRODUCTS (GENERALLY REFERRED TO AS "OFF SPECIFICATION PURE" MAGNESIUM) THAT CONTAIN 50% OR GREATER, BUT LESS THAN 99.8%, PRIMARY MAGNESIUM, BY WEIGHT, AND THAT DO NOT CONFORM TO ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM.

"OFF SPECIFICATION PURE" MAGNESIUM IS PURE PRIMARY MAGNESIUM CONTAINING MAGNESIUM SCRAP, SECONDARY MAGNESIUM, OXIDIZED MAGNESIUM

OR IMPURITIES (WHETHER OR NOT INTENTIONALLY ADDED) THAT CAUSE THE PRIMARY MAGNESIUM CONTENT TO FALL BELOW 99.8% BY WEIGHT. IT GENERALLY DOES NOT CONTAIN, INDIVIDUALLY OR IN COMBINATION, 1.5% OR MORE BY WEIGHT, OF THE FOLLOWING ALLOYING ELEMENTS: ALUMINUM, MANGANESE, ZINC, SILICON, THORIUM, ZIRCONIUM AND RARE EARTHS.

IF ENTRY DOCUMENTATION FAILS TO ESTABLISH THAT THE PURE PRIMARY MAGNESIUM CONTENT OF THE IMPORTED MERCHANDISE FALLS OUTSIDE OF THE ABOVE-DESCRIBED PARAMETERS, THEN LIQUIDATION SHALL BE SUSPENDED AND APPROPRIATE ANTIDUMPING DUTY DEPOSITS COLLECTED UNLESS THE MERCHANDISE IS EXPRESSLY EXCLUDED FROM THE ORDERS AS DESCRIBED BELOW.

THE ONLY PRIMARY MAGNESIUM PRODUCTS THAT ARE EXCLUDED FROM THE SCOPE OF THIS ORDER ARE ALLOY PRIMARY MAGNESIUM (THAT MEETS ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM), PRIMARY MAGNESIUM ANODES, GRANULAR PRIMARY MAGNESIUM (INCLUDING TURNINGS, CHIPS AND

POWDERS) HAVING A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF ONE INCH OR LESS, SECONDARY MAGNESIUM (WHICH HAS A PURE PRIMARY MAGNESIUM CONTENT OR LESS THAN 50% BY WEIGHT), AND REMELTED MAGNESIUM WHOSE PURE PRIMARY MAGNESIUM CONTENT IS LESS THAN 50%, BY WEIGHT. IF THE ENTRY DOCUMENTATION FAILS TO ESTABLISH THAT THE IMPORTED MERCHANDISE (1)MEETS ASTM SPECIFICATIONS FOR ALLOY MAGNESIUM; (2)HAS A MAXIMUM PHYSICAL DIMENSION (I.E., LENGTH OR DIAMETER) OF ONE INCH OR LESS; (3)IS SECONDARY MAGNESIUM WHICH HAS A PURE PRIMARY MAGNESIUM CONTENT OF LESS THAN 50% BY WEIGHT; OR (4) IS REMELTED MAGNESIUM WHOSE PURE PRIMARY MAGNESIUM CONTENT IS LESS THAN 50%, BY WEIGHT, THEN LIQUIDATION SHALL BE SUSPENDED AND APPROPRIATE ANTIDUMPING DUTY DEPOSITS COLLECTED.

PURE MAGNESIUM PRODUCTS COVERED BY THIS ORDER ARE CLASSIFIABLE UNDER HTS SUBHEADINGS 8104.11.00, 8104.19.00, 8104.20.00, 8104.30.00, 8104.90.00,3824.90.11, 3824.90.19, AND 9817.00.90.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING DOC CASE NUMBER:(A-570-832).

4. THE U.S. CUSTOMS SERVICE SHALL, EXCEPT AS NOTED ABOVE, CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRY SUMMARIES OF PURE MAGNESIUM FROM THE PEOPLE'S REPUBLIC OF CHINA THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER

7, 1994. EFFECTIVE MAY 12, 1995, CUSTOMS SHALL, EXCEPT AS NOTED ABOVE, REQUIRE A CASH DEPOSIT FOR SUCH ENTRY SUMMARIES OF THE SUBJECT MERCHANDISE ACCORDING TO THE FOLLOWING SCHEDULE.

MANUFACTURER/ EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
PRC WIDE RATE	A-570-832-000	108.26%

5. 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 ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT ELLEN GREBASH, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, TELEPHONE (202)482-3773.

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

BYLLE PATTERSON
(ACTING)

Company Details

*Party Indicator Value:

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