

MESSAGE NO: 7181118 MESSAGE DATE: 06/30/1997  
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-122-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/06/1991 TO 12/31/1992

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR PURE AND ALLOY MAGNESIUM FROM CANADA  
(C-122-815) FOR THE PERIOD 12/6/91 THROUGH 12/31/92

MESSAGE NO: 7181118 DATE: 06 30 1997

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 122 - 815 - -

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PERIOD COVERED: 12 06 1991 TO 12 31 1992

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,  
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: LIQUIDATION INSTRUCTIONS FOR PURE AND ALLOY MAGNESIUM  
FROM CANADA (C-122-815) FOR THE PERIOD  
12/6/91 THROUGH 12/31/92

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER OF MARCH 24, 1997 (62 FR 13847), THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER (C-122-815) ON PURE AND ALLOY MAGNESIUM FROM CANADA FOR THE 12/06/91 - 12/31/92 PERIOD.

2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF PURE AND ALLOY MAGNESIUM FROM CANADA. PURE MAGNESIUM CONTAINS AT LEAST 99.8 PERCENT MAGNESIUM BY WEIGHT AND IS SOLD IN VARIOUS SLAB AND INGOT

FORMS AND SIZES. MAGNESIUM ALLOYS CONTAIN LESS THAN 99.8 PERCENT MAGNESIUM BY WEIGHT WITH MAGNESIUM BEING THE LARGEST METALLIC ELEMENT IN THE ALLOY BY WEIGHT, AND ARE SOLD IN VARIOUS INGOT AND BILLET FORMS AND SIZES. SECONDARY AND GRANULAR MAGNESIUM ARE NOT INCLUDED IN THE SCOPE OF THE ORDERS. PURE AND ALLOY MAGNESIUM ARE CURRENTLY PROVIDED FOR IN SUBHEADINGS 8104.11.0000 AND 8104.19.0000, RESPECTIVELY OF THE HARMONIZED TARIFF SCHEDULE ("HTS"). ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. THE NET SUBSIDY WAS FOUND TO BE 9.86 PERCENT AD VALOREM FOR THE PERIOD 12/06/91 THROUGH 04/03/92 AND 9.86 PERCENT AD VALOREM FOR THE PERIOD 09/01/92 THROUGH 12/31/92. THE PERIOD 04/04/92 THROUGH 08/31/92 IS NOT SUBJECT TO ANY COUNTERVAILING DUTIES.

4. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO ASSESS COUNTERVAILING DUTIES OF 9.86 PERCENT OF THE ENTERED VALUE ON ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/06/91 AND ON OR BEFORE 04/03/92, 9.86 PERCENT OF THE ENTERED VALUE ON ALL SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER

09/01/92 EXPORTED ON OR BEFORE 12/31/92. SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN, FROM WAREHOUSE, ON OR AFTER 04/04/92 AND ON OR BEFORE 08/31/92 SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES.

5. THE ASSESSMENT OF ANTIDUMPING 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 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. PLEASE NOTE THAT THE ASSESSMENT OF COUNTERVAILING DUTIES ON ENTRY SUMMARIES MADE ON OR AFTER THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION AND BEFORE THE INTERNATIONAL TRADE COMMISSION'S FINAL AFFIRMATIVE INJURY DETERMINATION CANNOT EXCEED THE AMOUNT OF CASH DEPOSIT OR BOND IN EFFECT AT THE TIME OF ENTRY SUMMARY.

7. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/92 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRY SUMMARIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/92 WILL CONTINUE.

8. 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." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT CYNTHIA THIRUMALAI OF OFFICE 1, GROUP I, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE, AT 202 482-4087.

9. 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