

MESSAGE NO: 7190111 MESSAGE DATE: 07/09/1997
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: 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: LIQUIDATION FOR PURE AND ALLOY MAGNESIUM FROM CANADA (C-122-815)
FOR THE PERIOD 1/1/94 THROUGH 12/31/9494

MESSAGE NO: 7190111 DATE: 07 09 1997

CATEGORY: CVD TYPE: LIQ

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CASES: C - 122 - 815 - -

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PERIOD COVERED: 01 01 1994 TO 12 31 1994

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: LIQUIDATION FOR PURE AND ALLOY MAGNESIUM FROM CANADA
(C-122-815) FOR THE PERIOD 1/1/94 THROUGH 12/31/9494

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER OF APRIL 17, 1997 (62 FR 18749), THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEWS OF THE COUNTERVAILING DUTY ORDERS (C-122-815) ON PURE AND ALLOY MAGNESIUM FROM CANADA FOR THE 1/1/94 - 12/31/94 PERIOD.

2. IMPORTS COVERED BY THE REVIEWS 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, OUR WRITTEN DESCRIPTION OF THE SCOPES OF THESE PROCEEDINGS IS DISPOSITIVE.

3. THE NET SUBSIDY WAS FOUND TO BE 4.48 PERCENT AD VALOREM FOR THE PERIOD 1/1/94 THROUGH 12/31/94.

4. ACCORDINGLY, YOU ARE TO LIQUIDATE AT 4.48 PERCENT OF THE ENTERED VALUE ALL SHIPMENTS OF PURE AND ALLOY MAGNESIUM FROM CANADA EXPORTED ON OR AFTER 1/1/94 AND ON OR BEFORE 12/31/94, EXCEPT FOR SHIPMENTS BY TIMMINCO LIMITED WHICH HAS BEEN EXCLUDED FROM THE SCOPES OF THESE ORDERS.

5. THE ASSESSMENT OF COUNTERVAILING 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 COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCUALTED 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.

6. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE ENTERED ON OR AFTER 1/1/94 AND ON OR BEFORE 12/31/94 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRY SUMMARIES OF THIS MERCHANDISE ENTERED ON OR AFTER 1/1/93 AND ON OR BEFORE

12/31/93, AND AFTER 12/31/94 WILL CONTINUE.

7. 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.

8. 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