

MESSAGE NO: 7298116 MESSAGE DATE: 10/24/1996  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: SCO-Scope PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-412-602

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/08/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING SCOPE RULING ON CERTAIN FORGED STEEL CRANKSHAFTS  
FROM THE UNITED KINGDOM (A-412-602)

MESSAGE NO: 7298116 DATE: 10 24 1996

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 412 - 602 - -

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PERIOD COVERED: 10 08 1996 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,  
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: ANTIDUMPING SCOPE RULING ON CERTAIN FORGED STEEL  
CRANKSHAFTS FROM THE UNITED KINGDOM (A-412-602)

1. ON 10/08/96, IN RESPONSE TO A REQUEST BY CLARKES CRANKSHAFTS LTD.,(CLARKES) THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT OPEN DIE, HAND FORGED STEEL CRANKSHAFTS (OPEN DIE CRANKSHAFTS) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN FORGED STEEL CRANKSHAFTS FROM THE UNITED KINGDOM (A-412-602).

2. THE COMMERCE DEPARTMENT DETERMINED THAT, BASED ON THE INFORMATION IN THE RECORD OF THE SCOPE INQUIRY, THE DESCRIPTION

OF THE CLASS OR KIND OF MERCHANDISE IN THE PETITION, THE LESS-THAN-FAIR-VALUE INVESTIGATION, THE ANTIDUMPING DUTY ORDER, AND THE ADMINISTRATIVE REVIEWS COVERED CRANKSHAFTS PRODUCED BY THE CLOSED DIE PROCESS RATHER THAN THE OPEN DIE PROCESS USED BY CLARKES. ALSO, IT NOTES THAT A DISTINCTION WAS MADE BETWEEN THE USE OF THE SUBJECT MERCHANDISE AND THE USE OF CLARKES' MERCHANDISE, AS EMPHASIZED BY THE ASSIGNMENT OF DIFFERENT TSUS ITEM NUMBERS. FINALLY, COMMERCE NOTES THAT THE RESPONDENT NAMED IN THE PETITION WAS THE ONLY KNOWN EXPORTER OF THE SUBJECT MERCHANDISE, EVEN THOUGH CLARKES WAS EXPORTING OPEN DIE CRANKSHAFTS AT THE TIME OF THE ORIGINAL INVESTIGATION. BASED ON THE TOTALITY OF THIS INFORMATION, OPEN DIE CRANKSHAFTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN FORGED STEEL CRANKSHAFTS FROM THE UNITED KINGDOM.

3. THEREFORE, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRY SUMMARIES, REGARDLESS OF ENTRY SUMMARY DATE, OF OPEN DIE, HAND FORGED STEEL CRANKSHAFTS IDENTIFIED ABOVE.
4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO OPEN DIE, HAND FORGED STEEL CRANKSHAFTS IDENTIFIED ABOVE.
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 UNDER PAYMENTS, 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRY SUMMARIES OF CERTAIN FORGED STEEL CRANKSHAFTS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CERTAIN FORGED STEEL CRANKSHAFTS FROM THE UNITED KINGDOM.
  
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." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT DAVID DIRSTINE AT 202-482-4033, OF THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.
  
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

WILLIAM D. SLYNE

## Company Details

\*Party Indicator Value:

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