

MESSAGE NO: 8119111 MESSAGE DATE: 04/29/1998
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-588-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/16/1998 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 3.5 INCH MICRODISK AND COATED MEDIA FROM JAPAN (A-588-802)

MESSAGE NO: 8119111 DATE: 04 29 1998

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 802 - -

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PERIOD COVERED: 04 16 1998 TO

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: ANTIDUMPING SCOPE RULING ON 3.5 INCH MICRODISK AND COATED MEDIA FROM JAPAN (A-588-802)

1. ON APRIL 16, 1998, IN RESPONSE TO A REQUEST BY FUJI PHOTO FILM CO., LTD. AND FUJI PHOTO FILM U.S.A., INC. (FUJIFILM) AND SONY CORPORATION AND SONY ELECTRONICS INC. (SONY) THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT FUJIFILM'S AND SONY'S HIGH CAPACITY FLOPPY DISKS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING 3.5 INCH MICRODISKS AND COATED MEDIA FROM JAPAN (A-588-802).

HIGH CAPACITY FLOPPY DISKS MERIT A NEGATIVE SCOPE RULING

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BECAUSE OF A DIFFERENT DRIVE UTILIZED IN RETRIEVING DATA AS WELL AS THE INHERENT CHARACTERISTICS OF HIGH CAPACITY FLOPPY DISKS. THEREFORE, FUJIFILM'S AND SONY'S HIGH CAPACITY FLOPPY DISKS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING 3.5 INCH MICRODISKS AND COATED MEDIA FROM JAPAN.

3. ACCORDINGLY, EFFECTIVE APRIL 16, 1998, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRY SUMMARIES, REGARDLESS OF ENTRY SUMMARY DATE, OF FUJIFILM'S AND SONY'S HIGH CAPACITY FLOPPY DISKS.
 4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE HIGH CAPACITY FLOPPY DISKS LISTED 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 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRY SUMMARIES OF 3.5" MICRODISKS AND COATED MEDIA FROM JAPAN.
 7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT RUSSELL MORRIS AT 202-482-1167, OF THE OFFICE OF CVD/AD ENFORCEMENT VI, IMPORT ADMINISTRATION,
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INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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