

MESSAGE NO: 8357113 MESSAGE DATE: 12/23/1997
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-428-814, A-428-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/04/1993 TO 07/31/1996

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON/REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS

MESSAGE NO: 8357113

DATE: 12 23 1997

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 428 - 814

A - 428 - 815

- - - -
- - - -

PERIOD COVERED: 02 04 1993 TO 07 31 1996

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: NON/REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH
SECTION 353.22 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER
FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT
FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION

353.22(e) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

MERCHANDISE/CUSTOMS CASE NUMBER PERIOD

COLD-ROLLED CARBON STEEL FROM GERMANY

(A-428-814) 08/18/93-07/31/94

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

THYSSEN

COLD-ROLLED CARBON STEEL FROM GERMANY

(A-428-814) 08/01/94-07/31/95

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

COLD-ROLLED CARBON STEEL FROM GERMANY

(A-428-814) 08/01/95-07/31/96

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

CORROSION-RESISTANT CARBON STEEL FROM GERMANY

(A-428-815) 02/04/93-07/31/94

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

CORROSION-RESISTANT CARBON STEEL FROM GERMANY

(A-428-815) 08/01/94-07/31/95

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

CORROSION-RESISTANT CARBON STEEL FROM GERMANY

(A-428-815) 08/01/95-07/31/96

LIQUIDATE ALL ENTRIES FOR ALL FIRMS

- ENTRY SUMMARIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW. THE EXCEPTED FIRMS CAN BE MANUFACTURERS/PRODUCERS, EXPORTERS, OR MANUFACTURER/PRODUCER/EXPORTER COMBINATIONS. UNLESS NOTED

OTHERWISE ASSUME THE EXCEPTED FIRMS ARE
MANUFACTURERS/PRODUCERS.

FOR LISTED MANUFACTURERS/PRODUCERS, LIQUIDATION IS TO BE
SUSPENDED ON ALL SHIPMENTS OF MERCHANDISE PRODUCED BY THOSE
FIRMS REGARDLESS OF EXPORTER. CUSTOMS MUST ASCERTAIN
MANUFACTURERS/PRODUCERS OF ALL ENTRY SUMMARIES OF THIS
MERCHANDISE. IF THE LISTED FIRM IS SPECIFICALLY IDENTIFIED
AS AN EXPORTER, SUSPEND ALL ENTRY SUMMARIES THAT IN ANY WAY
INVOLVE THIS EXPORTER. IF THE EXCEPTED FIRM IS A
MANUFACTURER/PRODUCER/EXPORTER COMBINATION THE SUSPENSION
INSTRUCTIONS APPLY ONLY TO ENTRY SUMMARIES THAT INVOLVE THIS
COMBINATION OF FIRMS.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE
MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO
COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR
THE MERCHANDISE AT THE CURRENT RATES.

 5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE
ON SHIPMENTS OR ENTRY SUMMARIES 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 OF PAYMENT OF ESTIMATED
ANTIDUMPING DUTIES 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD
REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT
AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT
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REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

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 LINDA LUDWIG AT 202-482-3833, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, 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