

MESSAGE NO: 9083111 MESSAGE DATE: 03/24/1999  
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-412-811

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/17/1992 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 INSTRUCTUIONS FOR CERTAIN HOT ROLLED LEAD & BISMUTH CARBON STEEL PRODUCTS FROM UNITED KINGDON (C-412-811) NOTICE OF COURT DECISION ON FINAL RESULTS

MESSAGE NO: 9083111 DATE: 03 24 1999

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 412 - 811 - -

- - - -

- - - -

PERIOD COVERED: 09 17 1992 TO 12 31 1994

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS

PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: LIQUIDATION INSTRUCTUIONS FOR CERTAIN HOT ROLLED LEAD & BISMUTH CARBON STEEL PRODUCTS FROM UNITED KINGDON (C-412-811) NOTICE OF COURT DECISION ON FINAL RESULTS

1. AS A RESULT OF THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT'S (CAFC) DECISION IN INLAND STEEL BAR V. UNITED STATES, 155 F.3D 1370; FED. CIR. 1998, THE PARTIES MOVED THE U.S. COURT OF INTERNATIONAL TRADE (CIT) TO AFFIRM THE COMMERCE DEPARTMENT'S FINAL AFFIRMATIVE COUNTERVAILING DUTY (CVD) DETERMINATION OF CERTAIN HOT-ROLLED LEAD AND BISMUTH CARBON STEEL PRODUCTS FROM THE UNITED KINGDOM (C-412-811) PUBLISHED AT 58 FR 6237; JAN. 27, 1993, AS REVISED BY THE DEPARTMENT'S REMAND DETERMINATION OF

OCTOBER 12, 1993. IN AN ORDER DATED DECEMBER 18, 1998, THE CIT AFFIRMED THE FINAL DETERMINATION AND DISMISSED THE CASE.

2. ALSO, AS A RESULT OF THE CAFC'S INLAND DECISION, THE PARTIES MOVED THE CIT TO AFFIRM THE COMMERCE DEPARTMENT'S FINAL RESULTS OF CVD REVIEW IN CERTAIN HOT-ROLLED LEAD AND BISMUTH CARBON STEEL PRODUCTS FROM THE UNITED KINGDOM (C-412-811) FOR THE PERIOD SEPTEMBER 17, 1992 THROUGH DECEMBER 31, 1993, PUBLISHED AT 60 FR 54841; OCT.26, 1995. IN AN ORDER DATED DECEMBER 18, 1998, THE CIT AFFIRMED THE FINAL RESULTS, LIFTED THE INJUNCTION OF JUNE 13, 1994 WHICH ENJOINED LIQUIDATION OF ENTRIES FOR THIS PERIOD OF REVIEW, AND DISMISSED THE CASE.

3. FINALLY, AS A RESULT OF THE CAFC'S INLAND DECISION, THE PARTIES MOVED THE CIT TO AFFIRM THE COMMERCE DEPARTMENT'S FINAL RESULTS OF CVD REVIEW IN CERTAIN HOT-ROLLED LEAD AND BISMUTH CARBON STEEL PRODUCTS FROM THE UNITED KINGDOM (C-412-811) FOR THE PERIOD JANUARY 1, 1994 THROUGH DECEMBER 31, 1994, PUBLISHED AT 61 FR 58377; NOV. 14, 1996. IN AN ORDER DATED DECEMBER 18, 1998, THE CIT AFFIRMED THE FINAL RESULTS, LIFTED THE INJUNCTION OF JUNE 13, 1994 WHICH ENJOINED LIQUIDATION OF ENTRIES FOR THIS PERIOD OF REVIEW, AND DISMISSED THE CASE.

4. ACCORDINGLY, YOU ARE INSTRUCTED TO LIQUIDATE ALL OUTSTANDING ENTRIES OF CERTAIN HOT-ROLLED LEAD AND BISMUTH CARBON STEEL PRODUCTS FROM THE UNITED KINGDOM AT THE PERCENT LISTED BELOW FOR MERCHANDISE EXPORTED DURING THE FOLLOWING PERIODS. IF PARAGRAPHS 5 AND 6 OF THIS MESSAGE APPLY, THEN LIQUIDATE ACCORDING TO PARAGRAPHS 5 AND 6.

PRODUCER/ EXPORTER	CUSTOMS ID	PERIOD RATE	AD VALOREM
ASW LIMITED	(C-412-811-002)	09/17/1992-01/26/1993	0.00
		01/27/1993-12/31/1993	20.33
		01/01/1994-12/31/1994	20.33

UES (C-412-811-003) 09/17/1992-12/31/1992 0.67

01/01/1993-01/14/1993	0.67
03/22/1993-12/31/1993	2.68
01/01/1994-12/31/1994	1.69

ALL OTHERS (C-412-811-000) 09/17/1992-12/31/1992 0.67

01/01/1993-01/14/1993	0.67
03/22/1993-12/31/1993	9.76
01/01/1994-12/31/1994	9.76

5. WHERE ANY SHIPMENTS OF THIS MERCHANDISE ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER 01/15/1993 AND ON OR BEFORE 03/21/1993 DUTIES AND THE DATES OF EXPORTATION AND CONCOMITANT RATES SET IN PARAGRAPH 4. SHOULD BE DISREGARDED.

6. SHIPMENTS OF THIS MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER 01/15/1993 AND ON OR BEFORE 03/21/1993 SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES.

7. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR 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 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 CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING 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.

8. PLEASE NOTE THAT THE ASSESSMENT OF COUNTERVAILING DUTIES ON ENTRIES 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.

9. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/1994 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THIS MERCHANDISE EXPORTED ON OR AFTER 01/01/1995 WILL CONTINUE.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE AT (202) 482-2786.

11. 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