

MESSAGE NO: 9223112 MESSAGE DATE: 08/11/1999
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-351-826, A-357-809, A-428-820,
A-475-814

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/25/1999 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 SMALL DIAMETER CIRCULAR SEAMLESS
CARBON & ALLOY STEEL STANDARD , LINE PRESSURE PIPE FROM
GERMANY, ARGENTIA, BRAZIL, AND ITALY

MESSAGE NO: 9223112

DATE: 08 11 1999

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 428 - 820

A - 357 - 809

A - 351 - 826

A - 475 - 814

- -

- -

PERIOD COVERED: 06 25 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: ANTIDUMPING SCOPE RULING ON SMALL DIAMETER CIRCULAR
SEAMLESS CARBON & ALLOY STEEL STANDARD , LINE PRESSURE
PIPE FROM GERMANY, ARGENTIA, BRAZIL, AND ITALY

1. ON 06/25/1999, IN RESPONSE TO A REQUEST BY CHICAGO P.P.L.,
INC., ON BEHALF OF ITS PARENT POPPE & POTTHOFF GMBH & CO.,
THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT
CERTAIN HIGH PRESSURE TUBING WHICH CONFORM TO NOTED PHYSICAL
CHARACTERISTICS AND ARE MANUFACTURED TO THE SPECIFICATIONS:
ISO 8535-1, DIN 2391, DIN 2393, DIN 17124, DIN 17204, DIN
17210, DIN 17211, DIN 17212, EN 10305-1, EN 10305-2 AND ASTM
A-519, WHEN NOT USED IN A STANDARD, LINE OR PRESSURE

APPLICATION ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER/FINDING COVERING SMALL DIAMETER CIRCULAR SEAMLESS CARBON AND ALLOY STEEL STANDARD, LINE AND PRESSURE PIPE FROM GERMANY, ARGENTINA, BRAZIL AND ITALY, A-428-820, A-357-809, A-351-826, A-475-814.

2. BASED ON THE RECORD EVIDENCE, SCOPE LANGUAGE IN THE ORDER AND THE FACT THAT NO EVIDENCE OF SUBSTITUTION HAS BEEN SUBMITTED, THE COMMERCE DEPARTMENT HAS DETERMINED THAT CERTAIN HIGH PRESSURE TUBING MEETING NOTED SPECIFICATIONS: ISO 8535-1, DIN 2391, DIN 2393, DIN 17124, DIN 17204, DIN 7210, DIN 17211, DIN 17212, EN 10305-1, EN 10305-2 AND ASTM A-519 IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING SMALL DIAMETER CIRCULAR SEAMLESS CARBON AND ALLOY STEEL STANDARD, LINE & PRESSURE PIPE FROM GERMANY, ARGENTINA, BRAZIL AND ITALY WHEN IT HAS NOT BEEN

DEMONSTRATED THAT IT IS USED IN A STANDARD, LINE OR PRESSURE APPLICATION. THE DEPARTMENT OF COMMERCE DECIDED IN ITS FINAL DETERMINATION THAT NO END-USER CERTIFICATE WOULD BE REQUIRED " UNTIL SUCH TIME AS PETITIONERS OR OTHER INTERESTED PARTIES PROVIDE A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT SUBSTITUTION IS OCCURRING." PETITIONERS HAVE NOT PROVIDED THE DEPARTMENT OF COMMERCE WITH ANY INFORMATION WHICH PROVIDES A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT THE NOTED PIPE IS BEING USED IN STANDARD, LINE OR PRESSURE APPLICATIONS. IN THE ABSENCE OF THIS INFORMATION, THIS MATERIAL SHOULD BE CONSIDERED NON-SUBJECT MERCHANDISE. THEREFORE, CERTAIN HIGH PRESSURE TUBING MEETING NOTED SPECIFICATIONS: ISO 8535-1, DIN 2391, DIN 2393, DIN 17124, DIN 17204, DIN 17210, DIN 17211, DIN 17212, EN 10305-1, EN 10305-2 AND ASTM A-519 SHOULD NOT BE SUBJECT TO THE SUSPENSION OF LIQUIDATION AT THIS TIME.

3. EFFECTIVE 06/25/1999, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF HIGH PRESSURE TUBING MEETING NOTED SPECIFICATIONS: ISO 8535-1, DIN 2391, DIN 2393, DIN 17124, DIN 17204, DIN

17210, DIN 17211, DIN 17212, EN 10305-1, EN 10305-2 AND
ASTM A-519.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE HIGH PRESSURE TUBING MEETING THE NOTED SPECIFICATIONS: ISO 8535-1, DIN 2391, DIN 2393, DIN 17124, DIN 17204, DIN 17210, DIN 17211, DIN 17212, EN 10305-1, EN 10305-2 AND ASTM A-519.

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 ENTRIES OF SMALL DIAMETER CIRCULAR SEAMLESS CARBON AND ALLOY STEEL STANDARD, LINE & PRESSURE PIPE FROM GERMANY, ARGENTINA, BRAZIL, AND ITALY SUBJECT TO THE ANTIDUMPING DUTY ORDER.

7. 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." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT PHYLLIS HALL AT 202-482-1398, 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