

MESSAGE NO: 9165112 MESSAGE DATE: 06/14/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ADM PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8352114
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/11/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN CASED PENCILS FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-827)

MESSAGE NO: 9165112

DATE: 06 14 1999

CATEGORY: ADA

TYPE: ADM

REFERENCE: 8352114

REFERENCE DATE: 12 18 1997

CASES: A - 570 - 827

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PERIOD COVERED: 05 11 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN CASED PENCILS
FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-827)

1. ON 02/02/1999, THE U.S. COURT OF APPEALS FOR THE FEDERAL
CIRCUIT ISSUED ITS MANDATE FROM ITS 12/11/1998 DECISION
AFFIRMING THE DETERMINATION MADE BY THE DEPARTMENT OF
COMMERCE PURSUANT TO A VOLUNTARY REMAND RELATING TO
COMMERCE'S FINAL DETERMINATION OF SALES AT LESS THAN
FAIR VALUE ON CERTAIN CASED PENCILS FROM THE PRC. (SEE ALSO
MESSAGE 8352114 DATED 12/18/1997 AND MESSAGE 5010117 DATED
01/10/1995.)

2. ON 05/11/1999, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS NOTICE OF AMENDED FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND AMENDED ANTIDUMPING DUTY ORDER IN ACCORDANCE WITH THE FINAL COURT DECISION IN THIS CASE (64 FR 25275). THIS AMENDED FINAL DETERMINATION AND AMENDED ANTIDUMPING DUTY ORDER CHANGES THE CASH DEPOSIT RATES FOR CHINA FIRST CO. LTD. AND SHANGHAI FOREIGN TRADE CORP. IT ALSO INCLUDES IN THE ORDER ALL CHINA FIRST EXPORTS THAT WERE PREVIOUSLY EXCLUDED FROM THE ORDER.
3. THE CASH DEPOSIT RATE FOR ANY OTHER COMPANY NOT INCLUDED IN THESE INSTRUCTIONS REMAINS THE SAME.
4. FOR SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/11/1999, THE CASH DEPOSIT REQUIREMENTS ARE AS FOLLOWS:

PRODUCER OR EXPORTER DEPOSIT RATE:

CHINA FIRST CO. LTD. 8.60 PERCENT A-570-827-004

SHANGHAI FOR. TRD. CORP. 11.15 PERCENT A-570-827-002

5. THE CASH DEPOSIT RATE FOR CHINA FIRST CO. LTD. IS APPLICABLE TO ALL SHIPMENTS INVOLVING CHINA FIRST CO. LTD. OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/11/1999, IRRESPECTIVE OF THE IDENTITY OF THE PRODUCER. THIS IS ALSO THE CASE FOR SHANGHAI FOREIGN TRADE CORP.
6. THESE CASH DEPOSIT RATES WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW.
7. DO NOT LIQUIDATE ANY ENTRIES OF THE MERCHANDISE PURSUANT TO THESE INSTRUCTIONS UNTIL APPRAISEMENT INSTRUCTIONS ARE RECEIVED.

8. 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 OTHER INTERESTED PARTIES SHOULD CONTACT MELANI MILLER, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0116.

9. 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