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REFERENCE
MESSAGE #
(s):

CASE #(s): A-583-832

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/28/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE MEGABIT OR ABOVE (A-583-832)

MESSAGE NO: 9189111 DATE: 07 08 1999

CATEGORY: ADA TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: A - 583 - 832 - -

- - - -

- - - -

PERIOD COVERED: 05 28 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE MEGABIT OR ABOVE (A-583-832)

1. ON MAY 28, 1999, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS OF ONE MEGABIT OR ABOVE (DRAMS) FROM TAIWAN (A-583-832).

2. SCOPE LANGUAGE

THE PRODUCTS COVERED BY THIS INVESTIGATION ARE DRAMS OF ONE MEGABIT OR ABOVE FROM TAIWAN, WHETHER ASSEMBLED OR UNASSEMBLED. ASSEMBLED DRAMS INCLUDE ALL PACKAGE TYPES. UNASSEMBLED DRAMS INCLUDE PROCESSED WAFERS, UNCUT DIE AND CUT DIE. PROCESSED WAFERS FABRICATED IN TAIWAN, BUT PACKAGED OR ASSEMBLED INTO FINISHED SEMICONDUCTORS IN A THIRD COUNTRY, ARE INCLUDED IN THE SCOPE. WAFERS FABRICATED IN A THIRD COUNTRY AND ASSEMBLED OR PACKAGED IN TAIWAN ARE NOT INCLUDED IN THE SCOPE.

THE SCOPE OF THIS INVESTIGATION INCLUDES MEMORY MODULES. A MEMORY MODULE IS A COLLECTION OF DRAMS, THE SOLE FUNCTION OF WHICH IS MEMORY. MODULES INCLUDE SINGLE IN-LINE PROCESSING MODULES ("SIPS"), SINGLE IN-LINE MEMORY MODULES ("SIMMS"), DUAL IN-LINE MEMORY MODULES ("DIMMS"), MEMORY CARDS OR OTHER COLLECTIONS OF DRAMS WHETHER MOUNTED OR UNMOUNTED ON A CIRCUIT BOARD. MODULES THAT CONTAIN OTHER PARTS THAT ARE NEEDED TO SUPPORT THE FUNCTION OF MEMORY ARE COVERED. ONLY THOSE MODULES THAT CONTAIN ADDITIONAL ITEMS THAT ALTER THE FUNCTION OF THE MODULE TO SOMETHING OTHER THAN MEMORY, SUCH AS VIDEO GRAPHICS ADAPTER ("VGA") BOARDS AND CARDS, ARE NOT INCLUDED IN THE SCOPE. MODULES CONTAINING DRAMS MADE FROM WAFERS FABRICATED IN TAIWAN, BUT EITHER ASSEMBLED OR PACKAGED INTO FINISHED SEMICONDUCTORS IN A THIRD COUNTRY, ARE ALSO INCLUDED IN THE SCOPE.

THE SCOPE INCLUDES, BUT IS NOT LIMITED TO, VIDEO RAM ("VRAM"), WINDOWS RAM ("WRAM"), SYNCHRONOUS GRAPHICS RAM ("SGRAM"), AS WELL AS VARIOUS TYPES OF DRAMS, INCLUDING FAST PAGE-MODE ("FPM"), EXTENDED DATA-OUT ("EDO"), BURST EXTENDED DATA-OUT ("BEDO"), SYNCHRONOUS DYNAMIC RAM ("SDRAMS"), AND "RAMBUS" DRAMS ("RDRAMs").

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES ANY FUTURE DENSITY, PACKAGING OR ASSEMBLING OF DRAMS. THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE DRAMS OR MEMORY MODULES THAT ARE REIMPORTED FOR REPAIR OR REPLACEMENT.

THE DRAMS SUBJECT TO THIS INVESTIGATION ARE CURRENTLY

CLASSIFIABLE UNDER SUBHEADINGS 8542.13.80.05, AND 8542.13.80.24 THROUGH 8542.13.80.34, OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). ALSO INCLUDED IN THE SCOPE ARE TAIWANESE DRAMS MODULES, DESCRIBED ABOVE, ENTERED INTO THE UNITED STATES UNDER SUBHEADING 8473.30.10 THROUGH 8473.30.90 OF THE HTSUS, OR POSSIBLY OTHER HTSUS NUMBERS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. DIRECT SHIPMENTS FROM TAIWAN AND MERE TRANSSHIPMENTS THROUGH THIRD COUNTRIES: FOR DIRECT SHIPMENTS AND MERE TRANSSHIPMENTS THROUGH THIRD COUNTRIES OF TAIWAN DRAMS AND MEMORY MODULES PRODUCED BY A SINGLE MANUFACTURER, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH PRODUCTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE ON OR AFTER MAY 28, 1999. THE CUSTOMS SERVICE SHALL REQUIRE FOR SUCH ENTRIES A CASH DEPOSIT OR POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW.

MFR/PRODUCER	CUSTOMS ID	AD VALOREM MARGIN PERCENTAGE
ETRON TECHNOLOGY, INC.	A-583-832-008	4.96%
MOSEL-VITELIC, INC.	A-583-832-001	30.89%
NANYA TECHNOLOGY CORPORATION	A-583-832-011	9.03%
VANGUARD INTERNATIONAL SEMICONDUCTOR CORPORATION	A-583-832-010	10.36%
ACER SEMICONDUCTOR MANUFACTURING INC.	A-583-832-002	16.65%
POWERCHIP SEMICONDUCTOR CORP.	A-583-832-003	16.65%

UNITED MICROELECTRONICS CORP. A-583-832-004	16.65%
TAIWAN SEMICONDUCTOR	
MANUFACTURING CORP. A-583-832-005	16.65%
MACRONIX INTERNATIONAL CO.,LTD.A-583-832-006	16.65%
ALLIANCE SEMICONDUCTOR CORP. A-583-832-007	16.65%
TAIWAN MEMORY TECHNOLOGY, INC.A-583-832-009	16.65%
WINBOND ELECTRONICS CORP. A-583-832-012	16.65%
G-LINK TECHNOLOGY CORP. A-583-832-013	16.65%
ALL OTHERS A-583-832-000	16.65%

4. INDIRECT SHIPMENTS OF MEMORY MODULES: THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES MEMORY MODULES FROM ALL COUNTRIES WHICH CONTAIN TAIWAN DRAMS, UNLESS THE IMPORTER OF THE MEMORY MODULES CERTIFIES WITH THE CUSTOMS SERVICE THAT SUCH MEMORY MODULES DO NOT CONTAIN ANY TAIWANESE DRAMS. FOR A LIST OF POSSIBLE THIRD COUNTRIES, REFER TO ITEM 5 WHICH IS FOR CUSTOMS PURPOSES AND IS NOT EXHAUSTIVE. FOR THESE INDIRECT SHIPMENTS, AN IMPORTER MAY CERTIFY THAT THE IMPORTED MODULE CONTAINS NO DRAMS OF TAIWANESE ORIGIN. IN THAT CASE, NO SUSPENSION OF LIQUIDATION UNDER THESE INSTRUCTIONS IS REQUIRED.

FOR NO SUSPENSION OF LIQUIDATION UNDER THESE INSTRUCTIONS TO BE REQUIRED, AN OFFICIAL OF THE COMPANY IMPORTING THE MEMORY MODULES MUST CERTIFY THE FOLLOWING:

I HEREBY CERTIFY THAT I AM AN OFFICIAL OF (COMPANY IMPORTING MEMORY MODULES), THAT I HAVE KNOWLEDGE OF THE FACTS REGARDING THE IMPORTATION OF THESE MEMORY

MODULES, AND THAT THESE MEMORY MODULES DO NOT CONTAIN TAIWAN DRAMS OR DRAMS MADE IN A COUNTRY OTHER THAN TAIWAN BUT CONTAINING PROCESSED WAFERS, UNCUT DIE OR CUT DIE OF TAIWAN ORIGIN.

AGENTS OF THE IMPORTER, SUCH AS BROKERS, ARE NOT PERMITTED TO MAKE SUCH A CERTIFICATION. UNLESS THE COMPANY IMPORTING THE MEMORY MODULES MAKES SUCH A CERTIFICATION, THE CUSTOMS SERVICE SHALL REQUIRE A CASH DEPOSIT OR BOND ON THE MEMORY MODULES AS DESCRIBED BELOW. IF THIS OCCURS, THE IMPORTER WILL BE REQUIRED TO SUBMIT A LIST IDENTIFYING: 1) THE AMOUNT OF TAIWAN MEGABITS CONTAINED IN THE MODULE; 2) THE NAMES OF THE VARIOUS TAIWAN DRAM MANUFACTURERS WHICH PRODUCED THE MEGABITS CONTAINED IN THE MODULE; AND 3) THE AMOUNT OF TAIWAN MEGABITS CONTAINED IN THE MODULES WHICH WERE PRODUCED BY EACH OF THESE TAIWAN DRAM MANUFACTURERS.

IF THE DRAMS ON THE MODULE WERE PRODUCED BY A SINGLE TAIWANESE PRODUCER, CUSTOMS SHALL REQUIRE A CASH DEPOSIT OR A BOND EQUAL TO THE COMPANY-SPECIFIC AD VALOREM MARGIN SHOWN IN PARAGRAPH 3 APPLIED TO THE TOTAL ENTERED VALUE OF THE MODULE.

IF THE DRAMS IN THE MODULE WERE PRODUCED BY MULTIPLE PRODUCERS, THE CUSTOMS SERVICE SHALL REQUIRE A PER MEGABIT CASH DEPOSIT OR BOND ON THE COMPANY-SPECIFIC AMOUNT OF TAIWANESE MEGABITS CONTAINED IN A MODULE AS DESCRIBED IN PARAGRAPH 6.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS PRODUCED BY EACH OF THE VARIOUS TAIWANESE DRAM MANUFACTURERS WITHIN THE MODULE, BUT CAN IDENTIFY THE TOTAL AMOUNT OF TAIWAN MEGABITS WITHIN THE MODULE, THE HIGHEST PER MEGABIT RATE CALCULATED FOR ANY COMPANY LISTED IN PARAGRAPH 6 BELOW WILL BE APPLIED TO ALL TAIWAN MEGABITS CONTAINED IN THE MODULE.

IF THE IMPORTER IS UNABLE OR UNWILLING TO IDENTIFY THE TOTAL

AMOUNT OF TAIWAN MEGABITS WITHIN THE MODULE, INCLUDING MODULES CONTAINING MEGABITS WITH MIXED COUNTRIES OF ORIGIN, THE HIGHEST AD VALOREM MARGIN CALCULATED FOR ANY TAIWAN DRAM MANUFACTURER LISTED IN ITEM 3 ABOVE WILL BE APPLIED TO THE TOTAL ENTERED VALUE OF THE MODULE.

IF THE IMPORTER CAN IDENTIFY THE NAMES OF THE VARIOUS TAIWANESE DRAM MANUFACTURERS WHICH PRODUCED THE MEGABITS CONTAINED IN THE MODULE, BUT IS UNABLE OR UNWILLING TO IDENTIFY THE AMOUNT OF MEGABITS PRODUCED BY EACH OF THE VARIOUS TAIWANESE DRAM MANUFACTURERS WITHIN THE MODULE, THE HIGHEST PER MEGABIT RATE LISTED IN PARAGRAPH 6 BELOW CALCULATED FOR ANY OF THE TAIWANESE MANUFACTURERS WHOSE DRAMS ARE INCLUDED IN THE MODULE SHALL BE APPLIED TO THE TOTAL MEGABITS CONTAINED IN THE MODULE.

5. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: A-583-832. FOR CUSTOMS PURPOSES, FOR ALL PRODUCTS CONTAINING TAIWAN DRAMS FROM THIRD COUNTRIES, THE FOLLOWING COUNTRIES HAVE BEEN ASSIGNED THEIR OWN CASE NUMBER. THE FIRST THREE DIGITS REPRESENT THE COUNTRY IN QUESTION, THE NEXT THREE DIGITS WILL BE 222, AND THE LAST THREE DIGITS WILL BE THE SAME AS IN THE COMMERCE CASE FOR EACH RESPECTIVE MANUFACTURER. THE SIX DIGITS ARE GIVEN BELOW:

ARGENTINA	A-357 - 222
AUSTRALIA	A-602 - 222
AUSTRIA	A-433 - 222
BELGIUM	A-423 - 222
BRAZIL	A-351 - 222
BULGARIA	A-487 - 222
CANADA	A-122 - 222
CHINA, P.R.C.	A-570 - 222
FRANCE	A-427 - 222
GERMANY	A-428 - 222
HONG KONG	A-582 - 222
IRELAND	A-419 - 222

INDIA A-533 - 222
 ISRAEL A-508 - 222
 ITALY A-475 - 222
 JAPAN A-588 - 222
 KOREA A-580 - 222
 MALAYSIA A-557 - 222
 MEXICO A-201 - 222
 NETHERLANDS A-421 - 222
 PHILIPPINES A-565 - 222
 PORTUGAL A-471 - 222
 SINGAPORE A-559 - 222
 SPAIN A-470 - 222
 SWEDEN A-401 - 222
 SWITZERLAND A-441 - 222
 THAILAND A-549 - 222
 UNITED KINGDOM A-412 - 222
 ALL OTHERS

IF AN IMPORT SPECIALIST SHOULD BECOME AWARE OF SHIPMENTS WITHIN THE SCOPE OF THE ANTIDUMPING INVESTIGATION FROM THIRD COUNTRIES NOT IN THE AD/CVD MODULE, THEY SHOULD CONTACT CUSTOMS HEADQUARTERS IMMEDIATELY. CUSTOMS HEADQUARTERS SHOULD NOTIFY THE DEPARTMENT OF COMMERCE ABOUT SUCH IMPORTS.

6 FOR PURPOSES OF CASH DEPOSITS OR BONDS BASED ON PER MEGABIT AMOUNTS UNDER ITEM 4 ABOVE, THE PER MEGABIT DEPOSIT RATES TO BE APPLIED TO THE AMOUNT OF MEGABITS CONTAINED IN MODULES ARE AS FOLLOWS:

MFR/PRODUCER	CUSTOMS ID	WEIGHTED- AVERAGE PER MEGABIT RATE (IN US DOLLARS)
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ETRON TECHNOLOGY, INC.	A-583-832-008	\$0.03
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MOSEL-VITELIC, INC.	A-583-832-001	\$0.11
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NANYA TECHNOLOGY CORPORATION A-583-832-011 \$0.01

VANGUARD INTERNATIONAL

SEMICONDUCTOR CORPORATION A-583-832-010 \$0.24

ACER SEMICONDUCTOR

MANUFACTURING INC. A-583-832-002 \$0.06

POWERCHIP SEMICONDUCTOR CORP. A-583-832-003 \$0.06

UNITED MICROELECTRONICS CORP. A-583-832-004 \$0.06

TAIWAN SEMICONDUCTOR

MANUFACTURING CORP. A-583-832-005 \$0.06

MACRONIX INTERNATIONAL CO.,LTD.A-583-832-006 \$0.06

ALLIANCE SEMICONDUCTOR CORP. A-583-832-007 \$0.06

TAIWAN MEMORY TECHNOLOGY, INC.A-583-832-009 \$0.06

WINBOND ELECTRONICS CORP. A-583-832-012 \$0.06

G-LINK TECHNOLOGY CORP. A-583-832-013 \$0.06

ALL OTHERS A-583-832-000 \$0.06

NOTE AGAIN THAT THIS IS FOR CASH DEPOSIT OR BOND PURPOSES ONLY, AND THAT FINAL ASSESSMENT MAY BE VALUE-BASED. PLEASE REMIND IMPORTERS OF THIS PERIODICALLY.

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." THE IMPORTING PUBLIC

AND OTHER INTERESTED PARTIES SHOULD CONTACT NOVA DALY,
OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF
COMMERCE, AT (202) 482-0989.

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