

MESSAGE NO: 9288211 MESSAGE DATE: 10/15/1999
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: REV-Revocation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-819

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/21/1999 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: REVOCATION OF ANTIDUMPING DUTY ORDER ON FERROSILICON FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-819)

MESSAGE NO: 9288211 DATE: 10 15 1999

CATEGORY: ADA TYPE: REV

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 819 - -

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PERIOD COVERED: 09 21 1999 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: REVOCATION OF ANTIDUMPING DUTY ORDER ON FERROSILICON
FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-819)

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE ANTIDUMPING DUTY ORDER ON FERROSILICON FROM THE PEOPLE'S REPUBLIC OF CHINA AND PUBLISHED THE RESCISSION IN THE FEDERAL REGISTER ON 09/21/1999 (64 FR AT PAGE 51097). THE DEPARTMENT'S RESCISSION IS BASED ON THE INTERNATIONAL TRADE COMMISSION'S RECONSIDERATION ON 08/24/1999 OF ITS ORIGINAL INJURY DETERMINATION IN THE ABOVE CASE. BECAUSE THE INTERNATIONAL TRADE COMMISSION RECONSIDERED ITS ORIGINAL INJURY DETERMINATION AND FOUND NO MATERIAL INJURY OR THREAT OF MATERIAL INJURY, THE ORDER IN THIS CASE IS LEGALLY

INVALID FROM THE DATE OF ITS ISSUANCE, 03/11/1993.

2. AT THE TIME OF THE INTERNATIONAL TRADE COMMISSION'S DECISION, THE COMMERCE DEPARTMENT WAS CONDUCTING ONE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON FERROSILICON FROM THE PEOPLE'S REPUBLIC OF CHINA COVERING THE PERIOD 03/01/1998 THROUGH 02/28/1999. AS A RESULT OF THE DEPARTMENT'S RESCISSION, THIS REVIEW HAS BEEN TERMINATED.

3. THEREFORE, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ANTIDUMPING PURPOSES ON ALL SHIPMENTS OF FERROSILICON FROM THE PEOPLE'S REPUBLIC OF CHINA REGARDLESS OF THE DATES THEY ENTERED. MOREOVER, ALL UNLIQUIDATED ENTRIES OF THE SUBJECT PRODUCT SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES (I.E., RELEASE ALL BONDS POSTED FOR ANTIDUMPING PURPOSES AND REFUND ALL ANTIDUMPING DUTY CASH DEPOSITS WITH INTEREST).

4. 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 AND 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.

5. 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 JACK DULBERGER AT 202-482-5505, AD/CVD ENFORCEMENT GROUP II, OFFICE 4, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

6. 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