

MESSAGE NO: 9306211 MESSAGE DATE: 11/02/1999
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: TER-Termination Notice PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-307-808

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/10/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: RESCISSION ON COUNTERVAILING DUTY ORDER ON FERROSILICON FROM VENEZUELA (C-307-808)

MESSAGE NO: 9306211 DATE: 11 02 1999

CATEGORY: CVD TYPE: TER

REFERENCE: REFERENCE DATE:

CASES: C - 307 - 808 - -

- - - -

- - - -

PERIOD COVERED: 05 10 1993 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: RESCISSION ON COUNTERVAILING DUTY ORDER ON FERROSILICON FROM VENEZUELA (C-307-808)

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE COUNTERVAILING DUTY ORDER ON FERROSILICON FROM VENEZUELA AND PUBLISHED THE RESCISSION IN THE FEDERAL REGISTER ON 09/21/1999 (64 FR 51097). COMMERCE'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,

05/10/1993.

2. AT THE TIME OF THE INTERNATIONAL TRADE COMMISSION'S DECISION, COMMERCE HAD INITIATED AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON FERROSILICON FROM VENEZUELA COVERING THE PERIOD 01/01/1998 THROUGH 12/31/1998. AS A RESULT OF COMMERCE'S RESCISSION, THIS ADMINISTRATIVE REVIEW IS TERMINATED.

3. DUE TO AN INJUNCTION ISSUED BY THE COURT OF INTERNATIONAL TRADE PURSUANT TO SPECIFIC LITIGATION CONCERNING THIS COUNTERVAILING DUTY ORDER, COMMERCE IS ENJOINED FROM ORDERING THE

LIQUIDATION OF SHIPMENTS OF FERROSILICON FROM VENEZUELA SUBJECT TO THIS ORDER AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/01/1995. THEREFORE, DO NOT LIQUIDATE ANY ENTRIES OF FERROSILICON FROM VENEZUELA SUBJECT TO THE COUNTERVAILING DUTY ORDER AND ENTERED OR WITHDRAWN FROM

WAREHOUSE

FOR CONSUMPTION ON OR AFTER 01/01/1995 UNTIL YOU HAVE RECEIVED LIQUIDATION INSTRUCTIONS FROM COMMERCE. WHEN THE COURT OF INTERNATIONAL TRADE EITHER DISPOSES OF THE LITIGATION GIVING RISE TO THE INJUNCTION OR DISSOLVES THE INJUNCTION, COMMERCE WILL ISSUE SEPARATE LIQUIDATION INSTRUCTIONS COVERING THIS TIME PERIOD AND THE COUNTERVAILING DUTY PROCEEDING.

4. AS A RESULT OF THE INJUNCTION AND PURSUANT TO THE RESCISSION OF THE ABOVE MENTIONED COUNTERVAILING DUTY ORDER, FOR ALL SHIPMENTS OF FERROSILICON FROM VENEZUELA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 9/21/1999 (I.E., THE DATE OF PUBLICATION OF THE NOTICE OF RESCISSION), CUSTOMS IS INSTRUCTED TO COLLECT A CASH DEPOSIT OF 0.00 PERCENT.

5. WITH THE EXCEPTION OF SUBJECT MERCHANDISE FROM VENEZUELA ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER

01/01/1995, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION ON SUBJECT MERCHANDISE FOR COUNTERVAILING DUTY

PURPOSES. THESE ENTRIES SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES (I.E., RELEASE ALL BONDS POSTED FOR COUNTERVAILING DUTY PURPOSES AND REFUND ALL COUNTERVAILING DUTY CASH DEPOSITS WITH INTEREST).

6. 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 STEPHANIE MOORE AT 202-482-3692, AD/CVD ENFORCEMENT GROUP II, OFFICE 6, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. 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