

MESSAGE NO: 9336112 MESSAGE DATE: 12/02/1998
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-505

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1993 TO 04/30/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN MALLERABLE CAST IRON PIPE
FITTINGS FROM BRAZIL PRODUCED BY INDUSTRIA DE FUNDICAO TUPY S.A. (A-351-505)

MESSAGE NO: 9336112 DATE: 12 02 1998

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 351 - 505 - -

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PERIOD COVERED: 05 01 1993 TO 04 30 1994

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN MALLERABLE CAST
IRON PIPE FITTINGS FROM BRAZIL PRODUCED BY INDUSTRIA DE
FUNDICAO TUPY S.A. (A-351-505)

1. FOR ALL SHIPMENTS OF CERTAIN MALLEABLE CAST IRON PIPE
FITTINGS FROM BRAZIL PRODUCED BY INDUSTRIA DE FUNDICAO TUPY
S.A. (TUPY) (A-351-505-001), AND ENTERED OR WITHDRAWN FROM
WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 05/01/1993
THROUGH 04/30/1994, ASSESS A DUMPING LIABILITY EQUAL TO
34.64 PERCENT OF THE ENTERED CUSTOMS VALUE.
2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE

AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF CERTAIN MALLEABLE CASE IRON PIPE FITTINGS FROM BRAZIL YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. 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 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. 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.
4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.
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." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THOMAS SCHAUER AT
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202-482-4852, OF THE OFFICE OF AD/CVD ENFORCEMENT, 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