

MESSAGE NO: 9342202 MESSAGE DATE: 12/08/1999
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1998 TO 12/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQ. INSTRUCTIONS FOR THE CVD ADMINISTRATIVE REVIEWS OF
PURE AND ALLOY MAGNESIUM FROM CANADA (C-122-815)

MESSAGE NO: 9342202 DATE: 12 08 1999

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 122 - 815 - -

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PERIOD COVERED: 01 01 1998 TO 12 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQ. INSTRUCTIONS FOR THE CVD ADMINISTRATIVE
REVIEWS OF PURE AND ALLOY MAGNESIUM FROM CANADA
(C-122-815)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT
ADMINISTRATIVE REVIEWS OF COUNTERVAILING DUTY ORDERS.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION
351.213(B) OF THE COMMERCE DEPARTMENT REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE
REVIEW OF THE COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND
ALLOY MAGNESIUM FROM CANADA FOR THE REVIEW PERIOD 01/01/1998 -
12/31/1998 EXCEPT FOR THE FIRM NOTED BELOW. THEREFORE, IN

ACCORDANCE WITH SECTION 351.221(B) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD JANUARY 1, 1998 THROUGH DECEMBER 31, 1998, AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY, EXCEPT FOR ENTRIES FROM THE COMPANY LISTED BELOW. BEFORE THESE ENTRIES CAN BE FINALLY LIQUIDATED, HOWEVER, APPLICABLE ANTIDUMPING DUTIES NEED ALSO TO BE ASSESSED.

3. YOU SHOULD LIQUIDATE ALL ENTRIES DURING THE PERIOD 01/01/1998 THROUGH 12/31/1998 FROM ALL FIRMS EXCEPT FOR THE FOLLOWING:

ID NUMBER	COMPANY NAME
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C-122-815-002	NORSK HYDRO CANADA, INC. ("NHCI")
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4. ENTRIES OF MERCHANDISE OF THE ABOVE-MENTIONED FIRM SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEWS. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA EXPORTED OR PRODUCED BY THIS FIRM AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF THE SUSPENSION OF LIQUIDATION OF ENTRIES FOR PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA DURING THE PERIOD 01/01/1998 - 12/31/1998. THESE ENTRIES MAY NOT BE FINALLY LIQUIDATED, HOWEVER, UNTIL ANTIDUMPING DUTIES HAVE ALSO BEEN ASSESSED.

6. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR 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 COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE AUGUST 31, 1992, THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND ALLOY MAGNESIUM

FROM CANADA. 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.

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 INTERESTED PARTIES SHOULD CONTACT ANNIKA O'HARA AT 202-482-3798, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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