

MESSAGE NO: 2226303 MESSAGE DATE: 08/13/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-955

EFFECTIVE DATE: 03/12/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/13/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Countervailing duty scope determination on certain magnesia carbon bricks from the People's Republic of China (C-570-955)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Ceramark Technology, Inc. ("Ceramark"). Commerce issued a final scope determination on 07/26/2012 that ceramically bonded magnesite and magnesia dolomite bricks which Ceramark imports are not within the scope of the countervailing duty order on certain magnesia carbon bricks from the People's Republic of China (C-570-955).
2. Commerce determined that ceramically bonded magnesite and magnesia dolomite bricks are outside the scope of the order because these bricks are ceramically bonded and not chemically bonded, and therefore do not meet the physical description of merchandise subject to the scope of the orders. Therefore, ceramically bonded magnesite and magnesia dolomite bricks are not within the scope of the countervailing duty orders on certain magnesia carbon bricks from the People's Republic of China.
3. For all entries of certain magnesia carbon bricks not within scope that remain unliquidated on or after 3/12/2010, CBP shall terminate suspension and liquidate entries of the product not within scope which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to ceramically bonded magnesite and magnesia dolomite bricks described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of ceramically bonded magnesite and magnesia dolomite bricks entered, or withdrawn from warehouse, for consumption on or after 3/12/2010.
6. The assessment of countervailing duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778

requires that CBP pay interest on overpayments or 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 countervailing duties before the date of publication of the countervailing duty order. Interest shall be calculated from the date payment of estimated countervailing 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.

7. Unless instructed otherwise, for all other shipments of certain magnesia carbon bricks from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated countervailing duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O9:JH.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party