

MESSAGE NO: 5188302 MESSAGE DATE: 07/07/2015
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 3073302, 3120301
MESSAGE #
(s):

CASE #(s): C-570-955

EFFECTIVE DATE: 07/06/2015 COURT CASE #: 13-00166

PERIOD OF REVIEW: 08/02/2010 TO 12/31/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/07/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for magnesia carbon bricks from the PRC manufactured and/or exported by Fengchi Imp. and Exp. Co., Ltd., 08/02/2010 - 12/31/2010 (C-570-955)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 04/13/2015, the U.S. Court of International Trade issued a final decision in the case of Fengchi Imp. and Exp. Co., Ltd. of Haicheng City v. United States (CIT No. 13-00166). As a result of this decision, the injunction to which message 3120301 refers enjoining liquidation of entries which are subject to the countervailing duty order on certain magnesia carbon bricks from the People's Republic of China for the period 08/02/2010 through 12/31/2010 manufactured and/or exported by Fengchi Imp. and Exp. Co., Ltd. of Haicheng City and Fengchi Refractories Co. of Haicheng City dissolved on 06/12/2015.
2. For all shipments of certain magnesia carbon bricks manufactured and/or exported by Fengchi Imp. and Exp. Co., Ltd. of Haicheng City and Fengchi Refractories Co. of Haicheng City, and which were entered, or withdrawn from warehouse, for consumption during the period 08/02/2010 through 12/31/2010, in accordance with 19 CFR 351.212, you are to assess countervailing duties at 262.80 percent of the entered value.
3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of certain magnesia carbon bricks from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
4. The injunction with court number 12-00215 in message number 3073302, dated 03/14/2013, is applicable to the entries of Fedmet's Bastion magnesia alumina carbon bricks which were produced and/or exported by Fengchi Imp. and Exp. Co., Ltd. of Haicheng City and Fengchi Refractories Co., of Haicheng City, and imported by Fedmet Resource's Corporation, and which were entered, or withdrawn from warehouse, for consumption on or after 09/26/2011. Accordingly,

until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

5. 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.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, 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 OVII:TP.)

7. 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