

MESSAGE NO: 6014305 MESSAGE DATE: 01/14/2016

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE: REF-Refund

FR CITE: 80 FR 77316 FR CITE DATE: 12/14/2015

REFERENCE MESSAGE # (s): 5176308, 5350304

CASE #(s): A-520-804

EFFECTIVE DATE: 11/13/2015 COURT CASE #: 12-00133

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/03/2011 TO 12/13/2015

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: Refund of antidumping duty cash deposit for certain steel nails from the UAE pursuant to amended final determination for the period 11/03/2011 through 12/13/2015 (A-520-804)

1. On 12/14/2015 (80 FR 77316), Commerce published in the Federal Register its Notice of Court Decision Not in Harmony With the Final Determination and Amended Final Determination of Less Than Fair Value Investigation in the antidumping duty investigation of certain steel nails from the United Arab Emirates (Timken Notice). See message 5350304, dated 12/16/2015 with an effective date of 11/13/2015. In that decision, Commerce announced that based on a calculated weighted-average dumping margin of 0.00 percent, it is hereby excluding merchandise from the following producer/exporter chain from the antidumping duty order:

Producer: Precision Fasteners LLC

Exporter: Precision Fasteners LLC

Case Number: A-520-804-002

As a result of the litigation however, suspension of liquidation must continue during the pendency of the appeals process.

2. Title 19 U.S.C. 1520(a)(4) authorizes refunds prior to liquidation whenever an importer of record declares or it is ascertained that excess duties, fees, charges, or exactions have been deposited or paid. Accordingly, CBP is directed to refund cash deposits for entries of certain steel nails from the United Arab Emirates from the entity listed in paragraph 1, above, which were entered, or withdrawn from warehouse, for consumption on or after 11/03/2011 (date of preliminary determination) through 12/13/2015 (the day before the date of publication of the Timken Notice) unless paragraph 3 applies.

3. Shipments of certain steel nails from the United Arab Emirates produced and/or exported by Precision Fasteners LLC (A-520-804-002) entered, or withdrawn from warehouse, for consumption during the period 05/01/2013 through 04/30/2014, should be liquidated according to message 5176308 dated 06/25/2015 and are not subject to these refund instructions.

4. Do not liquidate entries of certain steel nails from the United Arab Emirates produced and/or
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exported by the entities listed in paragraph 1 above until specific liquidation instructions are issued.

5. The assessment of antidumping 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 antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. 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.

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 OI:MR.)

7. There are no restrictions on release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

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