

MESSAGE NO: 2191303 MESSAGE DATE: 07/09/2012  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-971

EFFECTIVE DATE: 04/06/2011 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/09/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Countervailing duty scope determination on multilayered wood flooring from the People's Republic of China (C-570-971)

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 ZHEJIANG LINGGE AND ITS AFFILIATED COMPANY CHANGSHA LINGGE (COLLECTIVELY, "ZL"). COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 07/02/2012 THAT THREE OF ZL'S WOOD FLOORING PRODUCTS WHICH ZL EXPORTS ARE NOT WITHIN THE SCOPE OF THE COUNTERVAILING DUTY ORDER ON MULTILAYERED WOOD FLOORING FROM THE PEOPLE'S REPUBLIC OF CHINA (C-570-971). ONE OF THESE PRODUCTS IS REFERRED TO AS THE "0.3 MM PRODUCT" AND HAS THE PRODUCT CODE "LG-HDF-AC," PLUS THE VENEER THICKNESS AND TYPE, PLUS THE OVERALL PRODUCT DIMENSIONS (E.G., "LG-HDF-AC-0.3 MM BLACK WALNUT VENEER-LENGTH \* WIDTH \* THICKNESS"). THE OTHER TWO OF THESE PRODUCTS ARE REFERRED TO AS THE "1 MM PRODUCT" AND THE "UNFINISHED 1 MM PRODUCT" AND HAVE THE PRODUCT CODE "LG-HDF-PA," PLUS THE VENEER THICKNESS AND TYPE, PLUS THE OVERALL PRODUCT DIMENSIONS (E.G., "LG-HDF-PA-1 MM OAK VENEER-LENGTH \* WIDTH \* THICKNESS").

2. COMMERCE DETERMINED THAT ZL'S THREE FLOORING PRODUCTS DESCRIBED ABOVE ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE THE PHYSICAL CHARACTERISTICS OF THE PRODUCTS DO NOT MEET THE PHYSICAL DESCRIPTION OF MERCHANDISE WITHIN THE SCOPE OF THE ORDER. THEREFORE, ZL'S THREE WOOD FLOORING PRODUCTS ARE NOT WITHIN THE SCOPE OF THE COUNTERVAILING DUTY ORDER ON MULTILAYERED WOOD FLOORING FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. FOR ALL ENTRIES OF ZL'S THREE FLOORING PRODUCTS DESCRIBED ABOVE THAT REMAIN UNLIQUIDATED ON OR AFTER 04/06/2011, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ENTRIES OF ZL'S THREE FLOORING PRODUCTS DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO ZL'S THREE FLOORING PRODUCTS DESCRIBED ABOVE.
5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF ZL'S THREE FLOORING PRODUCTS DESCRIBED ABOVE THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/06/2011.
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 MULTILAYERED WOOD FLOORING 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 O4:EK.)
9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

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## Company Details

\*Party Indicator Value:

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