

MESSAGE NO: 2156303 MESSAGE DATE: 06/04/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: COR-Correction

FR CITE: FR CITE DATE:

REFERENCE 9363003
MESSAGE #
(s):

CASE #(s): A-570-904

EFFECTIVE DATE: 12/29/2009 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/29/2009

TO: { Directors Of Field Operations, Port Directors }

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

RE: Clarification of message 9363003 dated 12/29/2009 concerning the antidumping duty order on certain activated carbon from the People's Republic of China (A-570-904)

1. THIS IS A CLARIFICATION OF PARAGRAPHS 1, 2, 3, 4, AND 5 IN MESSAGE 9363003 DATED 12/29/2009.

2. PARAGRAPH 1 OF MESSAGE 9363003 REFERENCES FISH TANK FILTER PRODUCTS IMPORTED BY ROLF C. HAGEN (USA) CORP. ("HAGEN").

3. PARAGRAPH 1 OF MESSAGE 9363003 READS AS FOLLOWS:

COMMERCE RECEIVED A SCOPE RULING REQUEST FROM ROLF C. HAGEN (USA) CORP ("HAGEN"). COMMERCE ISSUED A FINAL SCOPE RULING ON 12/07/2009, THAT THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC") (A-570-904).

4. INSTEAD, PARAGRAPH 1 OF MESSAGE NUMBER 9363003 SHOULD READ AS FOLLOWS:

COMMERCE RECEIVED A SCOPE RULING REQUEST FROM ROLF C. HAGEN (USA) CORP ("HAGEN"). COMMERCE ISSUED A FINAL SCOPE RULING ON 12/07/2009, THAT CERTAIN FISH TANK FILTER PRODUCTS SUBMITTED BY HAGEN ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PEOPLE'S REPUBLIC OF CHINA ("PRC") (A-570-904).

5. PARAGRAPH 2 OF MESSAGE 9363003 DID NOT PROVIDE A COMPLETE DESCRIPTION OF THE PRODUCTS OF THE SCOPE.

6. PARAGRAPH 2 OF MESSAGE 9363003 READS AS FOLLOWS:

COMMERCE DETERMINED THAT WHILE A SMALL AMOUNT OF ACTIVATED CARBON

EXISTS IN THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN, IT IS MERELY ONE OF SEVERAL FULLY INTEGRATED COMPONENTS, AND IS NOT A STAND-ALONE PRODUCT BY ITSELF. THEREFORE, THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PRC.

7. INSTEAD, PARAGRAPH 2 OF MESSAGE NUMBER 9363003 SHOULD READ AS FOLLOWS:

COMMERCE DETERMINED THAT WHILE A SMALL AMOUNT OF ACTIVATED CARBON EXISTS IN THE CERTAIN FISH TANK FILTER PRODUCTS SUBMITTED BY HAGEN, IT IS MERELY ONE OF SEVERAL FULLY INTEGRATED COMPONENTS, AND IS NOT A STAND-ALONE PRODUCT BY ITSELF. THEREFORE, THE FOLLOWING FISH TANK FILTER PRODUCTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PRC:

- FLUVAL2 ART# A-343 IS A FILTER CARTRIDGE FOR ULTRA FINE FILTRATION. THIS ITEM IS COMPRISED OF FOUR LAYERS OF POLYESTER FABRIC, FOUR AND ONE HALF INCHES LONG AND THREE AND ONE EIGHTH INCHES WIDE, HEAT-SEALED ON BOTH LONG SIDES AND OPEN AT BOTH OF THE SHORT ENDS. THE TWO INNER LAYERS OF THE CARTRIDGE ARE IMPREGNATED WITH POWDERED COCONUT CARBON. THE ITEM IS A REPLACEMENT CARTRIDGE THAT ONLY FITS THE FLUVAL2 FILTER AND CONTAINS 4.8 GRAMS OF CERTAIN ACTIVATED CARBON.
- ELITE HUSH 20 ART# A-72 IS A REPLACEMENT CARTRIDGE FOR HUSH 20 FISH TANK FILTERS. THIS ITEM IS COMPRISED OF AN INJECTION MOLDED PLASTIC CARTRIDGE FIVE AND ONE HALF INCHES BY FOUR AND ONE HALF INCHES BY ONE HALF INCH DEEP COVERED BY A LAYER OF POLYESTER MATERIAL. INSIDE THE FILTER IS A SMALL AMOUNT OF CERTAIN ACTIVATED CARBON WEIGHING 62 GRAMS.
- AQUA CLEAR FILTER INSERT ART #A-614- ZEO-CARB 50 IS A REPLACEMENT FILTER INSERT FOR 20-50 GALLON AQUARIUMS. THE ITEM IS A BAG MADE OF NYLON AND CONTAINS A COMBINATION OF ZEOLITE AND CERTAIN ACTIVATED CARBON. THE INSERT WEIGHS 90 GRAMS, OF WHICH 30 GRAMS ARE CERTAIN ACTIVATED CARBON AND 60 GRAMS ARE ZEOLITE.
- FLUVAL ZEO-CARB ART# A-1490 IS A FILTER INSERT. THIS IS ITEM IS A BAG MADE OF NYLON AND CONTAINS A COMBINATION OF ZEOLITE AND CERTAIN ACTIVATED CARBON.

THE INSERT WEIGHS 150 GRAMS, 50 GRAMS IS CERTAIN ACTIVATED CARBON, AND 100 GRAMS IS ZEOLITE.

- ELITE STINGRAY 10 ART# A-152 IS A FILTER CARTRIDGE MADE OF MOLDED PLASTIC AND CONTAINS A COMBINATION OF ZEOLITE AND CERTAIN ACTIVATED CARBON. THE CARTRIDGE IS MADE TO FIT A PARTICULAR SIZE FISH TANK FILTER AND CONTAINS A TOTAL OF 20 GRAMS OF CERTAIN ACTIVATED CARBON AND ZEOLITE COMBINED.
- FLUVAL2 PLUS ART #A-195 SPECIAL CARBON FILTER PADS. THIS ITEM IS A POLYESTER TEXTILE PAD IMPREGNATED WITH CERTAIN ACTIVATED CARBON. THE CERTAIN ACTIVATED CARBON WEIGHS 2.75 GRAMS. THE PAD IS THREE AND ONE HALF BY TWO AND THREE EIGHTHS INCHES.

8. PARAGRAPH 3 OF MESSAGE 9363003 REFERENCES FISH TANK FILTER PRODUCTS IMPORTED FROM HAGEN.

9. PARAGRAPH 3 OF MESSAGE 9363003 READS AS FOLLOWS:

EFFECTIVE 04/01/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN LISTED ABOVE.

10. INSTEAD, PARAGRAPH 3 OF MESSAGE NUMBER 9363003 SHOULD READ AS FOLLOWS:

EFFECTIVE 04/01/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF CERTAIN FISH TANK FILTER PRODUCTS LISTED ABOVE.

11. PARAGRAPH 4 OF MESSAGE 9363003 REFERENCES FISH TANK FILTER PRODUCTS IMPORTED FROM HAGEN.

12. PARAGRAPH 4 OF MESSAGE 9363003 READS AS FOLLOWS:

REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN LISTED ABOVE.

13. INSTEAD, PARAGRAPH 4 OF MESSAGE NUMBER 9363003 SHOULD READ AS

FOLLOWS:

REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO IMPORTS OF THE CERTAIN FISH TANK FILTER PRODUCTS LISTED ABOVE.

14. PARAGRAPH 5 OF MESSAGE 9363003 REFERENCES FISH TANK FILTER PRODUCTS IMPORTED FROM HAGEN.

15. PARAGRAPH 5 OF MESSAGE 9363003 READS AS FOLLOWS:

THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/01/2009.

16. INSTEAD, PARAGRAPH 5 OF MESSAGE NUMBER 9363003 SHOULD READ AS FOLLOWS:

THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF CERTAIN FISH TANK FILTER PRODUCTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/01/2009.

17. 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:RJP.)

18. 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