

MESSAGE NO: 2079302 MESSAGE DATE: 03/19/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: 77 FR 15042 FR CITE DATE: 03/14/2012

REFERENCE MESSAGE # (s): 1258304, 2076302

CASE #(s): A-570-929

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: 08/21/2008 TO 01/31/2010
PERIOD COVERED: 09/13/2011 TO 03/13/2012

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 small diameter graphite electrodes from the PRC pursuant to the amended final results for the period 08/21/2008 through 01/31/2010 (A-570-929).

1. ON 03/14/2012 (77 FR 15042), COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON SMALL DIAMETER GRAPHITE ELECTRODES FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC). SEE MESSAGE 2076302 DATED 03/16/2012.

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. IN ACCORDANCE WITH 19 U.S.C. 1520(A)(4), CBP IS AUTHORIZED TO GRANT A REFUND, IF REQUESTED BY THE IMPORTER, OF CASH DEPOSITS FOR ENTRIES OF SMALL DIAMETER GRAPHITE ELECTRODES FROM THE PRC FROM THE ENTITIES LISTED IN PARAGRAPH 4 BELOW WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 09/13/2011 THROUGH 03/13/2012 (THE DATE OF PUBLICATION OF THE FINAL RESULTS OF REVIEW THROUGH THE DAY BEFORE DATE OF PUBLICATION OF THE AMENDED FINAL RESULTS IN THE FEDERAL REGISTER).

3. THE REFUND AMOUNT WILL BE CALCULATED BY DETERMINING THE DIFFERENCE BETWEEN THE AMOUNT OF CASH DEPOSITS PAID AS A RESULT OF THE APPLICATION OF THE FINAL RESULTS RATE AND THE AMOUNT DUE AS A RESULT OF THE APPLICATION OF THE AMENDED FINAL RESULTS RATE.

4. LISTED BELOW ARE THE DEPOSIT RATES THAT WERE ASSIGNED TO CERTAIN FIRMS IN THE FINAL RESULTS. SEE MESSAGE 1258304 DATED 09/15/2011. IN ADDITION, LISTED BELOW ARE THE AMENDED DEPOSIT RATES ASSIGNED IN THE AMENDED FINAL RESULTS (SEE MESSAGE NUMBER 2076302 DATED 03/16/2012).

COMPANY: FUSHUN CARBON CO., LTD.

CASE NUMBER: A-570-929-029

Message Date: 03/19/2012

Message Number: 2079302

Page 2 of 5

FINAL RESULTS RATE: 2.75%
AMENDED FINAL RESULTS RATE: 1.10%

COMPANY: FANGDA CARBON NEW MATERIAL CO., LTD.
CASE NUMBER: A-570-929-030
FINAL RESULTS RATE: 2.75%
AMENDED FINAL RESULTS RATE: 1.10%

COMPANY: BEIJING FANGDA CARBON TECH CO., LTD.
CASE NUMBER: A-570-929-031
FINAL RESULTS RATE: 2.75%
AMENDED FINAL RESULTS RATE: 1.10%

COMPANY: CHENGDU RONGGUANG CARBON CO., LTD.
CASE NUMBER: A-570-929-032
FINAL RESULTS RATE: 2.75%
AMENDED FINAL RESULTS RATE: 1.10%

COMPANY: FUSHUN JINLY PETROCHEMICAL CARBON CO., LTD.
CASE NUMBER: A-570-929-033
FINAL RESULTS RATE: 56.63%
AMENDED FINAL RESULTS RATE: 39.83%

COMPANY: XINGHE COUNTY MUZI CARBON CO., LTD.
CASE NUMBER: A-570-929-034
FINAL RESULTS RATE: 23.47%
AMENDED FINAL RESULTS RATE: 16.00%

5. DO NOT LIQUIDATE ENTRIES OF SMALL DIAMETER GRAPHITE ELECTRODES FROM THE PRC EXPORTED BY THE ENTITIES LISTED IN PARAGRAPH 4 ABOVE UNTIL SPECIFIC LIQUIDATION INSTRUCTIONS ARE ISSUED.

6. 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 DUTY 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. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O8:FMV).

8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

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