

MESSAGE NO: 2026301 MESSAGE DATE: 01/26/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-201-837

EFFECTIVE DATE: 03/11/2010 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 01/26/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY SCOPE DETERMINATION ON CERTAIN MAGNESIA CARBON BRICKS FROM MEXICO (A-201-837)

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 S&S REFRACTORIES, LLC. AS TO WHETHER ITS TAP HOLE SLEEVE SYSTEMS ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN MAGNESIA CARBON BRICKS FROM MEXICO (A-201-837).

2. ON 01/17/2012 COMMERCE DETERMINED THAT S&S REFRACTORIES, LLC'S TAP HOLE SLEEVE SYSTEMS DO NOT MEET THE PHYSICAL DESCRIPTION OF THE MERCHANDISE SUBJECT TO THE SCOPE OF THE ANTIDUMPING DUTY ORDER REFERENCED IN PARAGRAPH #1 ABOVE. THEREFORE, S&S REFRACTORIES, LLC'S TAP HOLE SLEEVE SYSTEMS, WHETHER ASSEMBLED OR DISASSEMBLED, AND SOLD AND ENTERED AS A COMPLETE SET, ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER REFERENCED ABOVE. A TAP HOLE SLEEVE SYSTEM IS COMPOSED OF THE FOLLOWING PARTS: (A) THE TAP HOLE SLEEVE UNIT, WHICH MAY BE ONE PIECE OR SEGMENTED, (B) TAP HOLE SURROUND BLOCKS, AND (C) TAP HOLE END BLOCKS. COMMERCE NOTES THAT ANY COMPONENT PARTS OF THE TAP HOLE SLEEVE SYSTEM, SUCH AS END BLOCKS OR SURROUND BLOCKS, WHICH MEET THE PHYSICAL DEFINITION OF THE SCOPE, IF SHIPPED SEPARATELY, WOULD BE COVERED BY THE SCOPE.

3. EFFECTIVE 3/11/2010, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF THE TAP HOLE SLEEVE SYSTEMS DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO THE TAP HOLE SLEEVE SYSTEMS DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF

LIQUIDATION OF ENTRIES OF TAP HOLE SLEEVE SYSTEMS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 3/11/2010.

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 ORDERS. 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.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN MAGNESIA CARBON BRICKS FROM MEXICO NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. 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 O2: IDT).

9. 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