

MESSAGE NO: 2013302 MESSAGE DATE: 01/13/2012
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-570-933

EFFECTIVE DATE: 10/22/2008 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 01/13/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Antidumping duty scope determination on frontseating service valves from the People's Republic of China ("PRC") (A -570-933).

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 PENTAIR WATER OPERATING GROUP ("PENTAIR"). COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 1/11/2012 THAT THE SIX-POSITION WATER FILTRATION SYSTEM VALVES WHICH PENTAIR IMPORTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON FRONTSEATING SERVICE VALVES FROM THE PRC (A-570-933).

2. COMMERCE DETERMINED THAT THE SIX-POSITION WATER FILTRATION SYSTEM VALVES IMPORTED BY PENTAIR ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE THESE VALVES DIRECT WATER FLOW IN ONE OF SIX DIFFERENT DIRECTIONS, RATHER THAN ONLY HAVING THE TWO DIRECTIONAL ISOLATION CAPABILITY OF THE SUBJECT MERCHANDISE; DO NOT HAVE AN ELASTOMER SEAL FOR SERVICING; AND DO NOT HAVE A BRAZED VALVE BODY, CONNECTION TUBE, OR VALVE CHARGE PORT AND, THEREFORE, DO NOT MEET THE DESCRIPTION OF THE SUBJECT MERCHANDISE CONTAINED IN THE SCOPE LANGUAGE OF THE ORDER AT ISSUE. THEREFORE, THE SIX-POSITION WATER FILTRATION SYSTEM VALVES IMPORTED BY PENTAIR ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON FRONTSEATING SERVICE VALVES FROM THE PRC.

3. EFFECTIVE 10/22/2008, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF SIX-POSITION WATER FILTRATION SYSTEM VALVES DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO THE SIX-POSITION WATER FILTRATION SYSTEM VALVES IMPORTED BY PENTAIR AND DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SIX-POSITION WATER FILTRATION SYSTEM VALVES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/22/2008.

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 DUTIES 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 FILTRATION VALVES FROM THE PRC 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 O8:EW).

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