

MESSAGE NO: 4051301 MESSAGE DATE: 02/20/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE MESSAGE # (s): 3066301, 3113305, 3189302

CASE #(s): A-570-981

EFFECTIVE DATE: 02/10/2014 COURT CASE #: 13-1303

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/02/2012 TO 02/12/2013

Notice of Lifting of Suspension Date: 02/18/2014

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation following ITC notification of material injury or threat of material injury for utility scale wind towers from the PRC for the period before 02/13/2013 (A-570-981)

Notice of lifting of suspension occurred on the message date of these instructions. See paragraph 4 below.

1. On 02/13/2013, the International Trade Commission published in the Federal Register (78 FR 10210, 02/13/2013) its final determination notifying Commerce that imports of utility scale wind towers ("wind towers") from the People's Republic of China ("China") materially injure the U.S. industry or threaten the U.S. industry with material injury.
2. On 01/24/2014, the U.S. Court of Appeals for the Federal Circuit issued a final decision in the case of Wind Tower Trade Coalition v. United States (CAFC Court No. 13-1303 and CIT Court No 13-00080). As a result of this decision, the stay order to which message 3189302 refers and the temporary restraining order to which messages 3066301 and 3113305 refer, enjoining liquidation of certain entries provisionally subject to the antidumping duty order on utility scale wind towers from China (A-570-981), and entered, or withdrawn from warehouse, for consumption during the period from 08/02/2012 through 02/12/2013, dissolved on 02/10/2014.
3. In accordance with section 736(b)(2) of the Tariff Act of 1930, as amended, CBP should terminate the suspension of liquidation for all shipments of wind towers from China that were entered, or withdrawn from warehouse, for consumption before 02/13/2013. All entries of subject merchandise that were entered, or withdrawn from warehouse, for consumption before 02/13/2013 should be liquidated without regard to antidumping duties (i.e., return all cash deposits).
4. These instructions constitute notice of the lifting of suspension of liquidation of entries of merchandise entered, or withdrawn from warehouse, for consumption before 02/13/2013. For all other shipments of wind towers from China, continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates unless instructed otherwise.
5. The interest provisions of section 778 of the Tariff Act of 1930, as amended, do not apply.

6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, 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:TT.)

7. 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