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FR CITE: 76 FR 48802 FR CITE DATE: 08/09/2011

REFERENCE 8347207
MESSAGE #
(s):

CASE #(s): A-489-807

EFFECTIVE DATE: 08/09/2011 COURT CASE #: 08-00415

PERIOD OF REVIEW: 04/01/2006 TO 03/31/2007

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/09/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ INSTRS FOR CERTAIN STEEL CONCRETE REINFORCING BARS FROM TURKEY PROD AND/OR EXP BY EKINCILER DEMIR VE CELIK SANAYI A.S./EKINCILER DIS TICARET A.S. 04/01/2006 TO 03/31/2007 (A-489-807-002)

1. ON 07/20/2011, THE U.S. COURT OF INTERNATIONAL TRADE (CIT), AS A RESULT OF A SETTLEMENT AGREEMENT, SIGNED AN ORDER DISMISSING THE CASE OF EKINCILER DEMIR VE CELIK SANAYI A.S. & EKINCILER DIS TICARET A.S. V. UNITED STATES, COURT NO. 08-00415. AS A RESULT OF THIS DISMISSAL, THE INJUNCTION TO WHICH MESSAGE 8347207 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN STEEL CONCRETE REINFORCING BARS FROM TURKEY FOR THE PERIOD 04/01/2006 THROUGH 3/31/2007 PRODUCED AND/OR EXPORTED BY EKINCILER DEMIR VE CELIK SANAYI A.S. AND EKINCILER DIS TICARET A.S. DISSOLVED ON 07/20/2011.

2. FOR ALL SHIPMENTS OF CERTAIN STEEL CONCRETE REINFORCING BARS FROM TURKEY PRODUCED OR EXPORTED BY EKINCILER DEMIR VE CELIK SANAYI A.S. AND EKINCILER DIS TICARET A.S.,(A-489-807-002) IMPORTED BY EKINCILER DEMIR VE CELIK SANAYI A.S. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 04/01/2006 THROUGH 03/31/2007, LIQUIDATE WITHOUT REGARD TO ANTIDUMPING LIABILITIES.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 04/01/2006 THROUGH 03/31/2007 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 48802, 08/09/2011).

4. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF CERTAIN STEEL CONCRETE REINFORCING BARS FROM TURKEY PRODUCED BY EKINCILER DEMIR VE CELIK SANAYI A.S. AND EKINCILER DIS TICARET A.S. ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 04/01/2006 THROUGH 03/31/2007, ENTERED UNDER CASE NUMBER A-489-807-002, AND NOT COVERED BY PARAGRAPH TWO,

ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR CERTAIN STEEL CONCRETE REINFORCING BARS FROM TURKEY IS 16.06 PERCENT.

5. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

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. 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 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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: EE).

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