

MESSAGE NO: 7040201 MESSAGE DATE: 02/09/2007

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6362202  
MESSAGE #  
(s):

CASE #(s): A-351-806

EFFECTIVE DATE: COURT CASE #:  
PERIOD OF REVIEW: TO  
PERIOD COVERED: 07/01/2005 TO 02/15/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: RESCISSION OF ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON SILICON METAL FROM BRAZIL (A-351-806)

MESSAGE NO: 7040201

DATE: 02 09 2007

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REFERENCE: 6362202

REFERENCE DATE: 12 28 2006

CASES: A - 351 - 806

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PERIOD COVERED: 07 01 2005 TO 02 15 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: RESCISSION OF ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON SILICON METAL FROM BRAZIL (A-351-806)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON SILICON METAL FROM BRAZIL (A-351-806), COVERING THE PERIOD 07/01/2005 THROUGH 02/15/2006, HAS BEEN RESCINDED BECAUSE CAMARAGO CORREA METAIS S.A., COMPANHIA FERROLIGAS DE MINAS GERAIS-MINASLIGAS, ITALMAGNESIO NORDESTE S.A., AND LIGAS DE ALUMINIO S.A. REPORTED THAT THEY HAD NO SHIPMENTS OF SUBJECT MERCHANDISE DURING THIS PERIOD.

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT

REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF SILICON METAL FROM BRAZIL PRODUCED BY CAMARAGO CORREA METAIS S.A., COMPANHIA FERROLIGAS DE MINAS GERAIS-MINASLIGAS, ITALMAGNESIO NORDESTE S.A., AND LIGAS DE ALUMINIO S.A., ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD

07/01/2005 THROUGH 02/15/2006, AND EXPORTED BY FIRMS OTHER THAN CAMARAGO CORREA METAIS S.A., COMPANHIA FERROLIGAS DE MINAS GERAIS-MINASLIGAS, ITALMAGNESIO NORDESTE S.A., AND LIGAS DE ALUMINIO S.A. (LIASA), ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR SILICON METAL FROM BRAZIL IS 91.06 PERCENT. ENTRIES MAY HAVE BEEN MADE UNDER A-351-806-000 OR ANY MANUFACTURER-SPECIFIC CASE NUMBERS.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW ON JANUARY 19, 2007 (72 FR 2492). THE SUSPENSION OF LIQUIDATION FOR ALL ENTRIES ON OR AFTER 02/16/2006 WAS LIFTED UPON PUBLICATION OF THE NOTICE OF REVOCATION. WHICH PUBLISHED IN THE FEDERAL REGISTER ON 12/21/2006 (71 FR 76635). SEE ALSO CUSTOMS MESSAGE NUMBER 6362202, DATED 12/28/2006.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON 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 OVER-PAYMENTS 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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402 (f)(2) OF THE COMMERCE DEPARTMENT 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 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 RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. 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 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 O5:JNK).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

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