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MESSAGE #
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CASE #(s): A-570-904

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/09/2007 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN ACTIVATED CARBON FROM CHINA (A-570-904)

MESSAGE NO: 7115201 DATE: 04 25 2007

CATEGORY: ADA TYPE: INF

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 904 - -

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PERIOD COVERED: 04 09 2007 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN ACTIVATED CARBON FROM CHINA (A-570-904)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON ANTIDUMPING MEASURES, THE DEPARTMENT IS DISCONTINUING THE SUSPENSION OF LIQUIDATION IN THE ANTIDUMPING DUTY INVESTIGATION OF ACTIVATED CARBON FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-904) EFFECTIVE APRIL 9, 2007.

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS CERTAIN ACTIVATED CARBON. CERTAIN ACTIVATED CARBON IS A POWDERED, GRANULAR OR PELLETIZED CARBON PRODUCT OBTAINED BY "ACTIVATING"

WITH HEAT AND STEAM VARIOUS MATERIALS CONTAINING CARBON INCLUDING BUT NOT LIMITED TO COAL (INCLUDING BITUMINOUS, LIGNITE AND ANTHRACITE), WOOD, COCONUT SHELLS, OLIVE STONES, AND PEAT. THE THERMAL AND STEAM TREATMENTS REMOVE ORGANIC MATERIALS AND CREATE

AN INTERNAL PORE STRUCTURE IN THE CARBON MATERIAL. THE PRODUCER CAN ALSO USE CARBON DIOXIDE GAS (CO₂) IN PLACE OF STEAM IN THIS PROCESS. THE VAST MAJORITY OF THE INTERNAL POROSITY DEVELOPED DURING THE HIGH TEMPERATURE STEAM (OR CO₂ GAS) ACTIVATED PROCESS IS A DIRECT RESULT OF OXIDATION OF A PORTION OF THE SOLID CARBON ATOMS IN THE RAW MATERIAL, CONVERTING THEM INTO A GASEOUS FORM OF CARBON.

THE SCOPE OF THIS INVESTIGATION COVERS ALL FORMS OF ACTIVATED CARBON THAT ARE ACTIVATED BY STEAM OR CO₂, REGARDLESS OF THE RAW MATERIAL, GRADE, MIXTURE, ADDITIVES, FURTHER WASHING OR POST-ACTIVATION CHEMICAL TREATMENT (CHEMICAL OR WATER WASHING, CHEMICAL IMPREGNATION OR OTHER TREATMENT), OR PRODUCT FORM. UNLESS SPECIFICALLY EXCLUDED, THE SCOPE OF THIS INVESTIGATION COVERS ALL PHYSICAL FORMS OF CERTAIN ACTIVATED CARBON, INCLUDING POWDERED ACTIVATED CARBON ("PAC"), GRANULAR ACTIVATED CARBON ("GAC"), AND PELLETIZED ACTIVATED CARBON.

EXCLUDED FROM THE SCOPE OF THE INVESTIGATION ARE CHEMICALLY-ACTIVATED CARBONS. THE CARBON-BASED RAW MATERIAL USED IN THE CHEMICAL ACTIVATION PROCESS IS TREATED WITH A STRONG CHEMICAL AGENT, INCLUDING BUT NOT LIMITED TO PHOSPHORIC ACID, ZINC CHLORIDE SULFURIC ACID OR POTASSIUM HYDROXIDE, THAT DEHYDRATES MOLECULES IN THE RAW MATERIAL, AND RESULTS IN THE FORMATION OF WATER THAT IS REMOVED FROM THE RAW MATERIAL BY MODERATE HEAT TREATMENT. THE ACTIVATED CARBON CREATED BY CHEMICAL ACTIVATION HAS INTERNAL POROSITY DEVELOPED PRIMARILY DUE TO THE ACTION OF THE CHEMICAL DEHYDRATION AGENT. CHEMICALLY ACTIVATED CARBONS ARE TYPICALLY USED TO ACTIVATE RAW MATERIALS WITH A LIGNOCELLULOSIC COMPONENT SUCH AS CELLULOSE, INCLUDING WOOD, SAWDUST, PAPER MILL WASTE AND PEAT.

TO THE EXTENT THAT AN IMPORTED ACTIVATED CARBON PRODUCT IS A

BLEND OF STEAM AND CHEMICALLY ACTIVATED CARBONS, PRODUCTS CONTAINING 50 PERCENT OR MORE STEAM (OR CO2 GAS) ACTIVATED CARBONS ARE WITHIN THIS SCOPE, AND THOSE CONTAINING MORE THAN 50 PERCENT CHEMICALLY ACTIVATED CARBONS ARE OUTSIDE THIS SCOPE. THIS EXCLUSION LANGUAGE REGARDING BLENDED MATERIAL APPLIES ONLY TO MIXTURES OF STEAM AND CHEMICALLY ACTIVATED CARBONS.

ALSO EXCLUDED FROM THE SCOPE ARE REACTIVATED CARBONS. REACTIVATED CARBONS ARE PREVIOUSLY USED ACTIVATED CARBONS THAT HAVE HAD ADSORBED MATERIALS REMOVED FROM THEIR PORE STRUCTURE AFTER USE THROUGH THE APPLICATION OF HEAT, STEAM AND/OR CHEMICALS.

ALSO EXCLUDED FROM THE SCOPE IS ACTIVATED CARBON CLOTH. ACTIVATED CARBON CLOTH IS A WOVEN TEXTILE FABRIC MADE OF OR CONTAINING ACTIVATED CARBON FIBERS. IT IS USED IN MASKS AND FILTERS AND CLOTHING OF VARIOUS TYPES WHERE A WOVEN FORMAT IS REQUIRED.

ANY ACTIVATED CARBON MEETING THE PHYSICAL DESCRIPTION OF SUBJECT MERCHANDISE PROVIDED ABOVE THAT IS NOT EXPRESSLY EXCLUDED FROM THE SCOPE IS INCLUDED WITHIN THIS SCOPE. THE PRODUCTS UNDER INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") SUBHEADING 3802.10.00. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-904.

4. FIELD OFFICERS SHALL DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR ANTIDUMPING DUTY PURPOSES ON ALL SHIPMENTS OF THE SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER APRIL 9, 2007. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNTIL THE DATE OF PUBLICATION OF THE U.S. INTERNATIONAL TRADE COMMISSION'S FINAL DETERMINATION. FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

MADE DURING THE PERIOD OCTOBER 11, 2006 THROUGH APRIL 8, 2007.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. CUSTOMS AND BORDER PROTECTION OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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 O9:CB).

6. 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