

MESSAGE NO: 7108215 MESSAGE DATE: 04/18/2007
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6198204
MESSAGE #
(s):

CASE #(s): C-122-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2004 TO 12/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION FOR PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA EXPORTED BY NORSK HYDRO CANADA INC. (C-122-815-002)

MESSAGE NO: 7108215

DATE: 04 18 2007

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 6198204

REFERENCE DATE: 07 17 2006

CASES: C - 122 - 815

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PERIOD COVERED: 01 01 2004 TO 12 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION FOR PURE MAGNESIUM AND ALLOY MAGNESIUM
FROM CANADA EXPORTED BY NORSK HYDRO CANADA INC.
(C-122-815-002)

1. ON DECEMBER 19, 2006, THE NAFTA SECRETARIAT PUBLISHED IN THE FEDERAL REGISTER A NOTICE OF COMPLETION OF PANEL REVIEW OF THE FINAL REMAND DETERMINATION MADE BY THE INTERNATIONAL TRADE COMMISSION CONCERNING THE FULL SUNSET REVIEW OF THE COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND ALLOY MAGNESIUM

FROM CANADA (71 FR 75940). AS A RESULT OF THIS DECISION, THE SUSPENSION OF LIQUIDATION TO WHICH MESSAGE NO. 6198204 (DATED 07/17/2006) REFERS SUSPENDING LIQUIDATION OF ENTRIES WHICH ARE

SUBJECT TO THE COUNTERVAILING DUTY ORDERS ON PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA FOR PERIOD 01/01/2004 THROUGH 12/31/2004 EXPORTED BY NORSK HYDRO CANADA INC. IS LIFTED ON 12/19/2006.

2. IMPORTS COVERED BY THESE REVIEWS ARE SHIPMENTS OF PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA. PURE MAGNESIUM CONTAINS AT LEAST 99.8 PERCENT MAGNESIUM BY WEIGHT AND IS SOLD IN VARIOUS SLAB AND INGOT FORMS AND SIZES. MAGNESIUM ALLOYS CONTAIN LESS THAN 99.8 PERCENT MAGNESIUM BY WEIGHT WITH MAGNESIUM BEING THE LARGEST METALLIC ELEMENT IN THE ALLOY BY WEIGHT, AND ARE SOLD IN VARIOUS INGOT AND BILLET FORMS AND SIZES. THE MERCHANDISE UNDER REVIEW IS CURRENTLY CLASSIFIABLE UNDER ITEMS 8104.11.0000 AND 8104.19.0000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES. SECONDARY AND GRANULAR MAGNESIUM ARE NOT INCLUDED IN THE SCOPE OF THESE REVIEWS.

3. THE NET SUBSIDY FOR NORSK HYDRO CANADA INC. WAS FOUND TO BE 0.51 PERCENT AD VALOREM FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004.

4. ACCORDINGLY, YOU ARE TO LIQUIDATE AT 0.51 PERCENT OF THE ENTERED VALUE ALL SHIPMENTS OF PURE MAGNESIUM AND ALLOY MAGNESIUM FROM CANADA EXPORTED BY NORSK HYDRO CANADA INC. ON OR AFTER 01/01/2004 AND ON OR BEFORE 12/31/2004.

5. THE ASSESSMENT OF COUNTERVAILING 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 COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDERS. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING 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.

6. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR AFTER 01/01/2004 AND ON OR BEFORE 12/31/2004 IS LIFTED. SUSPENSION OF LIQUIDATION FOR CERTAIN ENTRIES OF THIS MERCHANDISE EXPORTED BEFORE 01/01/2004 AND ALL ENTRIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/2004 WILL CONTINUE.

7. 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 01:AM).

8. 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