

MESSAGE NO: 8058202 MESSAGE DATE: 02/27/2008
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7109205
MESSAGE #
(s):

CASE #(s): A-428-815

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2006 TO 07/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: RESCISSION: ADMIN REV AD ORDER - CORROSION-RESISTANT CARBON STEEL
FLAT PRODUCTS FROM GERMANY (A-428-815) LIQ THYSSENKRUPP STEEL/STAHL-NOT
ENJOINED IN MSG 7109205

MESSAGE NO: 8058202

DATE: 02 27 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 7109205

REFERENCE DATE: 04 19 2007

CASES: A - 428 - 815

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PERIOD COVERED: 08 01 2006 TO 07 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: RESCISSION: ADMIN REV AD ORDER - CORROSION-RESISTANT
CARBON STEEL FLAT PRODUCTS FROM GERMANY (A-428-815) LIQ
THYSSENKRUPP STEEL/STAHL-NOT ENJOINED IN MSG 7109205

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON
CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM
GERMANY (A-428-815), COVERING THE PERIOD 08/01/2006 THROUGH
07/31/2007, HAS BEEN RESCINDED FOR ALL FIRMS (I.E.
THYSSENKRUPP STEEL AG). YOU ARE TO ASSESS ANTIDUMPING DUTIES
ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THE PERIOD 08/01/2006 THROUGH 07/31/2007
AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF

ENTRY, AS DESCRIBED BELOW.

2. ON 04/19/2007, THE DEPARTMENT OF COMMERCE ISSUED INSTRUCTIONS ENJOINING LIQUIDATION OF ENTRIES OF CERTAIN CORROSION-RESISTANT CARBON STEEL FLAT PRODUCTS FROM GERMANY (A-428-815), PRODUCED AND EXPORTED BY THYSSENKRUPP STEEL AG OR THYSSENKRUPP STAHL AG, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/15/2005 (MESSAGE NO: 7109205). NOTE THAT MESSAGE NO. 7109205 REMAINS IN EFFECT.

THEREFORE, CUSTOMS AND BORDER PROTECTION IS DIRECTED TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE EXPORTED, BUT NOT PRODUCED, OR PRODUCED, BUT NOT EXPORTED, BY THYSSENKRUPP STEEL AG, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2006 THROUGH 07/31/2007.

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 NOTICE OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW (73 FR 3943, JANUARY 23, 2008). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDER PAYMENTS 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 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.

6. 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 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 O7:JD).

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

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

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