

MESSAGE NO: 8158202 MESSAGE DATE: 06/06/2008  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8073206  
MESSAGE #  
(s):

CASE #(s): A-485-803

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2002 TO 07/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CUT-TO-LENGTH CARBON STEEL  
PLATE FROM ROMANIA PRO'D AND/OR EXP'D BY ISPAT SIDEX OR  
METAEXPORTIMPORT(A-485-803-001/003/004)

MESSAGE NO: 8158202

DATE: 06 06 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8073206

REFERENCE DATE: 03 13 2008

CASES: A - 485 - 803

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PERIOD COVERED: 08 01 2002 TO 07 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CUT-TO-LENGTH  
CARBON STEEL PLATE FROM ROMANIA PRO'D AND/OR EXP'D BY  
ISPAT SIDEX OR METAEXPORTIMPORT(A-485-803-001/003/004)

1. ON 11/07/2007, THE U.S. COURT OF INTERNATIONAL TRADE (CIT)  
ISSUED A FINAL DECISION IN THE CASE OF MITTAL STEEL GALATI  
S.A., FORMERLY KNOWN AS ISPAT SIDEX S.A. V. UNITED STATES,  
COURT NO. 05-00311. AS A RESULT OF THE CIT'S DECISION AND LAPSE  
OF THE 60-DAY TIME PERIOD FOR APPEAL, THE INJUNCTION TO WHICH  
MESSAGE 5166201 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH  
ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN  
CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA EXPORTED BY

METAEXPORTIMPORT, S.A. AND PRODUCED BY ISPAT SIDEX, S.A. FOR THE PERIOD 08/01/2002 THROUGH 07/31/2003, DISSOLVED ON 01/07/2008. THE DEPARTMENT OF COMMERCE PUBLISHED THE AMENDED FINAL RESULTS OF REVIEW ON 01/18/2008 (73 FR 3452).

2. FOR ALL SHIPMENTS OF CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA PRODUCED BY ISPAT SIDEX S.A. (MITTAL STEEL GALATI S.A.'S NAME AT THE TIME THE ENTRIES WERE MADE) AND EXPORTED BY METAEXPORTIMPORT S.A., AND WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2002 THROUGH 07/31/2003, ASSESS AN ANTIDUMPING LIABILITY ACCORDING TO THE INSTRUCTIONS CONTAINED IN MESSAGE #8073206 (03/13/2008).

3. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA WHICH WERE PRODUCED AND/OR EXPORTED BY ISPAT SIDEX S.A. (MITTAL STEEL GALATI S.A.'S NAME AT THE TIME THE ENTRIES WERE MADE), ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD

08/01/2002 THROUGH 07/31/2003, 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 CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA IS 75.04 PERCENT.

FOR ALL SHIPMENTS OF CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA WHICH WERE PRODUCED AND/OR EXPORTED BY METAEXPORTIMPORT S.A., ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/2002 THROUGH 07/31/2003, AND NOT COVERED BY PARAGRAPH ONE, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM ROMANIA IS 75.04 PERCENT.

4. NOTE THAT ENTRIES MAY HAVE BEEN UNDER CASE NUMBERS A-485-803-001, A-485-803-003, OR A-485-803-004.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2002 THROUGH 07/31/2003, NOT COVERED BY MESSAGE #8073206, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW ON 03/15/2005 (70 FR 12651). FOR ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2003 THOROUGH 07/31/2004, REFER TO MESSAGES #4286212 (DATED 10/12/2004), #6055201 (DATED 03/10/2006), #8038207 (DATED 02/07/2008), AND #8135208 (DATED 05/14/2008). FOR ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2004 THROUGH 07/31/2005, REFER TO MESSAGES #5305206 (DATED 11/01/2005), #7094202 (DATED 04/04/2007) AND #7095207 (DATED 04/05/2007). FOR ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2005 THROUGH 12/14/2005, REFER TO MESSAGES #7360209 AND #7360210, DATED 12/26/2007.

6. AS A RESULT OF A FIVEYEAR ("SUNSET") REVIEW, COMMERCE HAS REVOKED THE ANTIDUMPING DUTY ORDER ON CERTAIN CUTTOLENGTH CARBON STEEL PLATE FROM ROMANIA (A485803). THIS REVOCATION WAS PUBLISHED IN THE FEDERAL REGISTER ON 02/12/2007 (72 FR 6519). THE EFFECTIVE DATE OF THE REVOCATION IS 12/15/2005. THEREFORE, ALL ENTRIES OF THE SUBJECT MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER 12/15/2005 SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES, AND U.S. CUSTOMS AND BORDER PROTECTION (CBP) IS DIRECTED NOT TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES ON THE SUBJECT MERCHANDISE. SEE MESSAGE #7045205, DATED 02/14/2007.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY 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 OVERPAYMENTS AND 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.

8. 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 ABOVEREFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

9. 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 ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:JD).

10. 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