

MESSAGE NO: 8281206 MESSAGE DATE: 10/07/2008  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-203

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/11/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTION FOR ANTIDUMPING SCOPE RULING ON HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM CHINA (A-570-203)

MESSAGE NO: 8281206 DATE: 10 07 2008

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 203 - -

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PERIOD COVERED: 09 11 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTION FOR ANTIDUMPING SCOPE RULING  
ON HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM  
CHINA (A-570-203)

1. THE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM NEW BUFFALO CORPORATION. THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING ON 09/11/2008, THAT THE 4 TON ELECTRIC LOG SPLITTER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM THE PRC (A-570-203).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE 4 TON ELECTRIC

LOG SPLITTER IS OUTSIDE THE SCOPE ORDER BECAUSE (1) IT DOES NOT MEET ANY DEFINITION OF ANY OF THE HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) SUBJECT TO THE ORDER, (2) THE WEDGE OF THE MACHINE IS PRODUCED IN A WELDED, RATHER THAN FORGED PROCESS, AND (3) THE MACHINE IS ELECTRIC POWERED. THEREFORE, THE 4 TON ELECTRIC LOG SPLITTER IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM THE PRC.

3. EFFECTIVE 09/11/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 09/11/2008 OF 4 TON ELECTRIC LOG SPLITTERS LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE 4 TON ELECTRIC LOG SPLITTER LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF 4 TON ELECTRIC LOG SPLITTERS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 09/11/2008.

6. 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 PAY 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 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.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF HEAVY FORGED

HAND TOOLS (HAMMERS/SLEDGES) SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING HEAVY FORGED HAND TOOLS (PICKS/MATTOCKS) FROM THE PRC.

8. 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 09:AR).

9. 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