

MESSAGE NO: 9027201 MESSAGE DATE: 01/27/2009
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-428-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/09/1988 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTR. FOR SCOPE RULING ON BALL BEARINGS AND PARTS FROM GERMANY FOR MYONIC GMBH DENTAL TURBINE ASSEMBLY (A-428-201-029) (NOT WITHIN SCOPE)

MESSAGE NO: 9027201

DATE: 01 27 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 428 - 201

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PERIOD COVERED: 11 09 1988 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTR. FOR SCOPE RULING ON BALL BEARINGS AND PARTS FROM GERMANY FOR MYONIC GMBH DENTAL TURBINE ASSEMBLY (A-428-201-029) (NOT WITHIN SCOPE)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM MYONIC GMBH (MYONIC) AKA MINIATURKUGELLAGER GMBH (MKL). COMMERCE ISSUED A FINAL SCOPE RULING ON 01/12/2009 THAT MYONIC'S DENTAL TURBINE ASSEMBLY IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING BALL BEARINGS AND PARTS THEREOF (BALL BEARINGS) FROM GERMANY (A-428-201-029).

2. COMMERCE DETERMINED THAT MYONIC'S DENTAL TURBINE ASSEMBLY

CONTAINS THE FOLLOWING ADDITIONAL COMPONENTS THAT ADVANCE THE FUNCTIONS BEYOND THE LOAD-BEARING AND FRICTION-REDUCING FUNCTIONS OF THE BALL BEARING: A CHUCK, A TURBINE, AND A SHAFT THAT HOLDS THE CHUCK, THE TURBINE, AND TWO BALL BEARINGS. THEREFORE, MYONIC'S DENTAL TURBINE ASSEMBLY IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING BALL BEARINGS FROM GERMANY.

3. EFFECTIVE 01/12/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988 OF MYONIC'S DENTAL TURBINE ASSEMBLY DESCRIBED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO MYONIC'S DENTAL TURBINE ASSEMBLY DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE THE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF MYONIC'S DENTAL TURBINE ASSEMBLY ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988.

6. THE ASSESSMENT OF ANTIDUMPING 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 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 WHICH IS 05/15/1989. 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 BALL BEARINGS FROM GERMANY SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING BALL BEARINGS FROM GERMANY.

8. 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 THE 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 O5:YJC).

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