

MESSAGE NO: 9104201 MESSAGE DATE: 04/14/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6097201
MESSAGE #
(s):
CASE #(s): A-580-215

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 08/01/2003 TO 07/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR OIL COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM KOREA PROD & EXP BY HUSTEEL CO. LTD. (A-580-215); CT. NO. 06-00075

MESSAGE NO: 9104201

DATE: 04 14 2009

CATEGORY: ADA

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REFERENCE: 6097201

REFERENCE DATE: 04 07 2006

CASES: A - 580 - 215

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PERIOD COVERED: 08 01 2003 TO 07 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR OIL COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM KOREA PROD & EXP BY HUSTEEL CO. LTD. (A-580-215); CT. NO. 06-00075

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. ON 12/22/2008, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF HUSTEEL COMPANY, LTD., AND SEAH CORP., LTD., V. UNITED STATES, CT. NO. 06-00075. AS A RESULT OF THIS DECISION, THE INJUNCTION REFERENCED IN MESSAGE NUMBER 6097201, DATED 04/07/2006, ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON OIL

COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM THE REPUBLIC OF KOREA FOR THE PERIOD 08/01/2003 THROUGH 07/31/2004 PRODUCED AND EXPORTED BY HUSTEEL COMPANY, LTD., DISSOLVED ON 03/23/2009.

2. FOR ALL SHIPMENTS OF OIL COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM THE REPUBLIC OF KOREA PRODUCED AND EXPORTED BY HUSTEEL COMPANY, LTD., AND IMPORTED BY OR SOLD TO HUSTEEL USA (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION), AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2003 THROUGH 07/31/2004, ASSESS AN ANTIDUMPING LIABILITY OF ZERO PERCENT OF THE ENTERED VALUE.

3. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF OIL COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM THE REPUBLIC OF KOREA PRODUCED BY HUSTEEL CO. LTD. ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2003 THROUGH 07/31/2004, ENTERED UNDER CASE NUMBER

A-580-215-004, 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 OIL COUNTRY TUBULAR GOODS, OTHER THAN DRILL PIPE, FROM THE REPUBLIC OF KOREA IS 12.17 PERCENT.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2003 THROUGH 07/31/2004 OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW, PURSUANT TO FINAL COURT DECISION, 74 FR 12112, 03/23/2009.

5. THE INJUNCTION APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION (SEE MESSAGE NUMBER 6097201, DATED 04/07/2006), DISSOLVED EFFECTIVE 03/23/2009.

6. THE ANTIDUMPING DUTY ORDER ON OIL COUNTRY TUBULAR GOODS FROM KOREA WAS REVOKED EFFECTIVE 07/25/2006. THE SUSPENSION OF

LIQUIDATION AND CASH DEPOSIT REQUIREMENT WERE TERMINATED EFFECTIVE 07/25/2006. SEE MESSAGE NUMBER 7179203, DATED 06/28/07.

7. 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. 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 COMMERCE'S 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.

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 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 O6: MD).

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

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

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