

MESSAGE NO: 9132201 MESSAGE DATE: 05/12/2009
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-942

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/07/2009 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM CHINA (C-570-942)

MESSAGE NO: 9132201 DATE: 05 12 2009

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 570 - 942 - -

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PERIOD COVERED: 05 07 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM CHINA (C-570-942)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT OF COMMERCE (COMMERCE) IS DISCONTINUING THE SUSPENSION OF LIQUIDATION ON THE COUNTERVAILING DUTY INVESTIGATION OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM THE PEOPLE'S REPUBLIC OF CHINA EFFECTIVE 05/07/09, WHICH IS 120 DAYS AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION.

2. THE SCOPE OF THIS INVESTIGATION CONSISTS OF SHELVING AND RACKS FOR REFRIGERATORS, FREEZERS, COMBINED REFRIGERATOR-FREEZERS, OTHER REFRIGERATING OR FREEZING EQUIPMENT, COOKING STOVES, RANGES, AND OVENS (CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS, OR THE SUBJECT MERCHANDISE). CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS ARE DEFINED AS SHELVING, BASKETS, RACKS (WITH OR WITHOUT EXTENSION SLIDES, WHICH ARE CARBON OR STAINLESS STEEL HARDWARE DEVICES THAT ARE CONNECTED TO SHELVING, BASKETS, OR RACKS TO ENABLE SLIDING), SIDE RACKS (WHICH ARE WELDED WIRE SUPPORT STRUCTURES FOR OVEN RACKS THAT ATTACH TO THE INTERIOR WALLS OF AN OVEN CAVITY THAT DOES NOT INCLUDE SUPPORT RIBS AS A DESIGN FEATURE), AND SUBFRAMES (WHICH ARE WELDED WIRE SUPPORT STRUCTURES THAT INTERFACE WITH FORMED SUPPORT RIBS INSIDE AN OVEN CAVITY TO SUPPORT OVEN RACK ASSEMBLIES UTILIZING EXTENSION SLIDES) WITH THE FOLLOWING DIMENSIONS:

-- SHELVING AND RACKS WITH DIMENSIONS RANGING FROM 3 INCHES BY 5 INCHES BY 0.10 INCH TO 28 INCHES BY 34 INCHES BY 6 INCHES; OR

-- BASKETS WITH DIMENSIONS RANGING FROM 2 INCHES BY 4 INCHES BY 3 INCHES TO 28 INCHES BY 34 INCHES BY 16 INCHES; OR

-SIDE RACKS FROM 6 INCHES BY 8 INCHES BY 0.1 INCH TO 16 INCHES BY 30 INCHES BY 4 INCHES; OR

-SUBFRAMES FROM 6 INCHES BY 10 INCHES BY 0.1 INCH TO 28 INCHES BY 34 INCHES BY 6 INCHES.

THE SUBJECT MERCHANDISE IS COMPRISED OF CARBON OR STAINLESS STEEL WIRE RANGING IN THICKNESS FROM 0.050 INCH TO 0.500 INCH AND MAY INCLUDE SHEET METAL OF EITHER CARBON OR STAINLESS STEEL RANGING IN THICKNESS FROM 0.020 INCH TO 0.2 INCH. THE SUBJECT MERCHANDISE MAY BE COATED OR UNCOATED AND MAY BE FORMED AND/OR WELDED. EXCLUDED FROM THE SCOPE OF THIS INVESTIGATION IS SHELVING IN WHICH THE SUPPORT SURFACE IS GLASS.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CURRENTLY CLASSIFIABLE IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) STATISTICAL REPORTING NUMBERS 8418.99.80.50, 8418.99.80.60, 7321.90.50.00, 7321.90.60.90, AND 8516.90.80.00.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-942.

4. FIELD OFFICERS SHALL DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF THE SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/07/09. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL COMMERCE PUBLISHES A COUNTERVAILING DUTY ORDER IN THIS CASE. FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD, 01/07/09 THROUGH 05/06/09, UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM THE PEOPLE'S REPUBLIC OF CHINA.

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 ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1: SH).

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

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

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