

MESSAGE NO: 9189205 MESSAGE DATE: 07/08/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE MESSAGE # 3168201
(s):

CASE #(s): A-427-818

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2005 TO 01/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INSTRUCTIONS FOR RESCISSION OF ADMIN REVIEW ON LOW ENRICHED URANIUM FROM FRANCE. FIRM: EURODIF/AREVA (A-427-818-001/000) INJ DISSOLVED. LIFT SUSP MSG DATE

MESSAGE NO: 9189205

DATE: 07 08 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 3168201

REFERENCE DATE: 06 17 2003

CASES: A - 427 - 818

- -

- - - -

- - - -

PERIOD COVERED: 02 01 2005 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INSTRUCTIONS FOR RESCISSION OF ADMIN REVIEW ON LOW ENRICHED URANIUM FROM FRANCE. FIRM: EURODIF/AREVA (A-427-818-001/000) INJ DISSOLVED. LIFT SUSP MSG DATE

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (A-427-818), COVERING THE PERIOD 02/01/2005 THROUGH 01/31/2006, HAS BEEN RESCINDED FOR THE FIRM LISTED BELOW. (74 FR 27014 DATED 06/05/2009).

2. ON 06/11/2009, THE COURT OF INTERNATIONAL TRADE ISSUED

FINAL JUDGEMENT IN THE CASE OF EURODIF S.A. ET. AL. V.
UNITED STATES, COURT NO.02-00219.

AS A RESULT OF THIS ACTION, THE INJUNCTION TO WHICH MESSAGE
NUMBER 3168201, DATED 06/17/2003, REFERS, ENJOINING
LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING
DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE PRODUCED
AND/OR EXPORTED BY EURODIF/AREVA FOR THE PERIOD
(A) 07/13/2001 THROUGH 01/08/2002 OR
(B) ON OR AFTER 02/13/2002 HAS BEEN DISSOLVED.

3. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE
ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING
THE PERIOD 02/01/2005 THROUGH 01/31/2006 AT THE CASH DEPOSIT
OR BONDING RATE REQUIRED AT THE TIME OF ENTRY:

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM:
COMPANY: EURODIF/AREVA
CASE NUMBER: A-427-818

4. EURODIF S.A. (EURODIF) AND AREVA ARE HEREINAFTER REFERRED
TO AS EURODIF/AREVA. AREVA NC AND AREVA NC INC. (COLLECTIVELY
AREVA) WERE PREVIOUSLY KNOWN AS COMPAGNIE GENERALE DES
MATIERES NUCLEAIRES S.A. AND COGEMA INC. (COLLECTIVELY COGEMA).

NOTE THAT FOR PURPOSES OF THIS MESSAGE, EURODIF/AREVA MAY
ENCOMPASS THE FOLLOWING NAME COMBINATIONS. ALL SUCH ENTRIES
SHOULD HAVE ENTERED UNDER A-427-818-001 BUT MAY HAVE ALSO
ENTERED UNDER A-427-818-000.

EURODIF S.A./AREVA NC (FORMERLY COGEMA)
EURODIF S.A.
AREVA NC (FORMERLY COMPAGNIE GENERALE DES MATIERES NUCLEAIRES
S.A.)
EURODIF/AREVA
COGEMA/EURODIF S.A.
AREVA/EURODIF S.A.

COGEMA

5. THERE WAS ALSO A COUNTERVAILING DUTY ORDER ON LOW ENRICHED URANIUM FROM FRANCE (C-427-819). THE COUNTERVAILING DUTY CASE ALSO INVOLVED LITIGATION, COVERING THE SAME ENTRIES, WHICH HAS ALSO BEEN DISMISSED. SEPARATE LIQUIDATION INSTRUCTIONS WILL BE ISSUED PERTAINING TO THE COUNTERVAILING DUTY CASE.

6. THIS INSTRUCTION CONSTITUTES NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2005 THROUGH 01/31/2006.

FOR ALL OTHER SHIPMENTS OF LOW ENRICHED URANIUM FROM FRANCE YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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 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 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:ML).

10. 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