

MESSAGE NO: 9195212 MESSAGE DATE: 07/14/2009
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-357-819

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/06/2009 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF PRELIMINARY DETERMINATION IN A COUNTERVAILING DUTY INVESTIGATION OF NI-RESIST PISTON INSERTS FROM ARGENTINA (C-357-819-000/001)

MESSAGE NO: 9195212 DATE: 07 14 2009

CATEGORY: CVD TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: C - 357 - 819 - -

- - - -

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PERIOD COVERED: 07 06 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF PRELIMINARY DETERMINATION IN A COUNTERVAILING DUTY INVESTIGATION OF NI-RESIST PISTON INSERTS FROM ARGENTINA (C-357-819-000/001)

1. ON JULY 6, 2009, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY AFFIRMATIVE DETERMINATION IN THE COUNTERVAILING DUTY INVESTIGATION OF NI-RESIST PISTON INSERTS FROM ARGENTINA.

2. THE SCOPE OF THIS INVESTIGATION INCLUDES ALL NI-RESIST PISTON INSERTS REGARDLESS OF SIZE, THICKNESS, WEIGHT, OR OUTSIDE DIAMETER. NI-RESIST PISTON INSERTS MAY ALSO BE CALLED OTHER NAMES INCLUDING, BUT NOT LIMITED TO, "RING CARRIERS," OR "ALFIN INSERTS."

NI-RESIST PISTON INSERTS ARE ALLOYED CAST IRON RINGS, WITH OR WITHOUT A SHEET METAL COOLING CHANNEL PRESSED AND WELDED INTO THE INTERIOR OF THE INSERT.

NI-RESIST PISTON INSERTS ARE COMPOSED OF THE MATERIAL KNOWN AS NI-RESIST, OF THE CHEMICAL COMPOSITION: 13.5% - 17.5% NI (NICKEL), 5.5% - 8.0% CU (COPPER), 0.8% - 2.5% CR (CHROMIUM), 0.5% - 1.5% MN (MANGANESE), 1.0% - 3.0% SI (SILICON), 2.4% - 3.0% C (CARBON). THE CAST IRON COMPOSITION IS PRODUCED PRIMARILY TO THE MATERIAL SPECIFICATIONS OF THE AMERICAN SOCIETY FOR TESTING AND MATERIALS (ASTM), ASTM A-436 GRADE 1.

THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE PISTON RINGS NOR ANY OTHER PRODUCT MANUFACTURED USING THE NI-RESIST MATERIAL.

THE SUBJECT IMPORTS ARE PROPERLY CLASSIFIED UNDER SUBHEADING 8409.99.91.90 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS), BUT HAVE BEEN IMPORTED UNDER HTSUS 7326.90. THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CBP PURPOSES. THE WRITTEN DESCRIPTION IS DISPOSITIVE OF THE SCOPE OF THIS INVESTIGATION.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-357-819.

4. FOR IMPORTS OF NI-RESIST PISTON INSERTS FROM ARGENTINA, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER 07/06/2009. EFFECTIVE 07/06/2009, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE SUBSIDY RATES SHOWN BELOW:

PRODUCER: CLORINDO APPO SRL

EXPORTER: CLORINDO APPO SRL

CASE NUMBER: C-357-819-001

SUBSIDY RATE: 5.42%

PRODUCER: ALL OTHERS
EXPORTER: ALL OTHERS
CASE NUMBER: C-357-819-000
SUBSIDY RATE: 5.42%

5. IF ANY ENTRIES OF THIS MERCHANDISE ARE EXPORTED BY A FIRM OTHER THAN THE MANUFACTURER, THEN THE FOLLOWING INSTRUCTIONS APPLY:

A. IF THE EXPORTER OF THE SUBJECT MERCHANDISE DOES NOT HAVE ITS OWN RATE BUT THE MANUFACTURER HAS ITS OWN RATE, THE CASH DEPOSIT OR BONDING RATE WILL BE THE MANUFACTURER'S RATE.

B. WHERE NEITHER THE EXPORTER NOR THE MANUFACTURER CURRENTLY HAS ITS OWN RATE OR THE MANUFACTURER IS UNKNOWN, USE THE "ALL OTHERS" RATE OF 5.42 PERCENT TO ESTABLISH THE CASH DEPOSIT OR BONDING RATE.

6. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT).

OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CBP OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

7. 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 O3:KJ).

8. 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