

MESSAGE NO: 9327001 MESSAGE DATE: 11/23/2009
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-570-950

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/09/2009 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 WIRE DECKING FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (C-570-950)

MESSAGE NO: 9327001 DATE: 11 23 2009

CATEGORY: CVD TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: C - 570 - 950 - -

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- - - -

PERIOD COVERED: 11 09 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 WIRE DECKING FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (C-570-950)

1. ON NOVEMBER 9,2009, COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS PRELIMINARY AFFIRMATIVE DETERMINATION AND ALIGNMENT OF ITS FINAL COUNTERVAILING DUTY DETERMINATION OF WIRE DECKING FROM THE PRC TO MARCH 20, 2010, THEREBY ALIGNING IT WITH THE DUE DATE FOR THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF WIRE DECKNG FROM THE PRC. SEE 74 FR 57629, NOVEMBER 9, 2009.

2. THE SCOPE OF THE INVESTIGATION COVERS WELDED-WIRE RACK DECKING, WHICH IS ALSO KNOWN AS, AMONG OTHER THINGS, "PALLET RACK DECKING," "WIRE RACK DECKING," "WIRE MESH DECKING," "BULK STORAGE SHELVING," OR "WELDED-WIRE DECKING." WIRE DECKING CONSISTS OF WIRE MESH THAT IS REINFORCED WITH STRUCTURAL SUPPORTS AND DESIGNED TO BE LOAD BEARING. THE STRUCTURAL SUPPORTS INCLUDE SHEET METAL SUPPORT CHANNELS, OR OTHER STRUCTURAL SUPPORTS, THAT REINFORCE THE WIRE MESH AND THAT ARE WELDED OR OTHERWISE AFFIXED TO THE WIRE MESH, REGARDLESS OF WHETHER THE WIRE MESH AND SUPPORTS ARE ASSEMBLED OR UNASSEMBLED

AND WHETHER SHIPPED AS A KIT OR PACKAGED SEPARATELY. WIRE DECKING IS PRODUCED FROM CARBON OR ALLOY STEEL WIRE THAT HAS BEEN WELDED INTO A MESH PATTERN. THE WIRE MAY BE GALVANIZED OR PLATED (E.G., CHROME, ZINC, OR NICKEL COATED), COATED (E.G., WITH PAINT, EPOXY, OR PLASTIC), OR UNCOATED ("RAW"). THE WIRE MAY BE DRAWN OR ROLLED AND MAY HAVE A ROUND, SQUARE OR OTHER PROFILE. WIRE DECKING IS SOLD IN A VARIETY OF WIRE GAUGES THE WIRE DIAMETERS USED IN THE DECKING MESH ARE 0.105 INCHES OR GREATER FOR ROUND WIRE. FOR WIRE OTHER THAN ROUND

WIRE, THE DISTANCE BETWEEN ANY TWO POINTS ON A CROSS-SECTION OF THE WIRE IS 0.105 INCHES OR GREATER. WIRE DECKING REINFORCED WITH STRUCTURAL SUPPORTS IS DESIGNED GENERALLY FOR INDUSTRIAL AND OTHER COMMERCIAL STORAGE RACK SYSTEMS.

WIRE DECKING IS PRODUCED TO VARIOUS PROFILES, INCLUDING, BUT NOT LIMITED TO, A FLAT ("FLUSH") PROFILE, AN UPWARD CURVED BACK EDGE PROFILE ("BACKSTOP") OR DOWNWARD CURVED EDGE PROFILE ("WATERFALLS"), DEPENDING ON THE RACK STORAGE SYSTEM. THE WIRE DECKING MAY OR MAY NOT BE ANCHORED TO THE RACK STORAGE SYSTEM. THE SCOPE DOES NOT COVER THE METAL RACK STORAGE SYSTEM, COMPRISED OF METAL UPRIGHTS AND CROSS BEAMS, ON WHICH THE WIRE DECKING IS ULTIMATELY INSTALLED. ALSO EXCLUDED FROM THE SCOPE IS WIRE MESH SHELVING THAT IS NOT REINFORCED WITH STRUCTURAL SUPPORTS AND IS DESIGNED FOR USE WITHOUT STRUCTURAL SUPPORTS. WIRE DECKING ENTERS THE UNITED STATES THROUGH SEVERAL BASKET CATEGORIES IN THE HTSUS. U.S. CUSTOMS AND BORDER PROTECTION (CBP) HAS ISSUED A RULING (NY F84777) THAT WIRE DECKING IS TO

BE CLASSIFIED UNDER HTSUS 9403.90.8040.

WIRE DECKING HAS ALSO BEEN ENTERED UNDER HTUS 7217.10.1000, 7217.10.2000, 7217.10.3000, 7217.10.4030, 7217.10.4090, 7217.10.5030, 7217.10.5090, 7217.10.6000, 7217.10.7000, 7217.10.8010, 7217.10.8020, 7217.10.8025, 7217.10.8030, 7217.10.8045, 7217.10.8060, 7217.10.8075, 7217.10.8090, 7217.10.9000, 7217.20.1500, 7217.20.3000, 7217.20.4510, 7217.20.4520, 7217.20.4530, 7217.20.4540, 7217.20.4560, 7217.20.4570, 7217.20.4580, 7217.20.6000, 7217.20.7500, 7326.20.0010, 7326.20.0020, 7326.20.0070, 7326.90.1000, 7326.90.2500, 7326.90.4500, 7326.90.6000, 7326.90.8505, 7326.90.8510, 7326.90.8530, 7326.90.8535, 7326.90.8545, 7326.90.8560, 7326.90.8575, 7326.90.8576, 7326.90.8577, 7326.90.8588, 9403.20.0020, AND 9403.20.0030.

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

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (C-570-950).

4. FOR IMPORTS OF WIRE DECKING FROM THE PRC, CBP SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 9, 2009. EFFECTIVE NOVEMBER 9, 2009 CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE SUBSIDY RATES SHOWN BELOW:

PRODUCER: Dalian Eastfound Metal Products Co., Ltd.

CASE NUMBER: C-570-950-001

SUBSIDY RATE: 3.13%

PRODUCER: Dalian Eastfound Material Handling Products Co., Ltd.

CASE NUMBER: C-570-950-002

SUBSIDY RATE: 3.13%

PRODUCER: Dalian Huameilong Metal Products Co., Ltd. (DHMP)

CASE NUMBER: C-570-950-003

SUBSIDY RATE: 2.02%

PRODUCER: Aceally (Xiamen) Technology Co., Ltd.

CASE NUMBER: C-570-950-004

SUBSIDY RATE: 437.73%

PRODUCER: Alida Wire Mesh & Wire Cloth Mfg.

CASE NUMBER: C-570-950-005

SUBSIDY RATE: 437.73%

PRODUCER: Anping Ankai Hardware & Mesh Products Co., Ltd.

CASE NUMBER: C-570-950-006

SUBSIDY RATE: 437.73%

PRODUCER: Anping County Jincheng Metal Products Co., Ltd.

CASE NUMBER: C-570-950-007

SUBSIDY RATE: 437.73%

PRODUCER: Anping County Yuantong Hardware Net Industry Co., Ltd.

CASE NUMBER: C-570-950-008

SUBSIDY RATE: 437.73%

PRODUCER: Anping Ruiqilong Wire Mesh Co., Ltd.

CASE NUMBER: C-570-950-009

SUBSIDY RATE: 437.73%

PRODUCER: Anping Web Wire Mesh Co., Ltd.

CASE NUMBER: C-570-950-010

SUBSIDY RATE: 437.73%

PRODUCER: Anping Yilian Metal Products Co., Ltd.

CASE NUMBER: C-570-950-011

SUBSIDY RATE: 437.73%

PRODUCER: Aplus Industrial (HK) Ltd.

CASE NUMBER: C-570-950-012

SUBSIDY RATE: 437.73%

PRODUCER: Beijing Jiuwei Storage Equipment Co., Ltd.

CASE NUMBER: C-570-950-013

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Aipute Industry & Trade Co., Ltd.

CASE NUMBER: C-570-950-014

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Best Metal Products Co., Ltd.

CASE NUMBER: C-570-950-015

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Jianda Metal Products Co., Ltd.

CASE NUMBER: C-570-950-016

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Litrainer Logistic Equipment Co., Ltd.

CASE NUMBER: C-570-950-017

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Litrainer Metal Products Co., Ltd.

CASE NUMBER: C-570-950-018

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Pro Metal Co., Ltd.

CASE NUMBER: C-570-950-019

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Traction Motor Co., Ltd.

CASE NUMBER: C-570-950-020

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Yutiein Storage Manufacture Co., Ltd.

CASE NUMBER: C-570-950-021

SUBSIDY RATE: 437.73%

PRODUCER: Dalian Zengtian Metal-Net Production Co., Ltd.

CASE NUMBER: C-570-950-022

SUBSIDY RATE: 437.73%

PRODUCER: Dandong Riqian Equipment Co., Ltd.

CASE NUMBER: C-570-950-023

SUBSIDY RATE: 437.73%

PRODUCER: Deyoma Wire Decking Factory

CASE NUMBER: C-570-950-024

SUBSIDY RATE: 437.73%

PRODUCER: Global Storage Equipment Manufacturer Ltd. (Huade Industries)

CASE NUMBER: C-570-950-025

SUBSIDY RATE: 437.73%

PRODUCER: Hebei Dongshengyuan Trading Co., Ltd.

CASE NUMBER: C-570-950-026

SUBSIDY RATE: 437.73%

PRODUCER: Hebei Tengyue Trading Co., Ltd.

CASE NUMBER: C-570-950-027

SUBSIDY RATE: 437.73%

PRODUCER: High Hope Int'l Group Jiangsu Native Produce Imp & Exp Corp. Ltd.

CASE NUMBER: C-570-950-028

SUBSIDY RATE: 437.73%

PRODUCER: Imex China Ltd.

CASE NUMBER: C-570-950-029

SUBSIDY RATE: 437.73%

PRODUCER: Jiangdong Xinguang Metal Product Co.

CASE NUMBER: C-570-950-030

SUBSIDY RATE: 437.73%

PRODUCER: Jiangsu Nova Logistics System Co., Ltd.

CASE NUMBER: C-570-950-031

SUBSIDY RATE: 437.73%

PRODUCER: Jiangsu Sainty Shengtong Imp & Exp Co.

CASE NUMBER: C-570-950-032

SUBSIDY RATE: 437.73%

PRODUCER: JP Metal Works Processing Factory

CASE NUMBER: C-570-950-033

SUBSIDY RATE: 437.73%

PRODUCER: Kule (Dalian) Co., Ltd.

CASE NUMBER: C-570-950-034

SUBSIDY RATE: 437.73%

PRODUCER: Kunshan Maxshow Industry Trade Co., Ltd.

CASE NUMBER: C-570-950-035

SUBSIDY RATE: 437.73%

PRODUCER: Lanxuan Metal Product Co., Ltd.

CASE NUMBER: C-570-950-036

SUBSIDY RATE: 437.73%

PRODUCER: Longkou Forever Developed Metal Product Co., Ltd.

CASE NUMBER: C-570-950-037

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Better Metallic Products Co., Ltd.

CASE NUMBER: C-570-950-038

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Better Storage Equipment Manufacturing Co.,
Ltd.

CASE NUMBER: C-570-950-039

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Dongtuo Logistics Equipment Co., Ltd.

CASE NUMBER: C-570-950-040

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Ebil Metal Products Co., Ltd.

CASE NUMBER: C-570-950-041

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Huade Storage Equipment Manufacture Co., Ltd.

CASE NUMBER: C-570-950-042

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Jiangrui International Logistics Co.

CASE NUMBER: C-570-950-043

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Jiangrui Metal Products Co., Ltd.

CASE NUMBER: C-570-950-044

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Jiangrui Racking Manufacture Co., Ltd.

CASE NUMBER: C-570-950-045

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Youerda Logistic Equipment Engineering Co.
Ltd

CASE NUMBER: C-570-950-046

SUBSIDY RATE: 437.73%

PRODUCER: Nanjing Youerda Metallic Products Co., Ltd.

CASE NUMBER: C-570-950-047

SUBSIDY RATE: 437.73%

PRODUCER: National Sourcing Co., Ltd.

CASE NUMBER: C-570-950-048

SUBSIDY RATE: 437.73%

PRODUCER: Ningbo Beilun Songyi Storage Equipment Manufacturer
Co., Ltd.

CASE NUMBER: C-570-950-049

SUBSIDY RATE: 437.73%

PRODUCER: Ningbo Huixing Metal Product, Co., Ltd.

CASE NUMBER: C-570-950-050

SUBSIDY RATE: 437.73%

PRODUCER: Ningbo Telingtong Metal Products Co., Ltd.

CASE NUMBER: C-570-950-051

SUBSIDY RATE: 437.73%

PRODUCER: Ningbo United Group Imp & Exp Co. Ltd.

CASE NUMBER: C-570-950-052

SUBSIDY RATE: 437.73%

PRODUCER: Pinghu Dong Zhi Metal Products

CASE NUMBER: C-570-950-053

SUBSIDY RATE: 437.73%

PRODUCER: Schenker International China Ltd. (Dalian Branch)

CASE NUMBER: C-570-950-054

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Boracs Logistics Equipment Manufacturing
Co., Ltd.

CASE NUMBER: C-570-950-055

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Bright Imp & Exp Co., Ltd.

CASE NUMBER: C-570-950-056

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Flory Industries Co., Ltd.

CASE NUMBER: C-570-950-057

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Hesheng Hardware Products Co.

CASE NUMBER: C-570-950-058

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Jingxing Storage Equipment Engineering Co.,
Ltd.

CASE NUMBER: C-570-950-059

SUBSIDY RATE: 437.73%

PRODUCER: Shanghai Yibai Int'l Trading Co.

CASE NUMBER: C-570-950-060

SUBSIDY RATE: 437.73%

PRODUCER: Summit Storage Systems Ltd.

CASE NUMBER: C-570-950-061

SUBSIDY RATE: 437.73%

PRODUCER: Suzhou (China) Sunshine Hardware Equipment Imp & Exp
Co., Ltd.

CASE NUMBER: C-570-950-062

SUBSIDY RATE: 437.73%

PRODUCER: Suzhou Jinta Metal Working Co., Ltd.

CASE NUMBER: C-570-950-063

SUBSIDY RATE: 437.73%

PRODUCER: Suzhou Z-TAK Metal and Technology Co., Ltd.

CASE NUMBER: C-570-950-064

SUBSIDY RATE: 437.73%

PRODUCER: Tianjin Dingxing Furniture Company

CASE NUMBER: C-570-950-065

SUBSIDY RATE: 437.73%

PRODUCER: Tianjin Machinery Imp & Exp Corp.
CASE NUMBER: C-570-950-066
SUBSIDY RATE: 437.73%

PRODUCER: Tianjin Mandarin Import & Export Co., Ltd.
CASE NUMBER: C-570-950-067
SUBSIDY RATE: 437.73%

PRODUCER: Tianjin Zhonglian Metals Ware Co., Ltd.
CASE NUMBER: C-570-950-068
SUBSIDY RATE: 437.73%

PRODUCER: TMC Logistic Products
CASE NUMBER: C-570-950-069
SUBSIDY RATE: 437.73%

PRODUCER: Vida Logistics System Co., Ltd.
CASE NUMBER: C-570-950-070
CASH SUBSIDY RATE: 437.73%

PRODUCER: Wuxi Puhui Metal Products Co., Ltd.
CASE NUMBER: C-570-950-071
SUBSIDY RATE: 437.73%

PRODUCER: Wuyi Tianchi Mechanical & Electrical Manufacture
Co., Ltd.
CASE NUMBER: C-570-950-072
SUBSIDY RATE: 437.73%

PRODUCER: Xiamen E-Soon Machinery Co., Ltd.
CASE NUMBER: C-570-950-073
SUBSIDY RATE: 437.73%

PRODUCER: Xiamen GaoPing Co., Ltd.
CASE NUMBER: C-570-950-074
SUBSIDY RATE: 437.73%

PRODUCER: Xiamen Luckyroc Industry Co., Ltd.

CASE NUMBER: C-570-950-075

SUBSIDY RATE: 437.73%

PRODUCER: Xiangshan Ningbo General Steel Metal Structure Co.,
Ltd.

CASE NUMBER: C-570-950-076

SUBSIDY RATE: 437.73%

PRODUCER: Yuyao Sanlian Goods Shelves Manufacture Co., Ltd.

CASE NUMBER: C-570-950-077

SUBSIDY RATE: 437.73%

PRODUCER: All Others

CASE NUMBER: C-570-950-000

SUBSIDY RATE: 2.58%

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 OTHER" RATE OF 2.58 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, CUSTOMS 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 TRENTAM AT 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: JC.

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

FLORENCE V. CONSTANT

Company Details

*Party Indicator Value:

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