

MESSAGE NO: 8083113 MESSAGE DATE: 03/24/1998
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: SCO-Scope PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-405

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/05/1998 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING SCOPE RULING ON CELLULAR MOBILE TELEPHONES AND
SUBASSEMBLIES THEREOF FROM JAPAN (A-588-405).

MESSAGE NO: 8083113 DATE: 03 24 1998

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 405 - -

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PERIOD COVERED: 03 05 1998 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING SCOPE RULING ON CELLULAR MOBILE TELEPHONES
AND SUBASSEMBLIES THEREOF FROM JAPAN (A-588-405).

1. ON 03/05/1998, IN RESPONSE TO A REQUEST BY NEC CORPORATION AND NEC AMERICA INC., THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT NEC CORPORATION'S NEPACS PORTABLE SUBSCRIBER UNIT IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES THEREOF FROM JAPAN (A-588-405).

2. THE COMMERCE DEPARTMENT DETERMINED THAT NEC CORPORATION'S NEPACS PORTABLE SUBSCRIBER UNIT MET ALL OF THE CHARACTERISTICS

OF PORTABLE CELLULAR TELEPHONES WHICH ARE OUTSIDE THE SCOPE OF THIS ORDER AS DEFINED BY THE COMMERCE DEPARTMENT. THEREFORE, NEC CORPORATION'S NEPACS PORTABLE SUBSCRIBER UNIT IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES THEREOF FROM JAPAN.

3. EFFECTIVE 03/05/1998, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF NEC CORPORATION'S NEPACS PORTABLE SUBSCRIBER UNIT LISTED ABOVE.

4. REFUND ANY ANTIDUMPING CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THENEC CORPORATION'S NEPACS PORTABLE SUBSCRIBER UNIT LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS

DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH DEPOSITS 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.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES THEREOF SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING CELLULAR MOBILE TELEPHONES AND SUBASSEMBLIES THEREOF FROM JAPAN.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND

INTERESTED PARTIES SHOULD CONTACT THOMAS SCHAUER AT 202-482-4852, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

PAUL SCHWARTZ

NOTE: THIS MESSAGE WAS INADVERTENTLY NOT POSTED TO ADIL BECAUSE THE PERIOD COVERED IN THE HEADER WAS NOT CORRECTLY COMPLETED SO HAS BEEN POSTED TO ADIL ON DECEMBER 7, 2009. THE ORIGINAL MESSAGE WAS SENT TO CMC DIRECTORS, PORT DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. DIRECTOR, IMPORT OPERATIONS IS NOW SHOWN AS DIRECTOR, SPECIAL ENFORCEMENT. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED. THIS MESSAGE WITH THE CORRECTED HEADER HAS BEEN POSTED TO THE ADD/CVD SEARCH APPLICATION ON CBP.GOV.

Company Details

*Party Indicator Value:

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