

MESSAGE NO: 6124111 MESSAGE DATE: 05/03/1996
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-843

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/30/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF BICYCLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-843)

MESSAGE NO: 6124111

DATE: 05 03 1996

CATEGORY: ADA

TYPE: FIN

REFERENCE:

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CASES: A - 570 - 843

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PERIOD COVERED: 04 30 1996 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF BICYCLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-843)

1. ON APRIL 30, 1996, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATION OF BICYCLES FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC).

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS BICYCLES OF ALL TYPES, WHETHER ASSEMBLED OR UNASSEMBLED, COMPLETE OR INCOMPLETE, FINISHED OR UNFINISHED, INCLUDING INDUSTRIAL BICYCLES, TANDEM, RECUMBENTS, AND FOLDING BICYCLES, FOR THE

PURPOSE OF THIS INVESTIGATION, THE FOLLOWING DEFINITIONS APPLY IRRESPECTIVE OF ANY DIFFERENT DEFINITION THAT MAY BE FOUND IN CUSTOMS RULINGS, U.S. CUSTOMS LAW, OR HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS):

1) THE TERM "UNASSEMBLED" MEANS FULLY OR PARTIALLY UNASSEMBLED OR DIASSEMBLED: 2) THE TERM "INCOMPLETE" MEANS LACKING ONE OR MORE PARTS OR COMPONENTS WITH WHICH THE COMPLETE BICYCLES IS INTENDED TO BE EQUIPPED: AND 3) THE TERM "UNFINISHED" MEANS WHOLLY OR PARTIALLY UNPAINTED OR LACKING DECALS OR OTHER ESSENTIAL AESTHETIC MATERIAL. SPECIFICALLY, THIS OR OTHER ESSENTIAL AESTHETIC MATERIAL.

SPECIFICALLY, THIS INVESTIGATION IS INTENDED TO COVER: 1) ANY ASSEMBLED COMPLETE BICYCLE, WHETHER FINISHED OR UNFINISHED: 2) ANY UNASSEMBLED COMPLETE BICYCLE, IF SHIPPED IN A SINGLE SHIPMENT, REGARDLESS OF HOW IT IS PACKED AND WHETHER IT IS FINISHED OR UNFINISHED AND 3) ANY INCOMPLETE BICYCLES, DEFINED FOR PURPOSES OF THIS INVESTIGATION AS A FRAME, FINISHED OR

UNFINISHED, WHETHER OR NOT ASSEMBLED TOGETHER WITH A FORK, AND IMPORTED IN THE SAME SHIPMENT WITH ANY TWO OF THE FOLLOWING COMPONENTS: A) THE REAR WHEEL; B) THE FRONT WHEEL; C) A REAR DERAILLEUR; D) A FRONT DERAILLEUR; E) ANY ONE CALIPER OR CANTILEVER BRAKE; F) AN INTEGRATED BRAKE LEVER AND SHIFTER, OR SEPARATE BRAKE LEVER AND CLICK STICK LEVER; G) CRANKSET; H) HANDLEBARS, WITH OR WITHOUT A STEM; I) CHAIN; J) PEDALS; AND K) SEAT (SADDLE) WITH OR WITHOUT SEAT POST AND SEAT PIN.

THE SCOPE OF THIS INVESTIGATION IS NOT INTENDED TO COVER BICYCLE PARTS EXCEPT TO THE EXTENT THAT THEY ARE ATTACHED TO OR IN THE SAME SHIPMENT AS AN UNASSEMBLED COMPLETE BICYCLE OR AN INCOMPLETE BICYCLE AS DEFINED ABOVE.

COMPLETE BICYCLES ARE CLASSIFIED UNDER SUBHEADINGS 8712.00.15, 8712.00.25, 8712.00.35, 8712.00.44 AND 8712.00.48 OF THE 1995 HTSUS. INCOMPLETE BICYCLES AS DEFINED ABOVE MAY BE CLASSIFIED FOR TARIFF PURPOSES UNDER ANY OF THE AFOREMENTIONED HTSUS

SUBHEADINGS COVERING COMPLETE BICYCLES OR UNDER HTSUS SUBHEADINGS

8714.91.20-8714.99.80 INCLUSIVE COVERING VARIOUS BICYCLE PARTS.

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 NUMBER A-570-843.

4. FOR IMPORTS OF BICYCLES FROM THE PRC FROM BO AN BIKE (SHENZHEN) CO., LTD., GIANT CHINA CO. LTD., HUA CHIN BICYCLE (S.Z.) CO., LTD. AND SHENZHEN OVERLORD BICYCLE CO., LTD. THE DOC HAS DETERMINED THERE IS NO DUMPING MARGIN. THEREFORE CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/9/95 AND TO RELEASE ANY BOND OR OTHER SECURITY, AND REFUND A CASH DEPOSIT.

INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT 1930 DO NOT APPLY.

5. THE DEPARTMENT OF COMMERCE NOW DETERMINES THAT MARGINS NOW EXIST FOR MERIDA INDUSTRY (HONG KONG) CO., LTD, MERIDA BICYCLE CO. LTD. AND UNIVERSAL CYCLE CORP. ACCORDINGLY, CUSTOMS IS DIRECTED TO SUSPEND LIQUIDATION FOR ALL SHIPMENTS OF BICYCLES FROM MERIDA INDUSTRY CO., MERIDA BICYCLE CO., UNIVERSAL CYCLE CORP. ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 4/30/96. EFFECTIVE 4/30/96 CUSTOMS SHALL REQUIRE FOR ENTRY SUMMARIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW.

FOR IMPORTS OF BICYCLES FROM THE PRC FROM CATIC BICYCLE CO.,

LTD., CHITECH, SHUN LU BICYCLE CO., CHINA BICYCLE CO., (HOLDINGS) LTD. AND ALL OTHER COMPANIES, THE CUSTOMS SERVICE SHALL CONTINUE TO SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/9/95.

EFFECTIVE 4/30/96 CUSTOMS SHALL REQUIRE FOR ENTRY SUMMARIES A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE RATE
BO AN BIKE CO., LTD.	A-570-843-001	0.00%
CATIC BICYCLE CO., LTD.	A-570-843-002	13.67%
CHITECH INDUSTRIES LTD.	A-570-843-003	2.05%
GIANT CHINA CO., LTD.	A-570-843-004	0.00%
HUA CHIN BICYCLE CO., LTD.	A-570-843-005	0.00%
MERIDA INDUSTRY CO., LTD.	A-570-843-006	7.44%
MERIDA BICYCLE CO., LTD.	A-570-843-007	7.44%
SHENZHEN CHINA BICYCLES CO. (HOLDINGS) LTD. (CBC)	A-570-843-008	3.25%
SHENZHEN OVERLORD BICYCLE CO.	A-570-843-009	0.00%
SHUN LU BICYCLE CO. (AKA SHUNDE TANDEM BICYCLE PARTS CO.)	A-570-843-010	2.05%
UNIVERSAL CYCLE CORP.	A-570-843-011	11.06%
PRC-WIDE RATE	A-570-843-000	61.67%

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS OFFICE PLEASE CONTACT VIA E-MAIL, THROUGH APPROPRIATE SUPERVISORY CHANNELS TECHNICAL PROGRAMS,

ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ
OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD
CONTACT CAMERON WERKER, OFFICE OF ANTIDUMPING DUTY
INVESTIGATIONS, IMPORT ADMINISTRATION,

INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE
AT (202) 482-3874.

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

NANCY MCTIERNAN

NOTE: THIS MESSAGE WAS INADVERTENTLY REMOVED FROM ADIL SO HAS
BEEN REPOSTED TO ADIL ON NOVEMBER 28, 2009. THE ORIGINAL MESSAGE
WAS SENT TO CMC DIRECTORS, PORT DIRECTORS, NOT DIRECTORS, FIELD
OPERATIONS AND PORT DIRECTORS. DIRECTOR, TECHNICAL PROGRAMS IS
NOW SHOWN AS DIRECTOR, SPECIAL ENFORCEMENT. THE BALANCE OF THE
TEXT AND INFORMATION REMAINS UNCHANGED AND MATCHES THE
MESSAGE THAT STILL APPEARS ON THE ADD/CVD SEARCH APPLICATION ON
CBP.GOV.

Company Details

*Party Indicator Value:

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