

MESSAGE NO: 0187210 MESSAGE DATE: 07/05/2000
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-122-006

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/1997 TO 08/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ INSTRUCTIONS FOR STEEL JACKS FROM CANADA (A-122-006)

MESSAGE NO: 0187210

DATE: 07 05 2000

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 122 - 006

- -

- -

- -

- -

- -

PERIOD COVERED: 09 01 1997 TO 08 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ INSTRUCTIONS FOR STEEL JACKS FROM CANADA (A-122-006)

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION
351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR
THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE
FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF

THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS
ANTIDUMPING
DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE
DATE OF ENTRY.

STEEL JACKS FROM CANADA PERIOD
A-122-006

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 09/01/1997-08/31/1998

3. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH
DEPOSITS
OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE
SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE
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 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 OR BONDS POSTED AS ESTIMATED ANTIDUMPING
DUTIES
BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.
INTEREST SHALL BE CALCULATED FROM THE DATE OF 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD
REQUIRE

THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN

SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT 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 EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

ADDITIONALLY,

IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISONS, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-4737, AD/CVD ENFORCEMENT, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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