

MESSAGE NO: 0241210 MESSAGE DATE: 08/28/2000  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: INI-Initiation of Review PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-337-803

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/28/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF INITIATION & PRELIMINARY RESULTS FOR CHANGED  
CIRCUMSTANCES ANTIDUMPING REVIEW FRESH ATLANTIC SALMON FROM CHILE (A-337-  
803

MESSAGE NO: 0241210 DATE: 08 28 2000

CATEGORY: ADA TYPE: INI

REFERENCE: REFERENCE DATE:

CASES: A - 337 - 803 - -

- - - -

- - - -

PERIOD COVERED: 08 28 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF INITIATION & PRELIMINARY RESULTS FOR CHANGED  
CIRCUMSTANCES ANTIDUMPING REVIEW FRESH ATLANTIC SALMON  
FROM CHILE (A-337-803

1. ON 08/28/00 THE DEPARTMENT OF COMMERCE PUBLISHED IN THE  
FEDERAL REGISTER ITS INITIATION AND PRELIMINARY RESULTS OF  
CHANGED CIRCUMSTANCES ANTIDUMPING DUTY REVIEW OF FRESH ATLANTIC  
SALMON FROM CHILE.

2. THIS IS ALSO AN UPDATE TO MESSAGE 0042209, DATED FEBRUARY 11,  
2000. THE CUSTOMER ID NUMBER A-337-803-003 FOR MARINE HARVEST  
CHILE, S.A., SHOULD BE REVOKED. PLEASE USE CUSTOMER ID NUMBER

A-337-803-006 FOR MARINE HARVEST CHILE, S.A., EFFECTIVE IMMEDIATELY. PLEASE FOLLOW ALL INSTRUCTIONS CONTAINED IN THIS MESSAGE.

3. ON 07/30/98, THE DEPARTMENT ISSUED AN ANTIDUMPING ORDER COVERING THE MERCHANDISE OF PESQUERA MARES AUSTRALES, LTDA. (MARES AUSTRALES), AMONG OTHER COMPANIES. MARINE HARVEST CHILE, S.A. (MARINE HARVEST), WAS EXCLUDED FROM THE ANTIDUMPING ORDER BY REASON OF ITS HAVING BEEN FOUND TO BE DUMPING AT A DE MINIMIS LEVEL DURING THE LESS-THAN-FAIR-VALUE INVESTIGATION. ON 07/15/99, THE PARENT COMPANY OF MARES AUSTRALES PURCHASED MARINE HARVEST. ON 07/01/00, THE PARENT COMPANY OF MARES AUSTRALES DIRECTED THAT MARES AUSTRALES BE FORMALLY MERGED WITH MARINE HARVEST, AND THAT THE MERGED ENTITY DO BUSINESS UNDER THE NAME OF MARINE HARVEST.

IN THE CHANGED CIRCUMSTANCES REVIEW, THE DEPARTMENT HAS DETERMINED PRELIMINARILY THAT THE POST-MERGER MARINE HARVEST IS NOT THE SUCCESSOR-IN-INTEREST TO EITHER OF THE PRE-MERGER COMPANIES, AND IS DIRECTING THAT LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE UNDER THE NAME OF MARINE HARVEST BE SUSPENDED, RETROACTIVE TO 07/01/00, THE DATE OF THE MERGER.

4. THE PRODUCT COVERED BY THIS REVIEW IS FRESH, FARMED ATLANTIC SALMON, WHETHER IMPORTED "DRESSED" OR CUT. ATLANTIC SALMON IS THE SPECIES SALMO SALAR, IN THE GENUS SALMO OF THE FAMILY SALMONINAE. "DRESSED" ATLANTIC SALMON REFERS TO SALMON THAT HAS BEEN BLED, GUTTED, AND CLEANED. DRESSED ATLANTIC SALMON MAY BE IMPORTED WITH THE HEAD ON OR OFF; WITH THE TAIL ON OR OFF; AND WITH THE GILLS IN OR OUT. ALL CUTS OF FRESH ATLANTIC SALMON ARE INCLUDED IN THE SCOPE OF THE REVIEW. EXAMPLES OF CUTS INCLUDE, BUT ARE NOT LIMITED TO: CROSSWISE CUTS (STEAKS), LENGTHWISE CUTS (FILLET), LENGTHWISE CUTS ATTACHED BY SKIN (BUTTERFLY CUTS), COMBINATIONS OF CROSSWISE AND LENGTHWISE CUTS (COMBINATION PACKAGES), AND ATLANTIC SALMON THAT IS MINCED, SHREDDED, OR GROUND. CUTS MAY BE SUBJECTED TO VARIOUS DEGREES OF TRIMMING, AND IMPORTED WITH THE SKIN ON OR OFF AND WITH THE "PIN BONES" IN OR OUT.

EXCLUDED FROM THE SCOPE ARE (1) FRESH ATLANTIC SALMON THAT IS "NOT FARMED" (I.E., WILD ATLANTIC SALMON); (2) LIVE ATLANTIC SALMON; AND (3) ATLANTIC SALMON THAT HAS BEEN SUBJECT TO FURTHER PROCESSING, SUCH AS FROZEN, CANNED, DRIED, AND SMOKED ATLANTIC SALMON, OR PROCESSED INTO FORMS SUCH AS SAUSAGES, HOT DOGS, AND BURGERS.

THE MERCHANDISE SUBJECT TO THIS REVIEW IS CLASSIFIABLE AS ITEM NUMBERS 0304.90.1009, 0304.90.1089 AND 0304.90.9091 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS STATISTICAL REPORTING NUMBERS ARE PROVIDED FOR

CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE IS DISPOSITIVE.

5. FOR IMPORTS OF FRESH ATLANTIC SALMON FROM CHILE FROM THE MANUFACTURER/EXPORTER MARINE HARVEST, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JULY 1, 2000. EFFECTIVE AUGUST 28, 2000, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT RATE EQUAL TO THE MARGIN SHOWN BELOW.

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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MARINE HARVEST CHILE, S.A.	A-337-803-006	2.23
MARINE HARVEST		

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 LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT EDWARD EASTON, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-3003.

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