

MESSAGE NO: 0293201 MESSAGE DATE: 10/19/2000
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: REV-Revocation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-462-105

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/12/2000 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: REVOCATION OF ANTIDUMPING DUTY ORDER ON PURE MAGNESIUM FROM THE
RUSSIAN FEDERATION (A-462-105) & LIQUIDATION INSTRUCTIONS FOR ENTRIES MADE
BETWEEN 5/1/98-5/11/2000

MESSAGE NO: 0293201

DATE: 10 19 2000

CATEGORY: ADA

TYPE: REV

REFERENCE:

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CASES: A - 462 - 105

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PERIOD COVERED: 05 12 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: REVOCATION OF ANTIDUMPING DUTY ORDER ON PURE MAGNESIUM
FROM THE RUSSIAN FEDERATION (A-462-105) & LIQUIDATION
INSTRUCTIONS FOR ENTRIES MADE BETWEEN 5/1/98-5/11/2000

1. THIS MESSAGE IS A CORRECTION TO MESSAGE NUMBER 0222210 WHICH
WAS SENT ON 08/09/2000 REGARDING THE EFFECTIVE DATE OF THE
REVOCATION OF THE ANTI DUMPING DUTY ORDER ON PURE MAGNESIUM FROM
THE RUSSIAN FEDERATION.

2. AS A RESULT OF A FIVE-YEAR ("SUNSET") REVIEW, THE DEPARTMENT
OF COMMERCE HAS REVOKED THE ANTIDUMPING DUTY ORDER ON PURE
MAGNESIUM FROM THE RUSSIAN FEDERATION AND PUBLISHED THE

REVOCAION IN THE FEDERAL REGISTER ON JULY 7, 2000 (65 FR 41944) AND PUBLISHED THE CORRECTION TO THE REVOCATION DETERMINATION ON SEPTEMBER 5, 2000 (65 FR 53700). THE EFFECTIVE DATE OF THE REVOCATION IS 05/12/2000.

3. THEREFORE, CUSTOMS IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF PURE MAGNESIUM FROM THE RUSSIAN FEDERATION ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/12/2000. CUSTOMS IS DIRECTED TO RELEASE ALL BONDS AND REFUND ALL CASH DEPOSITS ON ENTRIES MADE ON OR AFTER 05/12/2000.

4. THESE INSTRUCTIONS ALSO CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF PURE MAGNESIUM FROM THE RUSSIAN FEDERATION DURING THE PERIOD 05/01/1998 - 05/11/2000. CUSTOMS IS DIRECTED TO LIQUIDATE THESE ENTRIES AT THE RATE REQUIRED AT THE TIME OF ENTRY.

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 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS 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 LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. ADDITIONALLY, THIS EMAIL SERVES AS A REMINDER THAT THE CASE NUMBERS A-821-805 AND A-462-105 ARE IDENTICAL FOR PURPOSES OF CUSTOMS EMAILS AND UPDATES TO THE CUSTOMS MODULE. CASE NUMBER A-821-805 IS THE DESIGNATION USED BY THE DEPARTMENT OF COMMERCE FOR THE ANTIDUMPING DUTY PROCEEDING ON PURE MAGNESIUM FROM THE RUSSIAN FEDERATION. CASE NUMBER A-462-105 IS THE DESIGNATION USED BY CUSTOMS TO TRACK CUSTOMS EMAIL INSTRUCTIONS AND UPDATES IN THE CUSTOMS MODULE FOR PURE MAGNESIUM FROM THE RUSSIAN FEDERATION.

8. 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 INTERESTED PARTIES SHOULD CONTACT MARTHA DOUTHIT AT 202-482-5050, OFFICE OF POLICY, CONCERNING THE REVOCATION OF THE ORDER OR BRIAN LEDGERWOOD OFFICE OF AD/CVD ENFORCEMENT 2, AT 202-482-3836 CONCERNING OTHER ASPECTS OF THE ORDER, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

9. 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