

MESSAGE NO: 0336205 MESSAGE DATE: 12/01/2000
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-433-064

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/1989 TO 01/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INSTRUCTIONS FOR RAILWAY TRACK EQUIPMENT FROM AUSTRIA
MANUFACTURED/EXPORTED BY PLASSER AND THEURER (A-433-064-001)

MESSAGE NO: 0336205 DATE: 12 01 2000

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 433 - 064 - -

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PERIOD COVERED: 02 01 1989 TO 01 31 1990

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ. INSTRUCTIONS FOR RAILWAY TRACK EQUIPMENT FROM AUSTRIA
MANUFACTURED/EXPORTED BY PLASSER AND THEURER
(A-433-064-001)

1. THE COMMERCE DEPARTMENT HAS COMPLETED ITS REVIEWS OF THE
ANTIDUMPING DUTY FINDING ON RAILWAY TRACK EQUIPMENT FROM AUSTRIA
PRODUCED AND/OR EXPORTED BY PLASSER AND THEURER(A-433-064-001),
ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE

PERIOD 02/01/1989 THROUGH 01/31/1990.

2. INFORMATION PROVIDED TO THE COMMERCE DEPARTMENT INDICATES
THAT PLASSER AND THEURER DID NOT EXPORT SUBJECT MERCHANDISE TO

THE UNITED STATES DURING THE PERIOD 02/01/1989 THROUGH 01/341/1990. THIS NOTICE IS PROVIDED FOR CONTINUITY AND COMPLETENESS OF THE RECORD OF THIS PROCEEDING.

3. IF CUSTOMS OFFICERS ARE HOLDING ANY ENTRIES FOR THIS PERIOD ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD 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 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. THE

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 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. IF THERE ARE ANY QUESTIONS BY CUSTOMS OFFICERS REGARDING THE CORRECT CASH DEPOSIT OR BONDING RATE, CONTACT RONALD TRENTAM AT

202-482-6320, AD/CVD ENFORCEMENT, GROUP 2, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SHEILA FORBES AT 202-482-4697 RESPECTIVELY,AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE INTERNATIONAL TRADE ADMINISTRATION,DEPARTMENT OF COMMERCE.

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS E-MAIL MESSAGE.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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