

MESSAGE NO: 1003206 MESSAGE DATE: 01/03/2001
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-428-209

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1994 TO 12/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INSTRUCTIONS FOR CERTAIN CUT-TO-LENGTH CARBON STEEL PRODUCTS FROM GERMANY PRODUCED BY DILLINGER (C-428-209-004)

MESSAGE NO: 1003206 DATE: 01 03 2001

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 428 - 209 - -

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PERIOD COVERED: 01 01 1994 TO 12 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQ. INSTRUCTIONS FOR CERTAIN CUT-TO-LENGTH CARBON STEEL PRODUCTS FROM GERMANY PRODUCED BY DILLINGER (C-428-209-004)

1. THE PRELIMINARY INJUNCTION ON CERTAIN CUT-TO-LENGTH CARBON STEEL PRODUCTS FROM GERMANY PRODUCED BY DILLINGER (C-428-209-004) IS NO LONGER IN EFFECT BECAUSE THERE IS NOW A FINAL AND CONCLUSIVE COURT DECISION IN THIS CASE.

2. THE MERCHANDISE COVERED BY THESE INSTRUCTIONS IS CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE (C-428-209) WHICH INCLUDE HOT-ROLLED CARBON STEEL UNIVERSAL MILL PLATES (I.E., FLAT-ROLLED PRODUCTS, ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH

EXCEEDING 150 MILLIMETERS BUT NOT EXCEEDING 1,250 MILLIMETERS AND OF A THICKNESS OF NOT LESS THAN 4 MILLIMETERS, NOT IN COILS AND WITHOUT PATTERNS IN RELIEF), OF RECTANGULAR SHAPE, NEITHER CLAD, PLATED NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES; AND CERTAIN HOT-ROLLED CARBON STEEL FLAT-ROLLED PRODUCTS IN STRAIGHT LENGTHS, OF RECTANGULAR SHAPE, HOT ROLLED, NEITHER CLAD, PLATED, NOR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED, OR COATED WITH PLASTICS OR OTHER NONMETALLIC SUBSTANCES, 4.75 MILLIMETERS OR MORE IN THICKNESS AND OF A WIDTH WHICH EXCEEDS 150 MILLIMETERS AND MEASURES AT LEAST TWICE THE THICKNESS, AS CURRENTLY PROVIDED FOR UNDER HARMONIZED TARIFF SCHEDULE ITEM NUMBERS: 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000 and 7212.50.5000.

INCLUDED IN THE ORDER ARE FLAT-ROLLED PRODUCTS OF NONRECTANGULAR CROSS-SECTION WHERE SUCH CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELLED OR ROUNDED AT THE EDGES. EXCLUDED FROM THE ORDER IS GRADE X-70 PLATE.

3. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO ASSESS COUNTERVAILING DUTIES OF 14.84 PERCENT OF THE ENTERED VALUE ON ENTRIES OF THIS MERCHANDISE PRODUCED OR EXPORTED BY DILLINGER (C-428-209-004) THAT WERE EXPORTED ON OR AFTER 1/1/1994 AND ON OR BEFORE 12/31/1998.

4. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE IDENTIFIED ABOVE PRODUCED/EXPORTED BY DILLINGER OF GERMANY ON OR BEFORE 12/31/1998 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/1998 WILL CONTINUE.

5. THE ASSESSMENT OF COUNTERVAILING 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 COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT, WHICHEVER IS LATER, OF ESTIMATED COUNTERVAILING 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.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA EMAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST THE OFFICE OF CVD/AD ENFORCEMENT VI, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-2786.

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