

MESSAGE NO: 1176202 MESSAGE DATE: 06/25/2001  
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-570-506, A-583-508

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/25/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS AND SCOPE RULING ON ANTIDUMPING DUTY ORDER OF PORCELAIN ON STEEL COOKING WARE FROM THE PEOPLES'REPUBLIC OF CHINA (A-570-506) & TAIWAN (A-583-508)

MESSAGE NO: 1176202

DATE: 06 25 2001

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REFERENCE:

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CASES: A - 570 - 506

A - 583 - 508

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PERIOD COVERED: 06 25 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS AND SCOPE RULING ON ANTIDUMPING DUTY ORDER OF PORCELAIN ON STEEL COOKING WARE FROM THE PEOPLES'REPUBLIC OF CHINA (A-570-506) & TAIWAN (A-583-508)

1. ON APRIL 13, 2001, IN RESPONSE TO A REQUEST BY KEANALL PRODUCTS, INC. (KEANALL), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT THE FOLLOWING THREE PRODUCTS:

(1) A DELUXE GRILL TOPPER;

(2) PORCELAIN COATED GRILL TOPPER; AND

(3) WOK TOPPER

ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PORCELAIN ON STEEL COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-506) AND TAIWAN (A-583-508).

2. THE COMMERCE DEPARTMENT DETERMINED THAT DELUXE GRILL TOPPER, PORCELAIN COATED GRILL TOPPER, AND WOK TOPPER IMPORTED BY KEANALL DO NOT MEET THE PRODUCT DESCRIPTION OF MERCHANDISE COVERED BY THE SCOPE OF THE ORDER.

SPECIFICALLY, THE GRILL TOPPER AND DELUXE GRILL TOPPER ARE GRILL RACKS COMPOSED OF BLACK PORCELAIN ON STEEL WITH TWO PORCELAIN ON STEEL WIRE HANDLES AND THE ENTIRE COOKING SURFACE IS PERFORATED TO ALLOW GREASE AND FATS TO DRIP AWAY.

BOTH GRILL RACKS ARE BORDERED ON THREE SIDES BY A LIP OF APPROXIMATELY ONE INCH, AND THE FOURTH SIDE IS A CURVED OPEN EDGE TO FACILITATE STIRRING AND SERVING THE FOOD PRODUCTS. THE WOK TOPPER IS A SQUARE WOK-SHAPED GRILL RACK WITH SIDE WALLS AND TWO OPPOSING SOLID STEEL HANDLES. LIKE THE GRILL TOPPER AND DELUXE GRILL TOPPER, THE WOK TOPPER'S COOKING SURFACE AND ITS WALLS ARE PERFORATED WITH SMALL CIRCULAR HOLES.

THEREFORE, DELUXE GRILL TOPPER, PORCELAIN COATED GRILL TOPPER, AND WOK TOPPER IMPORTED BY KEANALL ARE NOT VESSELS CAPABLE OF CONTAINING LIQUIDS, AND ARE THUS, NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PORCELAIN ON STEEL COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA AND TAIWAN.

3. EFFECTIVE IMMEDIATELY, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF DELUXE GRILL TOPPER, PORCELAIN COATED GRILL TOPPER, AND WOK TOPPER DESCRIBED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE DELUXE GRILL TOPPER, PORCELAIN COATED GRILL

TOPPER, AND WOK TOPPER DESCRIBED 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, OR ASSESS INTEREST ON UNDER PAYMENTS, 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PORCELAIN ON STEEL COOKING WARE SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PORCELAIN ON STEEL COOKING WARE FROM THE PEOPLE'S REPUBLIC OF CHINA AND TAIWAN.

7. 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 CINDY LAI ROBINSON AT (202) 482-3797, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

8. 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