

MESSAGE NO: 1261205 MESSAGE DATE: 09/18/2001
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-475-827, C-533-818

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/26/1999 TO 12/31/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION FOR CTL CARBON-QUALITY STEEL PLATE FROM INDIA (C-533-818) AND ITALY (C-475-827)

MESSAGE NO: 1261205 DATE: 09 18 2001

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 533 - 818 C - 475 - 827

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PERIOD COVERED: 07 26 1999 TO 12 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQUIDATION FOR CTL CARBON-QUALITY STEEL PLATE FROM INDIA (C-533-818) AND ITALY (C-475-827)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDERS ON CERTAIN CUT-TO-LENGTH CARBON-QUALITY STEEL PLATE FROM INDIA (C-533-818), AND ITALY (C-475-827) FOR THE PERIOD 07/26/1999-12/31/2000.

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE

CERTAIN HOT-ROLLED CARBON-QUALITY STEEL: (1) UNIVERSAL MILL PLATES (I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED BOX PASS, OF A WIDTH EXCEEDING 150 MM BUT NOT EXCEEDING 1250 MM, AND OF A NOMINAL OR ACTUAL THICKNESS OF NOT LESS THAN 4 MM, WHICH ARE CUT-TO-LENGTH (NOT IN COILS) AND WITHOUT PATTERNS IN RELIEF), OF IRON OR NON-ALLOY-QUALITY STEEL; AND (2) FLAT-ROLLED PRODUCTS, HOT-ROLLED, OF A NOMINAL OR ACTUAL THICKNESS OF 4.75 MM OR MORE AND OF A WIDTH WHICH EXCEEDS 150 MM AND MEASURES AT LEAST TWICE THE THICKNESS, AND WHICH ARE CUT-TO-LENGTH (NOT IN COILS).

STEEL PRODUCTS TO BE INCLUDED IN THIS SCOPE ARE OF RECTANGULAR, SQUARE, CIRCULAR OR OTHER SHAPE AND OF RECTANGULAR OR NON-RECTANGULAR CROSS-SECTION WHERE SUCH NON-RECTANGULAR CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") -- FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELED OR ROUNDED AT THE EDGES. STEEL PRODUCTS THAT MEET THE NOTED PHYSICAL CHARACTERISTICS THAT ARE PAINTED, VARNISHED OR COATED WITH PLASTIC OR OTHER NON-METALLIC SUBSTANCES ARE INCLUDED WITHIN THIS SCOPE. ALSO, SPECIFICALLY INCLUDED IN THIS SCOPE ARE HIGH STRENGTH, LOW ALLOY (HSLA) STEELS. HSLA STEELS ARE RECOGNIZED AS STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS CHROMIUM, COPPER, NIOBIUM, TITANIUM, VANADIUM, AND MOLYBDENUM.

STEEL PRODUCTS TO BE INCLUDED IN THIS SCOPE, REGARDLESS OF HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) DEFINITIONS, ARE PRODUCTS IN WHICH: (1) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTAINED ELEMENTS, (2) THE CARBON CONTENT IS TWO PERCENT OR LESS, BY WEIGHT, AND (3) NONE OF THE ELEMENTS LISTED BELOW IS EQUAL TO OR EXCEEDS THE QUANTITY, BY WEIGHT, RESPECTIVELY INDICATED:

1.80 PERCENT OF MANGANESE, OR
1.50 PERCENT OF SILICON, OR
1.00 PERCENT OF COPPER, OR
0.50 PERCENT OF ALUMINUM, OR
1.25 PERCENT OF CHROMIUM, OR
0.30 PERCENT OF COBALT, OR
0.40 PERCENT OF LEAD, OR
1.25 PERCENT OF NICKEL, OR
0.30 PERCENT OF TUNGSTEN, OR
0.10 PERCENT OF MOLYBDENUM, OR
0.10 PERCENT OF NIOBIUM, OR
0.41 PERCENT OF TITANIUM, OR
0.15 PERCENT OF VANADIUM, OR
0.15 PERCENT ZIRCONIUM.

ALL PRODUCTS THAT MEET THE WRITTEN PHYSICAL DESCRIPTION, AND IN WHICH THE CHEMISTRY QUANTITIES DO NOT EQUAL OR EXCEED ANY ONE OF THE LEVELS LISTED ABOVE, ARE WITHIN THE SCOPE OF THIS INVESTIGATION UNLESS OTHERWISE SPECIFICALLY EXCLUDED. THE FOLLOWING PRODUCTS ARE SPECIFICALLY EXCLUDED FROM THIS INVESTIGATION: (1) PRODUCTS CLAD, PLATED, OR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTIC OR OTHER NON-METALLIC SUBSTANCES; (2) SAE GRADES (FORMERLY AISI GRADES) OF SERIES 2300 AND ABOVE; (3) PRODUCTS MADE TO ASTM A710 AND A736 OR THEIR PROPRIETARY EQUIVALENTS; (4) ABRASION-RESISTANT STEELS (I.E., USS AR 400, USS AR 500); (5) PRODUCTS MADE TO ASTM A202, A225, A514 GRADE S, A517 GRADE S, OR THEIR PROPRIETARY EQUIVALENTS; (6) BALL BEARING STEELS; (7) TOOL STEELS; AND (8) SILICON MANGANESE STEEL OR SILICON ELECTRIC STEEL.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIED IN THE HTSUS UNDER SUBHEADINGS:

7208.40.3030, 7208.40.3060, 7208.51.0030,
7208.51.0045, 7208.51.0060, 7208.52.0000,

7208.53.0000, 7208.90.0000, 7210.70.3000,
7210.90.9000, 7211.13.0000, 7211.14.0030,
7211.14.0045, 7211.90.0000, 7212.40.1000,
7212.40.5000, 7212.50.0000, 7225.40.3050,
7225.40.7000, 7225.50.6000, 7225.99.0090,
7226.91.5000, 7226.91.7000, 7226.91.8000,
7226.99.0000.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR
CONVENIENCE AND CUSTOMS PURPOSES, THE DEPARTMENT'S
WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER
INVESTIGATION IS DISPOSITIVE.

3. THEREFORE, IN ACCORDANCE WITH SECTION
351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO
ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE
CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES
REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED
SUBJECT MERCHANDISE ENTERED OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION, ON OR AFTER 07/26/1999
AND ON OR BEFORE 12/31/2000. SHIPMENTS OF THIS
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE ON
OR AFTER 11/23/1999 AND ON OR BEFORE 02/09/2000
SHOULD BE LIQUIDATED WITHOUT REGARD TO
COUNTERVAILING DUTIES.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES
WHICH WERE REQUIRED TO BE DEPOSITED ARE:

MANUFACTURERS	CASE NUMBER	PERIOD	RATE
CUT-TO-LENGTH PLATE FROM INDIA STEEL AUTHORITY OF INDIA (SAIL)	C-533-818-001	07/26/1999- 11/22/1999	12.82%
		11/23/1999- 02/09/2000	0.00%

02/10/2000-
12/31/2000 12.82%
ALL OTHERS C-533-818 07/26/1999-
11/22/1999 12.82%

11/23/1999-
02/09/2000 0.00%

02/10/2000-
12/31/2000 12.82%

CUT-TO-LENGTH PLATE

FROM ITALY

ILVA SPA (ILVA)/

ILVA LAMIERE E

TUBI SPA (ILT) C-475-827-001 07/26/1999-
11/22/1999 23.27%

11/23/1999-
02/09/2000 0.00%

02/10/2000-
12/31/2000 26.12%

PALINI & BERTOLI C-475-827-002 07/26/1999-
12/31/2000 EXCLU

DED

ALL OTHERS C-475-827 07/26/1999-
11/22/1999 23.27%

11/23/1999-
02/09/2000 0.00%

02/10/2000-
12/31/2000 26.12%

THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR BEFORE 12/31/2000 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/2000 WILL CONTINUE.

6. 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, OR 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.

7. 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 OTHER INTERESTED PARTIES SHOULD CONTACT GAYLE LONGEST OF THE OFFICE OF AD/CVD ENFORCEMENT VI, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-2786.

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