

MESSAGE NO: 1256202 MESSAGE DATE: 09/13/2001
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-864

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/30/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: PRELIMINARY DETERMINATION IN THE ANTIDUMPING INVESTIGATION OF PURE
MAGNESIUM IN GRANULAR FORM FROM THE PRC (A-570-864

MESSAGE NO: 1256202 DATE: 09 13 2001

CATEGORY: ADA TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 864 - -

- - - -

- - - -

PERIOD COVERED: 04 30 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: PRELIMINARY DETERMINATION IN THE ANTIDUMPING INVESTIGATION
OF PURE MAGNESIUM IN GRANULAR FORM FROM THE PRC (A-570-864

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL
REGISTER (66 FR 21314) ON APRIL 30, 2001, ITS PRELIMINARY
DETERMINATION
OF SALES AT LESS THAN FAIR VALUE AND THE POSTPONEMENT OF THE
FINAL
DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF PURE
MAGNESIUM
IN GRANULAR FORM FROM THE PEOPLE'S REPUBLIC OF CHINA.

2. THERE IS AN EXISTING ANTIDUMPING DUTY ORDER ON PURE MAGNESIUM FROM THE PEOPLE'S REPUBLIC OF CHINA. SEE NOTICE OF ANTIDUMPING DUTY ORDERS: PURE MAGNESIUM FROM THE PEOPLE'S REPUBLIC OF CHINA, THE RUSSIAN FEDERATION AND UKRAINE; NOTICE OF AMENDED FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE: ANTIDUMPING DUTY INVESTIGATION OF PURE MAGNESIUM FROM THE RUSSIAN FEDERATION, 60 FR 25691 (MAY 12, 1995). THE SCOPE OF THIS INVESTIGATION EXCLUDES PURE MAGNESIUM THAT IS ALREADY COVERED BY THE EXISTING ORDER, AND CLASSIFIABLE UNDER 8104.11.00 AND 8104.19.00 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS).

THE SCOPE OF THIS INVESTIGATION INCLUDES IMPORTS OF PURE MAGNESIUM PRODUCTS, REGARDLESS OF CHEMISTRY, INCLUDING, WITHOUT LIMITATION, RASPIINGS, GRANULES, TURNINGS, CHIPS, POWDER, AND BRIQUETTES, EXCEPT AS NOTED ABOVE.

PURE MAGNESIUM INCLUDES: (1) PRODUCTS THAT CONTAIN AT LEAST 99.95 PERCENT PRIMARY MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "ULTRA-PURE" MAGNESIUM); (2) PRODUCTS THAT CONTAIN LESS THAN 99.95 PERCENT BUT NOT LESS THAN 99.8 PERCENT PURE MAGNESIUM, BY WEIGHT (GENERALLY REFERRED TO AS "PURE" MAGNESIUM) (3) CHEMICAL COMBINATIONS OF PURE MAGNESIUM AND OTHER MATERIAL(S) IN WHICH THE PURE MAGNESIUM CONTENT IS 50 PERCENT OR GREATER, BUT LESS THAN 99.8 PERCENT, BY WEIGHT, THAT DO NOT CONFORM TO AN "ASTM SPECIFICATION FOR MAGNESIUM ALLOY" (GENERALLY REFERRED TO AS "OFF-SPECIFICATION PURE" MAGNESIUM; THE MEANING OF THIS TERM IS THE SAME AS THAT USED BY THE AMERICAN SOCIETY FOR TESTING AND MATERIALS IN ITS ANNUAL BOOK OF ASTM STANDARDS: VOLUME 01.02 ALUMINUM AND MAGNESIUM ALLOYS); AND (4) PHYSICAL MIXTURES OF PURE MAGNESIUM AND OTHER MATERIAL(S) IN WHICH THE PURE MAGNESIUM CONTENT IS 50 PERCENT OR GREATER, BUT LESS THAN 99.8 PERCENT, BY WEIGHT, EXCEPT THAT MIXTURES CONTAINING 90 PERCENT OR LESS PURE MAGNESIUM, BY WEIGHT, WHEN MIXED WITH LIME, CALCIUM METAL, CALCIUM SILICON, CALCIUM CARBIDE, CALCIUM CARBONATE, CARBON SLAG COAGULANTS, AND/OR FLUORSPAR, ARE EXCLUDED.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CLASSIFIABLE

UNDER 8104.30.00 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR IMPORTS OF PURE MAGNESIUM IN GRANULAR FORM FROM THE PEOPLE'S REPUBLIC OF CHINA, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER APRIL 30, 2001. EFFECTIVE APRIL 30, 2001, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MFR/PRODUCER PERCENTAGE EXPORTER RATE	CUSTOMS ID	MARGIN NUMBER
MINMETALS PRECIOUS AND RARE MINERALS IMPORT AND EXPORT/ CHINA NATIONAL NONFERROUS METALS INDUSTRY TRADING GROUP CORP.	A-570-864-001	8.76%

PRC-WIDE RATE A-570-864-000 305.56%

4. 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, JENNIFER GEHR OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1779.

5. 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