

MESSAGE NO: 2011201 MESSAGE DATE: 01/11/2002
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-583-816

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/11/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING SCOPE RULING ON PIPE FITTINGS FROM TAIWAN (A-583-816)

MESSAGE NO: 2011201

DATE: 01 11 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 583 - 816

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PERIOD COVERED: 01 11 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: ANTIDUMPING SCOPE RULING ON PIPE FITTINGS FROM TAIWAN
(A-583-816)

1. ON 09/29/1997, IN RESPONSE TO A REQUEST BY ECKSTROM INDUSTRIES, INC., THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CERTAIN CAST STAINLESS STEEL BUTT-WELD PIPE FITTINGS ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN STAINLESS STEEL BUTT-WELD PIPE FITTINGS FROM TAIWAN (A-583-816).

2. THE UNITED STATES COURT OF FEDERAL APPEALS IN ECKSTROM V. UNITED STATES, (COURT NO. 00-1117), DATED JULY 2, 2001 REVERSED THE DEPARTMENT'S RULING. THEREFORE, ECKSTROM'S CERTAIN CAST

STAINLESS STEEL BUTT-WELD PIPE FITTINGS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN STAINLESS STEEL BUTT-WELD PIPE FITTINGS FROM TAIWAN.

3. TERMINATE SUSPENSION OF LIQUIDATION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES OF ECKSTROM'S CERTAIN CAST STAINLESS STEEL BUTT-WELD PIPE FITTINGS, WITHOUT REGARD TO ENTRY DATE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE CERTAIN CAST STAINLESS STEEL BUTT-WELD PIPE FITTINGS 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, 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 STAINLESS STEEL BUTT-WELD PIPE FITTINGS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING STAINLESS STEEL BUTT-WELD PIPE FITTINGS FROM 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." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT ALEX VILLANUEVA AT 202-482-6412, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, 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