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CASE #(s): A-122-838, C-122-839

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/11/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AMENDMENT TO SCOPE IN ANTIDUMPING (A-122-838) AND COUNTERVAILING DUTY (C-122-839) INVESTIGATIONS OF CERTAIN SOFTWOOD LUMBER FROM CANADA

MESSAGE NO: 2044201 DATE: 02 13 2002

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 122 - 838 - -

C - 122 - 839 - -

- - - -

PERIOD COVERED: 02 11 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AMENDMENT TO SCOPE IN ANTIDUMPING (A-122-838) AND
COUNTERVAILING DUTY (C-122-839) INVESTIGATIONS OF
CERTAIN SOFTWOOD LUMBER FROM CANADA

1. THIS MESSAGE AMENDS THE SCOPE LANGUAGE IN THE ANTIDUMPING (A-122-838) AND THE COUNTERVAILING DUTY (C-122-839) INVESTIGATIONS ON CERTAIN SOFTWOOD LUMBER FROM CANADA.

2. ON FEBRUARY 11, 2002, THE DEPARTMENT PUBLISHED AN AMENDMENT TO THE PRELIMINARY DETERMINATION NOTICES IN THE ANTIDUMPING AND COUNTERVAILING DUTY INVESTIGATIONS ON SOFTWOOD LUMBER FROM

CANADA. IN THAT NOTICE THE DEPARTMENT AMENDED THE LIST OF HARMONIZED TARIFF SCHEDULE HEADINGS UNDER WHICH THE PRODUCTS EXCLUDED FROM THE SCOPE OF THESE INVESTIGATIONS MAY BE CLASSIFIED. THE WRITTEN SCOPE DESCRIPTION REMAINS UNCHANGED.

3. ON JANUARY 24, 2002, CUSTOMS INFORMED THE DEPARTMENT OF CERTAIN CHANGES IN THE 2002 HTSUS AFFECTING THESE PRODUCTS. SPECIFICALLY, SUBHEADINGS 4418.90.40.90 AND 4421.90.98.40 WERE CHANGED TO 4418.90.45.90 AND 4421.90.97.40, RESPECTIVELY. THEREFORE, WE ARE ADDING THESE SUBHEADINGS TO THE SCOPE.

4. THE AMENDED LANGUAGE DESCRIBING THE PRODUCTS EXCLUDED FROM THE SCOPE IS AS FOLLOWS.

GROUP A. SOFTWOOD LUMBER PRODUCTS EXCLUDED FROM THE SCOPE:

- (1) TRUSSES AND TRUSS KITS, PROPERLY CLASSIFIED UNDER HTSUS 4418.90
- (2) I-JOIST BEAMS
- (3) ASSEMBLED BOX SPRING FRAMES
- (4) PALLETS AND PALLET KITS, PROPERLY CLASSIFIED UNDER HTSUS 4415.20
- (5) GARAGE DOORS
- (6) EDGE-GLUED WOOD, PROPERLY CLASSIFIED UNDER HTSUS ITEM 4421.90.9840
- (7) PROPERLY CLASSIFIED COMPLETE DOOR FRAMES.
- (8) PROPERLY CLASSIFIED COMPLETE WINDOW FRAMES
- (9) PROPERLY CLASSIFIED FURNITURE

GROUP B. SOFTWOOD LUMBER PRODUCTS EXCLUDED FROM THE SCOPE ONLY IF THEY MEET CERTAIN REQUIREMENTS:

- (1) STRINGERS (PALLET COMPONENTS USED FOR RUNNERS): IF THEY HAVE AT LEAST TWO NOTCHES ON THE SIDE, POSITIONED AT EQUAL DISTANCE FROM THE CENTER, TO PROPERLY ACCOMMODATE FORKLIFT BLADES, PROPERLY CLASSIFIED UNDER HTSUS 4421.90.9840.

(2) BOX-SPRING FRAME KITS: IF THEY CONTAIN THE FOLLOWING WOODEN

PIECES- TWO SIDE RAILS, TWO END (OR TOP) RAILS AND VARYING NUMBERS OF SLATS. THE SIDE RAILS AND THE END RAILS SHOULD BE RADIUS-CUT AT BOTH ENDS. THE KITS SHOULD BE INDIVIDUALLY PACKAGED, THEY SHOULD CONTAIN THE EXACT NUMBER OF WOODEN COMPONENTS NEEDED TO MAKE A PARTICULAR BOX SPRING FRAME, WITH NO FURTHER PROCESSING REQUIRED. NONE OF THE COMPONENTS EXCEEDS 1" IN ACTUAL THICKNESS OR 83" IN LENGTH.

(3) RADIUS-CUT BOX-SPRING-FRAME COMPONENTS, NOT EXCEEDING 1" IN ACTUAL THICKNESS OR 83" IN LENGTH, READY FOR ASSEMBLY WITHOUT FURTHER PROCESSING. THE RADIUS CUTS MUST BE PRESENT ON BOTH ENDS OF THE BOARDS AND MUST BE SUBSTANTIAL CUTS SO AS TO COMPLETELY ROUND ONE CORNER.

(4) FENCE PICKETS REQUIRING NO FURTHER PROCESSING AND PROPERLY CLASSIFIED UNDER HTSUS 4421.90.70, 1" OR LESS IN ACTUAL THICKNESS, UP TO 8" WIDE, 6' OR LESS IN LENGTH, AND HAVE FINIALS OR DECORATIVE CUTTINGS THAT CLEARLY IDENTIFY THEM AS FENCE PICKETS. IN THE CASE OF DOG-EARED FENCE PICKETS, THE CORNERS OF THE BOARDS SHOULD BE CUT OFF SO AS TO REMOVE PIECES OF WOOD IN THE SHAPE OF ISOSCELES RIGHT ANGLE TRIANGLES WITH SIDES MEASURING 3/4 INCH OR MORE.

LUMBER PRODUCTS THAT CUSTOMS MAY CLASSIFY AS STRINGERS, RADIUS CUT BOX-SPRING-FRAME COMPONENTS, AND FENCE PICKETS, NOT CONFORMING TO THE ABOVE REQUIREMENTS, AS WELL AS TRUSS COMPONENTS

OR PALLET COMPONENTS, ARE COVERED UNDER THE SCOPE OF THESE INVESTIGATIONS AND MAY BE CLASSIFIED UNDER HTSUS SUBHEADINGS 4418.90.40.90, 4418.90.45.90, 4421.90.70, 4421.90.97.40 AND 4421.90.98.40.

4. 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 MARIA MACKAY OR GAYLE LONGEST, OFFICE OF AD/CVD ENFORCEMENT VI, GROUP II, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-1775 AND (202) 482-3338, RESPECTIVELY.

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