

MESSAGE NO: 2112207 MESSAGE DATE: 04/22/2002
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: COR PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-841, C-274-805, C-351-833,
C-428-833, C-489-809

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2000 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: CORRECTION OF MSGS 2046203, 2050208, 2042204,2042206, 2042205 RE
LIQUIDATION INSTRUCTIONS FOR WIRE ROD FROM VARIOUS COUNTRIES

MESSAGE NO: 2112207 DATE: 04 22 2002

CATEGORY: CVD TYPE: COR

REFERENCE: REFERENCE DATE:

CASES: C - 351 - 833 C - 122 - 841

C - 428 - 833 C - 274 - 805

C - 489 - 809 - -

PERIOD COVERED: 01 01 2000 TO 12 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: CORRECTION OF MSGS 2046203, 2050208, 2042204,2042206,
2042205 RE LIQUIDATION INSTRUCTIONS FOR WIRE ROD FROM
VARIOUS COUNTRIES

1. ON FEBRUARY 8, 2002, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATIONS IN THE COUNTERVAILING DUTY INVESTIGATIONS OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM FROM BRAZIL (C-351-833), CANADA (C-122-841), GERMANY (C-428-833), TRINIDAD AND TOBAGO (C-274-805) AND TURKEY (C-489-809) FOR THE PERIOD 01/01/2000 - 12/31/2000. MESSAGES 2046203, 2050208, 2042204, 2042206, AND 2042205 DETAIL THE DEPARTMENT OF COMMERCE'S PREVIOUS INSTRUCTIONS TO CUSTOMS.

2. ON APRIL 8, 2002 THE DEPARTMENT OF COMMERCE WILL PUBLISH IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATIONS OF SALES AT LESS THAN FAIR VALUE IN THE ANTIDUMPING DUTY INVESTIGATIONS OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM BRAZIL, CANADA, EGYPT, GERMANY, INDONESIA, MEXICO, MOLDOVA, SOUTH AFRICA, TRINIDAD AND TOBAGO, UKRAINE, AND VENEZUELA (A-351-832, A-122-840, A-729-802, A-428-832, A-560-815, A-201-830, A-841-805, A-791-813, A-274-804, A-823-812, A-307-821). AFTER CONSIDERING SCOPE COMMENTS FROM PETITIONERS AND INTERESTED PARTIES, THE DEPARTMENT OF COMMERCE HAS CLARIFIED THE SCOPE LANGUAGE APPLICABLE TO THE COUNTERVAILING DUTY INVESTIGATIONS OF CARBON AND CERTAIN ALLOY STEEL WIRE ROD FROM BRAZIL (C-351-833), CANADA (C-122-841), GERMANY (C-428-833), TRINIDAD AND TOBAGO (C-274-805) AND TURKEY (C-489-809)

3. THIS MESSAGE IS AN AMENDMENT TO THE LANGUAGE IN PARAGRAPH TWO (2) OF MESSAGES 2046203, 2050208, 2042204, 2042206, AND 2042205. PARAGRAPH 2 SHOULD READ AS FOLLOWS:

THE MERCHANDISE COVERED BY THESE INVESTIGATIONS IS CERTAIN HOT-ROLLED PRODUCTS OF CARBON STEEL AND ALLOY STEEL, IN COILS, OF APPROXIMATELY ROUND CROSS SECTION, 5.00 MM OR MORE, BUT LESS THAN 19.00 MM, IN SOLID CROSS-SECTIONAL DIAMETER.

SPECIFICALLY EXCLUDED ARE STEEL PRODUCTS POSSESSING THE ABOVE-NOTED PHYSICAL CHARACTERISTICS AND MEETING THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) DEFINITIONS FOR (A) STAINLESS STEEL; (B) TOOL STEEL; (C) HIGH NICKEL STEEL; (D) BALL BEARING STEEL; AND (E) CONCRETE REINFORCING BARS AND RODS. ALSO EXCLUDED ARE (F) FREE MACHINING STEEL PRODUCTS (I.E., PRODUCTS THAT CONTAIN BY WEIGHT ONE OR MORE OF THE FOLLOWING ELEMENTS: 0.03 PERCENT OR MORE OF LEAD, 0.05 PERCENT OR MORE OF BISMUTH, 0.08 PERCENT OR MORE OF SULFUR, MORE THAN 0.04 PERCENT OF PHOSPHORUS, MORE THAN 0.05 PERCENT OF SELENIUM, OR MORE THAN 0.01 PERCENT OF TELLURIUM).

ALSO EXCLUDED FROM THE SCOPE ARE 1080 GRADE TIRE CORD QUALITY WIRE ROD AND 1080 GRADE TIRE BEAD QUALITY WIRE ROD. THIS GRADE 1080 TIRE CORD QUALITY ROD IS DEFINED AS: (I) GRADE 1080 TIRE CORD QUALITY WIRE ROD MEASURING 5.0 MM OR MORE BUT NOT MORE THAN 6.0 MM IN CROSS-SECTIONAL DIAMETER; (II) WITH AN AVERAGE PARTIAL DECARBURIZATION OF NO MORE THAN 70 MICRONS IN DEPTH (MAXIMUM INDIVIDUAL 200 MICRONS); (III) HAVING NO INCLUSIONS GREATER THAN 20 MICRONS; (IV) HAVING A CARBON SEGREGATION PER HEAT AVERAGE OF 3.0 OR BETTER USING EUROPEAN METHOD NFA 04-114; (V) HAVING A SURFACE QUALITY WITH NO SURFACE DEFECTS OF A LENGTH GREATER THAN 0.15 MM; (VI) CAPABLE OF BEING DRAWN TO A DIAMETER OF 0.30 MM OR LESS WITH 3 OR FEWER BREAKS PER TON, AND (VII) CONTAINING BY WEIGHT THE FOLLOWING ELEMENTS IN THE PROPORTIONS SHOWN: (1) 0.78 PERCENT OR MORE OF CARBON, (2) LESS THAN 0.01 PERCENT OF ALUMINUM, (3) 0.040 PERCENT OR LESS, IN THE AGGREGATE, OF PHOSPHORUS AND SULFUR, (4) 0.006 PERCENT OR LESS OF NITROGEN, AND (5) NOT MORE THAN 0.15 PERCENT, IN THE AGGREGATE, OF COPPER, NICKEL AND CHROMIUM.

THIS GRADE 1080 TIRE BEAD QUALITY ROD IS DEFINED AS: (I) GRADE 1080 TIRE BEAD QUALITY WIRE ROD MEASURING 5.5 MM OR MORE BUT NOT MORE THAN 7.0 MM IN CROSS-SECTIONAL DIAMETER; (II) WITH AN AVERAGE PARTIAL DECARBURIZATION OF NO MORE THAN 70 MICRONS IN DEPTH (MAXIMUM INDIVIDUAL 200 MICRONS); (III) HAVING NO INCLUSIONS GREATER THAN 20 MICRONS; (IV) HAVING A CARBON SEGREGATION PER HEAT AVERAGE OF 3.0 OR BETTER USING EUROPEAN METHOD NFA 04-114; (V) HAVING A SURFACE QUALITY WITH NO SURFACE DEFECTS OF A LENGTH GREATER THAN 0.2 MM; (VI) CAPABLE OF BEING DRAWN TO A DIAMETER OF 0.78 MM OR LARGER WITH 0.5 OR FEWER BREAKS PER TON; AND (VII) CONTAINING BY WEIGHT THE FOLLOWING ELEMENTS IN THE PROPORTIONS SHOWN: (1) 0.78 PERCENT OR MORE OF CARBON, (2) LESS THAN 0.01 PERCENT OF SOLUBLE ALUMINUM, (3) 0.040 PERCENT OR LESS, IN THE AGGREGATE, OF PHOSPHORUS AND SULFUR, (4) 0.008 PERCENT OR LESS OF NITROGEN, AND (5) EITHER NOT MORE THAN 0.15 PERCENT, IN THE AGGREGATE, OF COPPER, NICKEL AND CHROMIUM (IF CHROMIUM IS NOT SPECIFIED), OR NOT MORE THAN 0.10 PERCENT IN THE AGGREGATE OF COPPER AND NICKEL AND A CHROMIUM CONTENT OF 0.24 TO 0.30 PERCENT (IF CHROMIUM IS SPECIFIED).

THE DESIGNATION OF THE PRODUCTS AS "TIRE CORD QUALITY" OR "TIRE BEAD QUALITY" INDICATES THE ACCEPTABILITY OF THE PRODUCT FOR USE IN THE PRODUCTION OF TIRE CORD, TIRE BEAD, OR WIRE FOR USE IN OTHER RUBBER REINFORCEMENT APPLICATIONS SUCH AS HOSE WIRE. THESE QUALITY DESIGNATIONS ARE PRESUMED TO INDICATE THAT THESE PRODUCTS ARE BEING USED IN TIRE CORD, TIRE BEAD, AND OTHER RUBBER REINFORCEMENT APPLICATIONS, AND SUCH MERCHANDISE INTENDED FOR THE

TIRE CORD, TIRE BEAD, OR OTHER RUBBER REINFORCEMENT APPLICATIONS IS NOT INCLUDED IN THE SCOPE. HOWEVER, SHOULD PETITIONERS OR OTHER INTERESTED PARTIES PROVIDE A REASONABLE BASIS TO BELIEVE OR SUSPECT THAT THERE EXISTS A PATTERN OF IMPORTATION OF SUCH PRODUCTS FOR OTHER THAN THOSE APPLICATIONS, END-USE CERTIFICATION FOR THE IMPORTATION OF SUCH PRODUCTS MAY BE REQUIRED. UNDER SUCH CIRCUMSTANCES, ONLY THE IMPORTERS OF RECORD WOULD NORMALLY BE REQUIRED TO CERTIFY THE END USE OF THE IMPORTED MERCHANDISE.

ALL PRODUCTS MEETING THE PHYSICAL DESCRIPTION OF SUBJECT MERCHANDISE THAT ARE NOT SPECIFICALLY EXCLUDED ARE INCLUDED IN THIS SCOPE.

THE PRODUCTS UNDER INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 7213.91.3010, 7213.91.3090, 7213.91.4510, 7213.91.4590, 7213.91.6010, 7213.91.6090, 7213.99.0031, 7213.99.0038, 7213.99.0090, 7227.20.0010, 7227.20.0020, 7227.20.0090, 7227.20.0095, 7227.90.6051, 7227.90.6053, 7227.90.6058, AND 7227.90.6059 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. 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, MELANI MILLER AT 202-482-0116 (BRAZIL),

SALLY HASTINGS AT 202-482-3464 (CANADA), MELANIE BROWN AT 482-4987 (GERMANY), ANTHONY GRASSO AT 482-3853, AND JENNIFER D. JONES AT 482-4194 (TURKEY), OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE.

4. 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