

MESSAGE NO: 2107209 MESSAGE DATE: 04/17/2002
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-427-816, A-475-826, A-533-817,
A-580-836, A-588-847

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2001 TO 01/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CTL CARBON QUALITY STEEL
PLATE FROM VARIOUS COUNTRIES

MESSAGE NO: 2107209

DATE: 04 17 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 427 - 816

A - 533 - 817

A - 475 - 826

A - 588 - 847

A - 580 - 836

- -

PERIOD COVERED: 02 01 2001 TO 01 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CTL CARBON QUALITY
STEEL PLATE FROM VARIOUS COUNTRIES

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE

FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

CERTAIN CUT-TO-LENGTH CARBON-QUALITY

STEEL PLATE FROM FRANCE PERIOD

A-427-816

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/2001-01/31/2002

USINOR S.A.

CERTAIN CUT-TO-LENGTH CARBON-QUALITY

STEEL PLATE FROM INDIA PERIOD

A-533-817

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/2001-01/31/2002

STEEL AUTHORITY OF INDIA, LTD.

CERTAIN CUT-TO-LENGTH CARBON-QUALITY

STEEL PLATE FROM ITALY PERIOD

A-475-826

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/2001-01/31/2002

PALINI B. BERTOLI S.p.A.

CERTAIN CUT-TO-LENGTH CARBON-QUALITY

STEEL PLATE FROM JAPAN PERIOD

A-588-847

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/2001-01/31/2002

KAWASAKI STEEL CORPORATION

KOBE STEEL, LTD.

NIPPON STEEL CORPORATION

NKK CORPORATION

SUMITOMO METAL INDUSTRIES, LTD.

CERTAIN CUT-TO-LENGTH CARBON-QUALITY

STEEL PLATE FROM REPUBLIC OF KOREA PERIOD

A-580-836

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/2001-01/31/2002

DONGKUK STEEL MILL CO., LTD.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING 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 AND ASSESS INTEREST ON UNDERPAYMENTS 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 OF PAYMENT OF ESTIMATED ANTIDUMPING 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.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

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 LIAISONS, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT RONALD TRENTAM ON (202) 482-6320, 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