

RULING ON THE PRODUCT COVERAGE OF ANTI-DUMPING DECISION NO. 01-94 OF THE DEPARTMENT OF FINANCE AS REQUESTED BY HABITATS INDUSTRIES CORP. AND WINNING ENTERPRISES INC.

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Circularized hereto for information and guidance is the 3rd Endorsement dated September 10, 1996 of the Department of Finance wherein it is ruled that Anti-Dumping Decision No. 01-94 covers all importations of Galvanized Malleable Coated fittings coming from the Peoples Republic of China (PROC) irrespective of sizes and shapes and the dumping duty should be imposed on all such importation.

Said ruling was based on the recommendation of the Chairman, Tariff Commission so as to prevent or minimize any further attempt to circumvent the anti-dumping decision and that to interpret otherwise will open the flood-gates for entry of massive imports of other kinds and sizes of said article.

All concerned shall be guided accordingly.

Adopted: 14 Oct. 1997

(SGD.) RAY M. ALLAS
Deputy Commissioner

"Attachment"

3rd Endorsement
September 10, 1996

Respectfully referred to the Commissioner of Customs, Manila, the within request of Consultant Philippines, Inc., in behalf of its client HATATSU PHILIPPINES INDUSTRIAL CORP., and WINNING ENTERPRISES INC. for a ruling on the product coverage of Anti-Dumping Decision No. 01-94 issued by this Department on 09 December 1993.

In view of the favorable recommendation of the Chairman, Tariff Commission as contained in the next preceding Indorsement dated 05 September 1996 particularly its comment stated under paragraph 6 of the aforementioned Indorsement which is quoted hereunder:

"6. To prevent or minimize any further attempt to circumvent the decision, this Office believes that the Decision covers all kinds and sizes of Malleable Cast Iron Pipe Fitting's covered by the Tariff sub-heading No. 7307.19 because to interpret otherwise will create a loophole that will open the floodgates for entry massive imports of other kinds and sizes of subject articles."

this Department hereby ruled that the Anti-Dumping Decision No. 01-94 covers all importations of Galvanized Malleable Coated Fittings Coming from the Peoples Republic of China (PROC) irrespective of sizes and shapes and the Dumping duty should be imposed on all such importation.

As per certification of Hatatsu Phil. and Inc., Corp. and Winning Enterprises, Inc. the said firms produces all sizes

and shapes of Galvanized Malleable Coated Fittings and Zinc Coated Fittings falling under HS No. 73071990 of the Tariff Code, as amended.

(SGD.) ANTONIO P. BELICENA

Assistant Secretary Revenue Operations Group

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