

Slip Op. 99-8

UNITED STATES COURT OF INTERNATIONAL TRADE

American Bayridge Corp., :
 :
 Plaintiff, : **Court No. 98-08-02682**
 : **Before: Barzilay, Judge**
 v. :
 :
 United States of America, :
 :
 Defendant. :

JUDGMENT

This case contesting the decision of the United States Customs Service, in HQ962042, denying protest number 3401-98-100012 as to the classification of imported merchandise (“predrilled studs”) and the effective date of an interpretive ruling issued pursuant to 19 U.S.C. § 1625(c) having been submitted for decision; and the Court, after due deliberation, having rendered a decision in Slip Opinion No. 98-166; and

Whereas the United States Customs Service has made available to the Court port instructions which it intends to issue in light of said Slip Opinion, a copy of which will be filed with the Court upon entry of final judgment by the Court in this case, declaring its intention to post Bulletin notices of liquidation or reliquidation, as appropriate, within 30 days of its receipt of Supplemental Information Letters or timely protests from affected importers;

Now therefore, in conformity with said decision it is

ORDERED that Plaintiff’s motion for summary judgment as to the classification of predrilled studs under heading 4418, HTSUS, be and hereby is, denied; and it is further

ORDERED that Defendant's cross-motion for summary judgment, as to the classification of predrilled studs, be and hereby is, granted, upholding classification under subheading 4407.10.00, HTSUS; and it is further

ORDERED that Plaintiff's motion for summary judgment as to the effective date of an interpretive ruling issued pursuant to 19 U.S.C. § 1625(c) with respect to the rights of all importers, be and hereby is, granted; and it is further

ORDERED that Defendant's cross-motion for summary judgment as to the effective date of an interpretive ruling issued pursuant to 19 U.S.C. § 1625(c), be and hereby is, denied.

Dated: _____
New York, New York

Judith M. Barzilay
Judge