

MESSAGE NO: 2312201 MESSAGE DATE: 11/08/2002
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-570-848

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/01/1998 TO 08/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION OF CRAWFISH FROM CHINA EXPORTED BY YANCHENG BAOLONG
(A-570-848)

MESSAGE NO: 2312201 DATE: 11 08 2002

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 848 - -

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PERIOD COVERED: 09 01 1998 TO 08 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF CRAWFISH FROM CHINA EXPORTED BY YANCHENG
BAOLONG (A-570-848)

1. FOR ALL SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE
PEOPLE'S REPUBLIC OF CHINA (PRC) EXPORTED BY YANCHENG BAOLONG
BIOCHEMICAL PRODUCTS CO., LTD. (YBBP) (A-570-848-015) ENTERED OR
WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD OF

09/01/1998 THROUGH 08/31/1999, ASSESS AN ANTIDUMPING DUTY OF
201.63 PERCENT OF THE ENTERED VALUE.

2. THESE INSTRUCTIONS COVER IMPORTS OF FRESHWATER CRAWFISH TAIL MEAT IN ALL ITS FORMS (WHETHER WASHED OR WITH FAT ON, WHETHER PURGED OR UNPURGED), GRADES, AND SIZES; WHETHER FROZEN, FRESH, OR CHILLED; AND REGARDLESS OF HOW IT IS PACKED, PRESERVED, OR PREPARED. EXCLUDED FROM THE SCOPE OF THE ORDER ARE LIVE CRAWFISH AND OTHER WHOLE CRAWFISH, WHETHER BOILED, FROZEN, FRESH OR CHILLED. ALSO EXCLUDED ARE SALTWATER CRAWFISH OF ANY TYPE, AND PARTS THEREOF. FRESHWATER CRAWFISH TAIL MEAT IS CURRENTLY CLASSIFIABLE IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER ITEM NUMBERS 1605.40.10.10, 1605.40.10.90, 0306.19.00.10 AND 0306.29.00.00. THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES ONLY. THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PRC YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSIT RATES OF ESTIMATED ANTIDUMPING DUTIES AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED (THE ACT). SECTION 778 OF THE ACT 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 PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED

IN SECTION 351.402(F)(2) OF THE COMMERCE DEPARTMENT'S 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.

6. 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 ADINA TEODORESCU OR MAUREEN FLANNERY AT 202-482-4052 OR 202-482-3020, RESPECTIVELY, AD CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party