

MESSAGE NO: 3016206 MESSAGE DATE: 01/16/2003
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-475-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1999 TO 04/30/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION OF BALL BEARINGS FROM ITALY EXPORTED BY VARIOUS COUNTRIES (A-475-201)

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CASES: A - 475 - 201 - -

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LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF BALL BEARINGS FROM ITALY EXPORTED BY VARIOUS COUNTRIES (A-475-201)

1. ON JULY 12, 2001, THE DEPARTMENT OF COMMERCE (COMMERCE) PUBLISHED IN THE FEDERAL REGISTER ITS FINAL RESULTS OF ANTIDUMPING DUTY ADMINISTRATIVE REVIEWS AND REVOCATION OF ORDERS IN PART WITH RESPECT TO ANTIFRICTION BEARINGS FROM VARIOUS COUNTRIES. AMONGST MANY COMPANIES, COMMERCE REVIEWED ELEVEN RESELLERS.

2. FIVE OF THE REVIEWED RESELLERS DID NOT RESPOND TO COMMERCE'S

REQUEST FOR INFORMATION. AS A RESULT, COMMERCE DETERMINED TO APPLY AN ADVERSE FACTS-AVAILABLE RATE TO ALL IMPORTS OF MERCHANDISE FOR WHICH THOSE FIVE COMPANIES ACTED IN ANY ASPECT OF THE TRANSACTION.

THEREFORE, AS A RESULT OF COMMERCE'S DETERMINATION, YOU SHOULD REVIEW SUPPORTING DOCUMENTATION FOR ALL ENTRIES OF BBS FROM ITALY THAT WERE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 5/01/1999 THROUGH 04/30/2000. IF YOU FIND THAT ANY OF THE COMPANIES LISTED BELOW HAD ANY INVOLVEMENT (FOR EXAMPLE, IT ACTED AS EXPORTER, IMPORTER, OR CUSTOMER) IN THE TRANSACTION, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 68.29 PERCENT OF THE ENTERED VALUE.

COMPANY-SPECIFIC CASE NUMBER	EXPORTER, IMPORTER, OR CUSTOMER
A- 475-201-041	ALFATEAM-BELGIUM
A-475-201-042	ALFA-TEAM-GERMANY
A-475-201-043	MOTION BEARINGS
A-475-201-044	YOO SHIN COMMERCIAL COMPANY
A-475-201-045	DCD

ENTRIES ALSO MAY HAVE BEEN MADE UNDER ANY OTHER CASE NUMBER APPLICABLE TO BBS FROM ITALY (A-475-201).

3. THE SIX OTHER RESELLERS REPORTED TO COMMERCE THAT THEY MADE NO SHIPMENTS OF SUBJECT MERCHANDISE DURING THE PERIOD 5/01/1999 THROUGH 04/30/2000. AS COMMERCE EXPLAINED IN ITS DECISION, HOWEVER, THAT CLAIM WAS DIFFICULT TO VERIFY USING TRADITIONAL SOURCES OF IMPORT DATA. IF IN FACT THESE SIX COMPANIES WERE INVOLVED IN THE SHIPMENT OR IMPORTATION OF SUBJECT MERCHANDISE, COMMERCE DETERMINED THAT APPLICATION OF AN ADVERSE FACTS-AVAILABLE RATE IS APPROPRIATE.

THEREFORE, AS A RESULT OF COMMERCE'S DETERMINATION, YOU SHOULD REVIEW SUPPORTING DOCUMENTATION FOR ALL ENTRIES OF BBS FROM ITALY THAT WERE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 5/01/1999 THROUGH 04/30/2000. IF YOU FIND THAT ANY OF THE COMPANIES LISTED BELOW HAD ANY INVOLVEMENT (FOR EXAMPLE, IT ACTED AS EXPORTER, IMPORTER, OR CUSTOMER) IN THE TRANSACTION, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 68.29 PERCENT OF THE ENTERED VALUE.

COMPANY-SPECIFIC CASE NUMBER	EXPORTER, IMPORTER, OR CUSTOMER
A-475-201-046	BEARING DISCOUNT INTERNATIONAL
A-475-201-052	EURO-LATIN EXPORT SERVICES LIMITED
A-475-201-047	REPRESENTACIONES INDUSTRIALES RODRIQUEZ, S.A. DE C.V.
A-475-201-049	RODAMIENTOS ROVI C.A.
A-475-201-050	ROVI-MARACAY
A-475-201-051	ROVI-VALENCIA

ENTRIES ALSO MAY HAVE BEEN MADE UNDER ANY OTHER CASE NUMBER APPLICABLE TO BBS FROM ITALY (A-475-201).

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF BBS FROM ITALY FOR THE PERIOD 5/01/1999 THROUGH 04/30/2000 YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. 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. 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

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.

6. 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 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 LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT LYN JOHNSON AT 202-482-5287, AD/CVD ENFORCEMENT III, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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