

MESSAGE NO: 3057203 MESSAGE DATE: 02/26/2003
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-507-601

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/01/2000 TO 09/30/2001

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION OF ROASTED PISTACHIOS FROM IRAN EXPORTED BY TEHRAN
NEGAH NIMAH TRADING (C-507-601)

MESSAGE NO: 3057203 DATE: 02 26 2003

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 507 - 601 - -

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PERIOD COVERED: 10 01 2000 TO 09 30 2001

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF ROASTED PISTACHIOS FROM IRAN EXPORTED BY
TEHRAN NEGAH NIMAH TRADING (C-507-601)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER ON 01/31/2003 (68 FR 4997) THE FINAL RESULTS OF ITS NEW SHIPPER REVIEW OF A CERTAIN MANUFACTURER/EXPORTER SUBJECT TO THE COUNTERVAILING DUTY ORDER (C-507-601) ON CERTAIN IN-SHELL ROASTED PISTACHIOS FROM IRAN FOR THE PERIOD OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001.

2. IMPORTS COVERED BY THIS REVIEW ARE ALL ROASTED IN-SHELL

PISTACHIO NUTS, WHETHER ROASTED IN IRAN OR ELSEWHERE, FROM WHICH THE HULL HAS BEEN REMOVED, LEAVING THE INNER HARD SHELLS AND THE EDIBLE MEAT, AS CURRENTLY CLASSIFIABLE IN THE HTSUS UNDER ITEM NUMBER 0802.50.20.00. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. THE NET SUBSIDY WAS FOUND TO BE 21.68 PERCENT AD VALOREM FOR THE PERIOD OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001.

4. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF CERTAIN IN-SHELL ROASTED PISTACHIOS FROM IRAN, EXPORTED BY THE EXPORTER LISTED BELOW, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD OCTOBER 1, 2000, THROUGH SEPTEMBER 30, 2001.

ID NUMBER COMPANY NAME

C-507-601-002 EXPORTER:

TEHRAN NEGAH TRADING COMPANY, INC. (NIMA)

5. FOR ALL SHIPMENTS OF CERTAIN IN SHELL ROASTED PISTACHIOS FROM IRAN EXPORTED BY TEHRAN NEGAH TRADING COMPANY, INC. (NIMA) ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/01/00 THROUGH 09/30/01, ASSESS A COUNTERVAILING LIABILITY EQUAL TO 21.68 PERCENT OF THE ENTERED VALUE.

6. THE ASSESSMENT OF COUNTERVAILING 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 PAYS INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAIL DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED COUNTERVAILING 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.

7. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE SEPTEMBER 30, 2001, IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THIS MERCHANDISE EXPORTED AFTER SEPTEMBER 30, 2001 WILL CONTINUE.

8. 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 INTERESTED PARTIES SHOULD CONTACT DARLA BROWN, OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, DEPARTMENT OF COMMERCE AT (202) 482-2849.

9. 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