

MESSAGE NO: 3255203

MESSAGE DATE: 09/12/2003

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC

NON-PUBLIC

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-552-801

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 06/23/2003

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY ORDER IN THE INVESTIGATION OF FROZEN FISH FILLETS  
FROM THE SOCIALIST REPUBLIC OF VIETNAM (A-552-801)

MESSAGE NO: 3255203 DATE: 09 12 2003

CATEGORY: ADA TYPE: ADM

REFERENCE: REFERENCE DATE:

CASES: A - 552 - 801 - -

- - - -

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PERIOD COVERED: 06 23 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING DUTY ORDER IN THE INVESTIGATION OF FROZEN  
FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM  
(A-552-801)

1. ON AUGUST 12, 2003, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE  
THE  
FEDERAL REGISTER ITS ANTIDUMPING DUTY ORDER IN THE INVESTIGATION  
OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF  
VIETNAM (68 FR 47909).

2. FOR PURPOSES OF THIS INVESTIGATION, THE PRODUCT COVERED IS  
FROZEN FISH FILLETS, INCLUDING REGULAR, SHANK AND STRIP FILLETS

AND PORTIONS THEREOF, WHETHER OR NOT BREADED OR MARINATED, OF THE SPECIES PANGASIU BOCOURTI, PANGASIU HYPOPHTHALAMUS (ALSO KNOWN AS PANGASIU PANGASIU), AND PANGASIU MICRONEMUS. FROZEN FISH FILLETS ARE LENGTHWISE CUTS OF WHOLE FISH. THE FILLET PRODUCTS COVERED BY THE SCOPE INCLUDES BONELESS FILLETS WITH THE BELLY FLAP INTACT ("REGULAR FILLETS"), BONELESS FILLETS WITH THE BELLY FLAP REMOVED ("SHANK FILLETS"), BONELESS SHANK FILLETS CUT INTO STRIPS ("FILLET STRIPS/FINGER"), WHICH INCLUDES FILLETS CUT INTO STRIPS, CHUNKS, BLOCKS, SKEWERS, OR ANY OTHER SHAPE. SPECIFICALLY EXCLUDED FROM THE SCOPE ARE FROZEN WHOLE FISH (WHETHER OR NOT DRESSED), FROZEN STEAKS AND FROZEN BELLY-FLAP NUGGETS. FROZEN WHOLE DRESSED FISH ARE DEHEADED, SKINNED AND EVISCERATED. STEAKS ARE BONE-IN, CROSS-SECTION CUTS OF DRESSED FISH. NUGGETS ARE THE BELLY FLAPS.

THE SUBJECT MERCHANDISE WILL BE HEREINAFTER REFERRED TO AS FROZEN " BASA" AND "TRA" FILLETS, WHICH ARE THE VIETNAMESE COMMON NAMES FOR THESE SPECIES OF FISH. THESE PRODUCTS ARE CLASSIFIABLE UNDER TARIFF ARTICLE CODES 0304.20.60.30 (FROZEN CATFISH FILLETS), 0304.20.60.96 (FROZEN FISH FILLETS, NESOI), 0304.20.60.43 (FROZEN FRESHWATER FISH FILLETS) AND 0304.20.60.57 (FROZEN SOLE FILLETS) OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). THIS INVESTIGATION COVERS ALL FROZEN FISH FILLETS MEETING THE ABOVE SPECIFICATIONS, REGARDLESS OF TARIFF CLASSIFICATION. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-552-801.

4. THE INTERNATIONAL TRADE COMMISSION (ITC) DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO SUBJECT IMPORTS FROM THE SOCIALIST REPUBLIC OF VIETNAM. AS A RESULT OF THE ITC'S NEGATIVE CRITICAL CIRCUMSTANCES DETERMINATION, THE CUSTOMS SERVICE WILL REFUND ALL CASH DEPOSITS AND RELEASE ALL BONDS COLLECTED ON CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST

REPUBLIC OF VIETNAM ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 2, 2002, AND BEFORE JANUARY 31, 2003. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

5. EFFECTIVE JUNE 23, 2003 CUSTOMS SHALL REQUIRE FOR ENTRIES A CASH DEPOSIT EQUAL TO THE MARGINS RATES SHOWN BELOW:

MFR/PRODUCER/EXPORTER	CUSTOMS ID NUMBER	MARGIN PERCENTAGE
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VIETNAM-WIDE	A-552-801-000	63.88
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AGIFISH	A-552-801-001	47.05
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(ALSO TRADING AS: AGIFISH COMPANY, AN GIANG FISHERIES IMPORT AND EXPORT JOINT STOCK COMPANY, AN GIANG FISHERY EXPORT IMPORT COMPANY, AN GIANG FISHERIES IMPORT-EXPORT CO.)

VINH HOAN	A-552-801-002	36.84
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(ALSO TRADING AS: VINH HOAN COMPANY LIMITED)

CATACO	A-552-801-004	45.81
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(ALSO TRADING AS: CAN THO AGRICULTURAL AND ANIMAL PRODUCTS IMPORT-EXPORT COMPANY)

NAM VIET	A-552-801-003	53.68
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(ALSO TRADING AS: NAM VIET COMPANY LIMITED)

AFIEX	A-552-801-005	45.55
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(ALSO TRADING AS: A. SEAFOOD INDUSTRY, AN GIANG AGRICULTURE AND FOOD IMPORT EXPORT COMPANY)

CAFATEX	A-552-801-006	45.55
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(ALSO TRADING AS: CAN THO ANIMAL FISHERY PRODUCTS PROCESSING EXPORT ENTERPRISE)

DA NANG	A-552-801-007	45.55
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(ALSO TRADING AS: DA NANG SEAPRODUCTS IMPORT-EXPORT CORPORATION)

MEKONIMEX            A-552-801-008    45.55  
(ALSO TRADING AS: MEKONG FISH COMPANY)

QVD                    A-552-801-009    45.55  
(ALSO TRADING AS: QVD FOOD COMPANY LIMITED)

VIET HAI             A-552-801-010    45.55  
(ALSO TRADING AS: VIET HAI SEAFOOD COMPANY LIMITED, VIETNAM FISH ONE COMPANY LIMITED)

VINH LONG            A-552-801-011    45.55  
(ALSO TRADING AS: VINH LONG IMPORT-EXPORT COMPANY)

CUSTOMS SHOULD APPLY THE AGIFISH MARGIN PERCENTAGE TO ENTRIES MADE BY AGIFISH COMPANY, AN GIANG FISHERIES IMPORT AND EXPORT JOINT STOCK COMPANY, AN GIANG FISHERY EXPORT    IMPORT COMPANY, AN GIANG FISHERIES IMPORT-EXPORT CO. SIMILARLY, CUSTOMS SHOULD APPLY THE AFIEX MARGIN PERCENTAGE TO ENTRIES MADE BY A. SEAFOOD INDUSTRY. ADDITIONALLY, CUSTOMS SHOULD APPLY THE VIET HAI MARGIN PERCENTAGE TO ANY ENTRIES MADE BY VIETNAM FISH ONE COMPANY LIMITED.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES PLEASE CONTACT ALEX VILLANUEVA AT ALEX\_\_VILLANUEVA (AT) ITA.DOC.GOV, OR AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT 202-482-3208.

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