

MESSAGE NO: 4033205 MESSAGE DATE: 02/02/2004

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 0021202  
MESSAGE #  
(s):

CASE #(s): A-201-601

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/1989 TO 03/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INSTR.-FRESH CUT FLOWERS-MEXICO EXCEPT FOR FLOREX A-201-601-001, VISAFLOR-002, TZITZIC TARETA-003, RANCHO MISION EL DESCANSO -006, RANCHO EL TORO -011, ETC.

MESSAGE NO: 4033205

DATE: 02 02 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 0021202

REFERENCE DATE: 01 21 2000

CASES: A - 201 - 601

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PERIOD COVERED: 04 01 1989 TO 03 31 1990

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INSTR.-FRESH CUT FLOWERS-MEXICO EXCEPT FOR FLOREX A-201-601-001, VISAFLOR-002, TZITZIC TARETA-003, RANCHO MISION EL DESCANSO -006, RANCHO EL TORO -011, ETC.

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT'S REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIODS AND MERCHANDISE LISTED BELOW. THEREFORE, IN ACCORDANCE

WITH SECTION 351.212(C) OF THE COMMERCE DEPARTMENT REGULATIONS,  
YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED OR  
WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION AT THE CASH DEPOSIT OR  
BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

FLOWERS FROM MEXICO    A-201-601    04/01/89 - 03/31/90

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

FLOREX	A-201-601-001
RANCHO EL AGUAJE	A-201-601-015
RANCHO EL TORO	A-201-601-011
RANCHO MISION EL DESCANSO	A-201-601-006
TZITZIC TARETA	A-201-601-003
VISAFLOR	A-201-601-002

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF  
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND  
PERIOD LISTED ABOVE. PLEASE NOTE THAT THIS ORDER WAS REVOKED  
EFFECTIVE JANUARY 1, 2000 AS DETAILED IN MESSAGE # 0021202 DATED  
01/21/00. THEREFORE, YOU SHOULD NO LONGER BE COLLECTING CASH  
DEPOSITS ON OR SUSPENDING LIQUIDATION OF ENTRIES OF THE SUBJECT  
MERCHANDISE.

4. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE  
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS DIRECTING YOU  
TO DO SO.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER  
PROTECTION ON SHIPMENTS OR 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 OR

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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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 HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO 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, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G307:JA).

8. 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