

MESSAGE NO: 4041206 MESSAGE DATE: 02/10/2004
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-351-605

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/1990 TO 04/30/1991

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: TERMINATION OF ADMINISTRATIVE REVIEW AND LIQUIDATION OF FROZEN
CONCENTRATED ORANGE JUICE FROM BRAZIL(A-351-605)

MESSAGE NO: 4041206 DATE: 02 10 2004

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 351 - 605 - -

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PERIOD COVERED: 05 01 1990 TO 04 30 1991

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: TERMINATION OF ADMINISTRATIVE REVIEW AND LIQUIDATION OF
FROZEN CONCENTRATED ORANGE JUICE FROM BRAZIL(A-351-605)

1. ON 04/14/1992 (57 FR 12910), THE DEPARTMENT OF COMMERCE
TERMINATED THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY
ORDER ON FROZEN CONCENTRATED ORANGE JUICE (A-351-605) COVERING
THE COMPANIES NOTED BELOW AND THE PERIOD 05/01/1990 THROUGH
04/30/1991, BECAUSE THERE WERE NO SHIPMENTS FROM THESE COMPANIES.

BASCITRUS ARGO-INDUSTRIA LTDA. (A-351-605-014)

CITROVALE, S.A. (A-351-605-008)

2. IF CUSTOMS AND BORDER PROTECTION ("CBP") ARE HOLDING ANY ENTRIES FOR BASCITRUS ARGO-INDUSTRIA LTDA. (A-351-605-014) AND CITROVALE, S.A. (A-351-605-008) FOR THE ABOVE REFERENCED PERIOD ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

3. THIS E-MAIL MESSAGE CONSTITUTES THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE FIRM AND MERCHANDISE LISTED ABOVE DURING THE INDICATED PERIOD. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CBP 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 CBP 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 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT 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, CBP 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, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY BCBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES PLEASE CONTACT DAVINA HASHMI AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984 (GENERATED BY G204:SEF).

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

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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