

MESSAGE NO: 4021211 MESSAGE DATE: 01/21/2004  
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-570-855

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/2001 TO 05/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR NON-FROZEN APPLE JUICE CONCENTRATE FROM CHINA (A-570-855)

MESSAGE NO: 4021211 DATE: 01 21 2004

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 855 - -

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PERIOD COVERED: 06 01 2001 TO 05 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR NON-FROZEN APPLE JUICE CONCENTRATE FROM CHINA (A-570-855)

1. ON DECEMBER 22, 2003, (68 FR 71062), THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL RESULTS OF THE SECOND ANTIDUMPING DUTY ADMINISTRATIVE REVIEW ON NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PRC (A-570-855).

2. IN MESSAGE 0252219 ON 9/8/2000 WE INFORMED U.S. CUSTOMS AND BORDER PROTECTION OF A PRELIMINARY INJUNCTION IN THIS PROCEEDING. UNTIL FURTHER NOTICE, ENTRIES OF MERCHANDISE OF THE FOLLOWING FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC

INSTRUCTIONS AFTER THE LIFTING OF THE PRELIMINARY INJUNCTION. THE FIRMS ARE:

YANTAI ORIENTAL JUICE CO., LTD. (A-570-855-005)

QINGDAO NANNAN FOODS CO. (A-570-855-006)

SANMEXIA LAKESIDE FRUIT JUICE CO., LTD. (A-570-855-003)

SHAANXI HAISHENG FRESH FRUIT JUICE CO. (A-570-855-002)

SDIC ZHONGLU FRUIT JUICE CO., LTD./SHANDONG ZHONGLU JUICE GROUP CO., LTD./RUSHAN SHANGJIN-ZHONGLU FOODSUFF CO., LTD./SHANDONG LULING FRUIT JUICE CO., LTD. (A-570-855-004)

XIANYANG FUAN JUICE CO., LTD. (A-570-855-009)

XIAN ASIA QIN FRUIT CO., LTD. (A-570-855-008)

CHANGSHA INDUSTRIAL PRODUCTS AND MINERALS IMPORT AND EXPORT CORP. (A-570-855-010)

SHANDONG FOODSTUFFS IMPORT AND EXPORT CORP.  
(A-570-855-011)

CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE COMPANIES LISTED ABOVE AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

06/01/2001 THROUGH 05/31/2002.

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE LISTED ABOVE FOR THE PERIOD 06/01/2001 THROUGH 05/31/2002 EXCEPT FOR:

YANTAI ORIENTAL JUICE CO., LTD. (A-570-855-005)

QINGDAO NANNAN FOODS CO. (A-570-855-006)

SANMEXIA LAKESIDE FRUIT JUICE CO., LTD. (A-570-855-003)

SHAANXI HAISHENG FRESH FRUIT JUICE CO. (A-570-855-002)

SDIC ZHONGLU FRUIT JUICE CO., LTD./SHANDONG ZHONGLU JUICE GROUP CO., LTD./RUSHAN SHANGJIN-ZHONGLU FOODSUFF CO., LTD./SHANDONG LULING FRUIT JUICE CO., LTD. (A-570-855-004)

XIANYANG FUAN JUICE CO., LTD. (A-570-855-009)

XIAN ASIA QIN FRUIT CO., LTD. (A-570-855-008)

CHANGSHA INDUSTRIAL PRODUCTS AND MINERALS IMPORT AND EXPORT CORP. (A-570-855-010)

SHANDONG FOODSTUFFS IMPORT AND EXPORT CORP. (A-570-855-011)

(SEE PARAGRAPH 2 ABOVE). FOR ALL OTHER SHIPMENTS OF NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION 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. 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, U.S. CUSTOMS AND BORDER PROTECTION 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, U.S. CUSTOMS AND BORDER PROTECTION 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, U.S. CUSTOMS AND BORDER PROTECTION SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP 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 G101:ART).

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