

MESSAGE NO: 4135210 MESSAGE DATE: 05/14/2004  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: OTH-Other PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 3199204  
MESSAGE #  
(s):

CASE #(s): A-570-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/28/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CASH DEPOSIT INSTRUCTIONS FOR THE RESCINDED NEW SHIPPER REVIEW OF FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA TANCHENG DEXING COUNTY FOODS CO LTD (A570831016).

MESSAGE NO: 4135210

DATE: 05 14 2004

CATEGORY: ADA

TYPE: OTH

REFERENCE: 3199204

REFERENCE DATE: 07 18 2003

CASES: A - 570 - 831

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PERIOD COVERED: 04 28 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CASH DEPOSIT INSTRUCTIONS FOR THE RESCINDED NEW SHIPPER REVIEW OF FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA TANCHENG DEXING COUNTY FOODS CO LTD (A570831016).

1. ON JULY 7, 2003, COMMERCE INITIATED A NEW SHIPPER REVIEW OF THE ANTIDUMPING DUTY ORDER ON FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) FOR TANCHENG DEXING COUNTY FOODS CO., LTD. (TANCHENG DEXING), AND THE PERIOD 11/01/2002 THROUGH 04/30/2003 (68 FR 40242). WHEN IT INITIATED THIS NEW SHIPPER REVIEW, COMMERCE ASSIGNED TANCHENG DEXING ITS OWN CASE NUMBER IN THE AD/CVD MODULE FOR FRESH GARLIC GROWN AND EXPORTED BY THE COMPANY, SPECIFICALLY, A-570-831-016. SEE MESSAGE NUMBER

3199204, DATED 07/18/2003.

2. ON 4/28/2004, COMMERCE RESCINDED THE NEW SHIPPER REVIEW FOR TANCHENG DEXING (69 FR 23171). BECAUSE IT RESCINDED THE NEW SHIPPER REVIEW, COMMERCE DID NOT CALCULATE A FINAL COMPANY-SPECIFIC CASH-DEPOSIT RATE FOR TANCHENG DEXING. THEREFORE, FOR SHIPMENTS OF FRESH GARLIC FROM THE PRC GROWN AND EXPORTED BY TANCHENG DEXING AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 4/28/2004, THE CASH-DEPOSIT RATE CONTINUES TO BE THE PRC-WIDE RATE. THIS RATE IS CURRENTLY 376.67 PERCENT.

3. FOR ALL OTHER COMPANIES NAMED IN THE AD/CVD MODULE, THE CASH-DEPOSIT RATE IS THE RATE PROVIDED THEREIN EXCEPT FOR GROWER AND EXPORTER COMBINATIONS INVOLVED IN UNCOMPLETED NEW SHIPPER REVIEWS

(IN WHICH CASE THE AD/CVD MODULE SPECIFIES THAT A BOND OR OTHER SECURITY DEPOSIT IS PERMITTED). FOR ALL OTHER GROWERS OR EXPORTERS OF FRESH GARLIC FROM THE PRC WHICH DO NOT HAVE A SPECIFIC RATE IN THE MODULE, THE CASH-DEPOSIT RATE CONTINUES TO BE 376.67 PERCENT. FOR ALL NON-PRC EXPORTERS OF FRESH GARLIC FROM THE PRC, THE CASH-DEPOSIT RATE WILL BE THE RATE APPLICABLE TO THE PRC SUPPLIER OF THAT EXPORTER.

4. EFFECTIVE 04/28/2004, IMPORTERS MAY NO LONGER POST A BOND OR OTHER SECURITY IN LIEU OF A CASH DEPOSIT ON IMPORTS OF FRESH GARLIC GROWN AND EXPORTED BY TANCHENG DEXING. IMPORTERS OF SUBJECT MERCHANDISE FROM THOSE GROWER AND EXPORTER COMBINATIONS

INVOLVED IN UNCOMPLETED NEW SHIPPER REVIEWS HAVE THE OPTION OF POSTING A BOND OR OTHER SECURITY DEPOSIT IN LIEU OF A CASH DEPOSIT AT THE RATE OF 376.67 PERCENT. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF THE U.S. CUSTOMS AND BORDER PROTECTION (CBP), CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, AS IN THE CASE OF FRESH

GARLIC FROM THE PRC, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING DUTIES FROM CERTAIN PRODUCER/EXPORTER COMBINATIONS, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

5. THESE CASH DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS FOR THE NEXT ADMINISTRATIVE REVIEW. DO NOT LIQUIDATE ANY ENTRIES COVERED BY THIS RESCINDED NEW SHIPPER REVIEW UNTIL YOU HAVE RECEIVED LIQUIDATION INSTRUCTIONS.

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 G103:CC).

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