

MESSAGE NO: 4168206 MESSAGE DATE: 06/16/2004
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 1206201
MESSAGE #
(s):

CASE #(s): C-357-813

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 03/13/2001 TO 12/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION FOR HONEY FROM ARGENTINA (C-357-813)

MESSAGE NO: 4168206

DATE: 06 16 2004

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 1206201

REFERENCE DATE: 07 25 2001

CASES: C - 357 - 813

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PERIOD COVERED: 03 13 2001 TO 12 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION FOR HONEY FROM ARGENTINA (C-357-813)

1. THE DEPARTMENT OF COMMERCE (DEPARTMENT) PUBLISHED IN THE FEDERAL REGISTER OF 05/24/2004 (69 FR 29518) THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON HONEY FROM ARGENTINA (C-357-813) FOR THE PERIOD MARCH 13, 2001 THROUGH DECEMBER 31, 2002.

2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF NATURAL HONEY, ARTIFICIAL HONEY CONTAINING MORE THAN 50 PERCENT NATURAL HONEYS BY WEIGHT, PREPARATIONS OF NATURAL HONEY CONTAINING MORE THAN 50

PERCENT NATURAL HONEYS BY WEIGHT, AND FLAVORED HONEY. THE SUBJECT MERCHANDISE INCLUDES ALL GRADES AND COLORS OF HONEY WHETHER IN LIQUID, CREAMED, COMBS, CUT COMB, OR CHUNK FORM, AND WHETHER PACKAGED FOR RETAIL OR IN BULK FORM. THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS CURRENTLY CLASSIFIABLE UNDER SUBHEADINGS 0409.00.00, 1702.90, AND 2106.90.99 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND U.S. CUSTOMS AND BORDER PROTECTION (CBP) PURPOSES, THE DEPARTMENT'S WRITTEN DESCRIPTION IS DISPOSITIVE.

3. THE NET SUBSIDY WAS FOUND TO BE 5.77 PERCENT AD VALOREM FOR THE PERIOD 03/13/2001 THROUGH 12/31/2001. THE NET SUBSIDY WAS FOUND TO BE 0.57 PERCENT AD VALOREM FOR THE PERIOD 01/01/2002 THROUGH 12/31/2002.

4. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO ASSESS COUNTERVAILING DUTIES AS SHOWN BELOW ON ALL SHIPMENTS OF HONEY FROM ARGENTINA:

PERIOD	RATE
03/13/2001 - 07/10/2001	5.77 PERCENT
12/11/2001 - 12/31/2001	5.77 PERCENT
01/01/2002 - 12/31/2002	0.57 PERCENT

5. IN ACCORDANCE WITH MESSAGE NUMBER 1206201, DATED JULY 25, 2001, SUSPENSION OF LIQUIDATION WAS LIFTED FOR ENTRIES ON OR AFTER 07/11/2001. SUSPENSION OF LIQUIDATION WAS RESUMED EFFECTIVE 12/11/2001 IN ACCORDANCE WITH MESSAGE NUMBER 1354202, DATED DECEMBER 20, 2001. FIELD OFFICERS SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION OF ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN, FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER 7/11/01 AND ON OR BEFORE 12/10/01. DUTIES DEPOSITED ON ENTRIES OF THE SUBJECT MERCHANDISE SHALL BE REFUNDED AND THE BONDS OR OTHER SECURITY RELEASED AT THE TIME OF LIQUIDATION. FOR THESE ENTRIES THE INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CBP SERVICE 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 OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING 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.

7. PLEASE NOTE THAT THE ASSESSMENT OF COUNTERVAILING DUTIES ON ENTRIES MADE ON OR AFTER 3/13/01, THE DATE OF THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION AND BEFORE 11/26/01, THE DATE OF THE INTERNATIONAL TRADE COMMISSION'S FINAL AFFIRMATIVE INJURY DETERMINATION, CANNOT EXCEED THE AMOUNT OF CASH DEPOSIT OR BOND IN EFFECT AT THE TIME OF ENTRY.

8. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/2002 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/2002 WILL CONTINUE.

9. 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 G307: AC-E).

10. 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