

MESSAGE NO: 4179111 MESSAGE DATE: 06/28/1994  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: ADM PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-122-401

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1991 TO 05/31/1993

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL RESULTS OF ANTIDUMPING ADMINISTRATIVE REVIEW, LIQUIDATION FOR CLEARBROOK PACKERS & VALLEY BERRIES REVOCATION OF CLEARBROOK PACKERS (A-122-401)

MESSAGE NO: 4179111 DATE: 06 28 1994

CATEGORY: ADA TYPE: ADM

REFERENCE: REFERENCE DATE:

CASES: A - 122 - 401 - -

- - - -

- - - -

PERIOD COVERED: 06 01 1991 TO 05 31 1993

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS  
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: FINAL RESULTS OF ANTIDUMPING ADMINISTRATIVE REVIEW,  
LIQUIDATION FOR CLEARBROOK PACKERS & VALLEY BERRIES  
REVOCATION OF CLEARBROOK PACKERS (A-122-401)

1. THE DEPARTMENT OF COMMERCE HAS COMPLETED ITS ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN RED RASPBERRIES FROM CANADA (A-122-401) FOR THE JUNE 1, 1991 THROUGH MAY 31, 1992 PERIOD AND PUBLISHED THE FINAL RESULTS IN THE FEDERAL REGISTER ON MARCH 23, 1994 (59 FR 13703). THE MARGINS FOR THE REVIEWED COMPANIES, CLEARBROOK PACKERS AND VALLEY BERRIES, WERE FOUND TO BE ZERO FOR THIS PERIOD.

2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF FRESH AND FROZEN RED RASPBERRIES PACKED IN BULK CONTAINERS AND SUITABLE FOR FURTHER PROCESSING. DURING THE REVIEW PERIOD, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE ITEM NUMBERS 0810.20.90, 0810.20.10 AND 0811.20.20.
3. ACCORDINGLY, FOR SHIPMENTS OF CERTAIN RED RASPBERRIES FROM CANADA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

ON OR AFTER MARCH 23, 1994, YOU SHALL COLLECT NO CASH DEPOSITS FOR CLEARBROOK PACKERS (A-122-401-005) AND VALLEY BERRIES (A-122-401-012). THE CASH DEPOSIT RATE FOR OTHER PREVIOUSLY REVIEWED OR INVESTIGATED PRODUCERS/EXPORTERS IS THEIR RATE PROVIDED IN THE AD/CVD MODULE. FOR ALL OTHER PRODUCER/EXPORTERS, THE CASH DEPOSIT RATE IS 2.41 PERCENT.

4. THESE CASH DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW.

5. FURTHERMORE, ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FROM JUNE 1, 1991 THROUGH MAY 31, 1992 WHICH WERE PROCESSED BY CLEARBROOK PACKERS OR VALLEY BERRIES, ARE FREE OF DUMPING LIABILITY. YOU MAY APPRAISE THESE SHIPMENTS AND LIQUIDATE THE APPLICABLE ENTRIES BY STAMPING EACH INVOICE WITH THE WORDING "NO DUMPING DUTIES DUE."

6. THE DEPARTMENT OF COMMERCE TERMINATED THE ADMINISTRATIVE REVIEW OF CLEARBROOK PACKERS (A-122-401-005) AND VALLEY BERRIES (A-122-401-012) FOR THE PERIOD JUNE 1, 1992 THROUGH MAY 31, 1993 (58 FR 58840; NOVEMBER 3, 1993). THEREFORE, IN ACCORDANCE WITH SECTION 353.22(G) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE FROM CLEARBROOK PACKERS AND VALLEY BERRIES WHICH

WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, BETWEEN JUNE 1, 1992 AND MAY 31, 1993.

7. THE PROVISION OF SECTION 778 OF THE TARIFF ACT REQUIRES INTEREST BE PAID ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED DUMPING DUTIES. SUCH INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. THE INTEREST SHALL BE CALCULATED AT THAT RATE FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.
8. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THESE INSTRUCTIONS, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THIS PERIOD (JUNE 1, 1991 THROUGH MAY 31, 1993) FOR CLEARBROOK PACKERS AND VALLEY BERRIES AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.
9. BECAUSE CLEARBROOK PACKERS WAS REVOKED FROM THIS ANTIDUMPING DUTY ORDER IN THE FINAL RESULTS OF THIS REVIEW, ALL IMPORTS FROM CLEARBROOK PACKERS MADE AFTER THE CLOSE OF THE REVIEW PERIOD, MAY 31, 1992, SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES. IN ADDITION, EFFECTIVE MARCH 23, 1994, THE DATE OF PUBLICATION OF THIS DECISION, ENTRIES FROM CLEARBROOK PACKERS SHOULD NO LONGER BE SUSPENDED FROM LIQUIDATION AT THE TIME OF ENTRY.
10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE OFFICE OF COUNTERVAILING COMPLIANCE, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE (202) 482-2786.
11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

## Company Details

\*Party Indicator Value:

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