

MESSAGE NO: 4224214 MESSAGE DATE: 08/11/2004
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-419-046, C-421-046, C-428-046,
C-475-046

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2003 TO 12/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR SUGAR FROM IRELAND, ITALY, THE NETHERLANDS AND GERMANY (C-419-046), (C-475-046), (C-421-046), (C-428-046); RESPECTIVELY.

MESSAGE NO: 4224214	DATE: 08 11 2004
CATEGORY: CVD	TYPE: LIQ
REFERENCE:	REFERENCE DATE:
CASES: C - 419 - 046	C - 475 - 046
C - 421 - 046	C - 428 - 046
- -	- -

PERIOD COVERED: 01 01 2003 TO 12 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR SUGAR FROM IRELAND, ITALY, THE NETHERLANDS AND GERMANY (C-419-046), (C-475-046), (C-421-046), (C-428-046); RESPECTIVELY.

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE DESCRIBED COUNTERVAILING DUTY ORDERS FOR THE REVIEW PERIOD 1/1/2003 - 12/31/2003.
2. THE COUNTERVAILING DUTY ORDERS AND CORRESPONDING MERCHANDISE COVERED BY THESE INSTRUCTIONS IS AS FOLLOWS:

SUGAR FROM THE EUROPEAN COMMUNITY INCLUDING IRELAND (C-419-046), ITALY (C-475-046), THE NETHERLANDS (C-421-046), AND GERMANY (C-428-046) COVERS SHIPMENTS OF SUGAR FROM THE COUNTRIES SPECIFIED. PRIOR TO 1995, SUCH MERCHANDISE WAS CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE ITEM NUMBERS 1701.11.00, 1701.12.00, 1701.91.20 AND 1701.99.00. BEGINNING 1995, ITEM NUMBERS 1701.1105, 1701.1110, 1701.1120, 1701.1150, 1701.1205, 1701.1210, 1701.9905, 1701.9910, 1701.9950, 1702.9005, 1702.9010, 1702.9020, 2106.9042, 2106.9044, AND 2106.906 APPLY. BLENDS OF SUGAR AND DEXTROSE, A CORN-DERIVED SWEETENER, CONTAINING AT LEAST 65 PERCENT SUGAR, ARE COVERED BY THIS ORDER.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER 1/1/2003 AND ON OR BEFORE 12/31/2003.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

PRODUCT	CASE NUMBER	PERIOD	RATE
SUGAR IRELAND			
ALL FIRMS	C-419-046	1/1/2003-12/31/2003	10.45
		CENTS PER POUND	
SUGAR ITALY			
ALL FIRMS	C-475-046	1/1/2003-12/31/2003	10.45
		CENTS PER POUND	

SUGAR
THE NETHERLANDS
ALL FIRMS C-421-046 1/1/2003-12/31-2003 10.45 CENTS PER

POUND

SUGAR

GERMANY

ALL FIRMS C-428-046 1/1/2003-12/31/2003 10.45 CENTS PER
POUND

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR AFTER 1/1/2003 AND ON OR BEFORE 12/31/2003 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/2003 WILL CONTINUE.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE 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, OR ASSESS INTEREST ON UNDER PAYMENTS, 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 ENTRY DATE OR DATE OF DEPOSIT, WHICHEVER IS LATER, OR 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. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT DAVINA HASHMI OR RON TRENTHAM AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-0984 OR (202) 482-3577 RESPECTIVELY. (GENERATED BY 03:GL).

8. 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