

MESSAGE NO: 4295205 MESSAGE DATE: 10/21/2004

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

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REFERENCE 4218204
MESSAGE #
(s):

CASE #(s): A-570-867

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/2003 TO 03/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM CHINA

MESSAGE NO: 4295205

DATE: 10 21 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4218204

REFERENCE DATE: 08 05 2004

CASES: A - 570 - 867

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PERIOD COVERED: 04 01 2003 TO 03 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE ANTIDUMPING ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM CHINA

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS

NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM CHINA

A-570-867 (04/01/2003 - 03/31/2004)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

CHANGCHUN PILKINGTON SAFETY GLASS COMPANY, LTD.
WUHAN YAOHUA PILKINGTON SAFETY GLASS COMPANY, LTD.
SHENZHEN CSG AUTOMOTIVE GLASS CO., LTD.
SHENZHEN BENXUN AUTOGLASS CO., LTD.
SHENZHEN BENXUN AUTOMOTIVE GLASS CO., LTD.
SHENZHEN BENXUN AUTOMOTIVE CO., LTD.
SHENZHEN BENXUN AUTOGLASS CO., LTD., D/B/A SHENZHEN CSG
AUTOMOTIVE GLASS CO., LTD.

SHENZHEN CSG AUTOMOTIVE GLASS CO., LTD. (SHENZHEN BENXUN
AUTOMOTIVE CO., LTD.)
SHENZHEN CSG AUTOMOTIVE GLASS CO., LTD. (SHENZHEN BENXUN
AUTOMOTIVE GLASS CO., LTD.)
FUYAO GLASS INDUSTRY GROUP CO., LTD., (SEE NOTICE OF INJUNCTION -
MESSAGE NUMBER 4218204)
GREENVILLE GLASS INDUSTRIES, INC. (SEE NOTICE OF INJUNCTION -
MESSAGE NUMBER 4218204)
XINYI AUTOMOTIVE GLASS (SHENZHEN) CO. LTD. (SEE NOTICE OF
INJUNCTION - MESSAGE NUMBER 4238203)

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION 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 ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING 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.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP 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, CBP 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, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD

ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR
(202) 482-3577 RESPECTIVELY (GENERATED BY O8:JF).

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