

MESSAGE NO: 4281206 MESSAGE DATE: 10/07/2004  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-848

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2002 TO 08/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR NEW SHIPPER REVIEWS OF FRESHWATER CRAWFISH TAIL MEAT FROM CHINA,SIYAND FOREIGN TRADE (A-570-848-038) OR YANCHENG FUDA (A-570-848-040)

MESSAGE NO: 4281206

DATE: 10 07 2004

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 570 - 848

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PERIOD COVERED: 07 01 2002 TO 08 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR NEW SHIPPER REVIEWS OF FRESHWATER CRAWFISH TAIL MEAT FROM CHINA,SIYAND FOREIGN TRADE (A-570-848-038) OR YANCHENG FUDA (A-570-848-040)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER (69 FR 53669) ON 09/02/2004 THE RESCISSION OF ITS NEW SHIPPER REVIEWS OF THE ANTIDUMPING DUTY ORDER (A-570-848) ON FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA FOR THE PERIOD 07/01/2002 THROUGH 08/31/2003 FOR SIYANG FOREIGN TRADE CO., LTD; AND FOR THE PERIOD 09/01/2002 THROUGH 08/31/2003 FOR YANCHENG FUDA FOODS. THERE ARE NO ONGOING ADMINISTRATIVE REVIEWS FOR THESE EXPORTERS FOR THE RELEVANT PERIODS.

2. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA PRODUCED AND EXPORTED BY THE MANUFACTURERS/EXPORTERS LISTED BELOW, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIODS LISTED BELOW. THE FOLLOWING RATES ARE APPLICABLE TO THE PRODUCERS/EXPORTERS LISTED BELOW:

ID NUMBER	COMPANY NAME	PERIOD	RATE
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(AD VALOREM)

A-570-848-038		07/01/2002-08/31/2003	223.01%
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EXPORTED BY:

SIYANG FOREIGN TRADE CO.,LTD.

PRODUCED BY:

ANHUI GOLDEN BIRD AGRICULTURAL & SIDE-LINE PRODUCTS DEVELOPMENT CO.,LTD.

A-570-848-040		09/01/2002-08/31/2003	223.01%
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EXPORTED AND PRODUCED BY:

YANCHENG FUDA FOODS CO., LTD.

IF THERE ARE ANY OTHER ENTRIES EXPORTED BY EITHER SIYANG FOREIGN TRADE CO., LTD. OR YANCHENG FUDA FOODS CO., LTD. AND PRODUCED BY ANY OTHER COMPANY, ASSESS AT THE PRC-WIDE RATE OF 223.01%. ENTRIES FROM SIYANG FOREIGN TRADE CO., LTD. AND YANCHENG FUDA FOODS CO., LTD. MAY HAVE ENTERED UNDER GENERAL CASE NUMBER A-570-848-000.

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

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER

PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED (THE ACT). SECTION 778 OF THE ACT REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, AND 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 PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED 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.

5. 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'S 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, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

6. 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 O6:TP).

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