

MESSAGE NO: 4286205 MESSAGE DATE: 10/12/2004
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-489-805

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2003 TO 06/30/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION AND NOTIFICATION OF RESCISSION OF ANTIDUMPING
ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER/FINDING OF CERTAIN PASTA
FROM TURKEY (A-489-805)

MESSAGE NO: 4286205 DATE: 10 12 2004

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 489 - 805 - -

- - - -

- - - -

PERIOD COVERED: 07 01 2003 TO 06 30 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION AND NOTIFICATION OF RESCISSION OF
ANTIDUMPING ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY
ORDER/FINDING OF CERTAIN PASTA FROM TURKEY (A-489-805)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY
FINDING/ORDER ON CERTAIN PASTA FROM TURKEY (A-489-805), COVERING
THE PERIOD 07/01/2003 THROUGH 06/30/2004 HAS BEEN RESCINDED AT
THE REQUEST OF NEW WORLD PASTA COMPANY, AMERICAN ITALIAN PASTA
COMPANY, AND DAKOTA GROWERS PASTA COMPANY. THIS NOTICE OF
RESCISSION WAS PUBLISHED IN THE FEDERAL REGISTER ON 10/08/2004.
YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED,
OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

CERTAIN PASTA FROM TURKEY

(A-489-805) PERIOD: (07/01/2003 - 06/30/2004)

LIQUIDATE ALL ENTRIES FROM ALL FIRMS.

2. 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 THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDER PAYMENTS, 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.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT 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 HAS BEEN REIMBURSED ANTIDUMPING AND/OR COUNTERVAILING DUTIES, CBP SHOULD INCREASE THE

ANTIDUMPING DUTIES BY THE AMOUNT OF ANTIDUMPING AND/OR COUNTERVAILING DUTIES REIMBURSED 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 INCREASE THE ANTIDUMPING DUTIES BY THE AMOUNT OF ANTIDUMPING AND/OR COUNTERVAILING DUTIES REIMBURSED.

5. 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 O3:DM).

6. 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