

MESSAGE NO: 4343202 MESSAGE DATE: 12/08/2004
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 THE NEW SHIPPER REVIEWS OF FRESHWATER CRAWFISH TAIL MEAT FROM CHINA EXPORTED BY SIYANG FOREIGN TRADE CO., LTD. AND YANCHENG FUDA FOODS

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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 THE NEW SHIPPER REVIEWS OF FRESHWATER CRAWFISH TAIL MEAT FROM CHINA EXPORTED BY SIYANG FOREIGN TRADE CO., LTD. AND YANCHENG FUDA FOODS

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 2, 2004 (69 FR 53669) THE PRELIMINARY RESULTS OF NEW SHIPPER REVIEW AND RESCISSION OF 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. (A-570-848-038) AND FOR THE PERIOD 09/01/2002 THROUGH 08/31/2003 FOR YANCHENG FUDA FOODS CO., LTD. (A-570-848-040).

2. ACCORDINGLY, FOR THE EXPORTER/PRODUCER COMBINATIONS IDENTIFIED BELOW, YOU ARE NOW INSTRUCTED TO LIQUIDATE SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING

THE PERIOD FOR THE PERIOD 07/01/2002 THROUGH 08/31/2003 FOR SIYANG FOREIGN TRADE CO., LTD.(A-570-848-038) AND FOR THE PERIOD 09/01/2002 THROUGH 08/31/2003 FOR YANCHENG FUDA FOODS CO., LTD. (A-570-848-040).

EXPORTER	PRODUCER	RATE (PERCENT)
SIYANG FOREIGN TRADE CO., LTD. (A-570-848-038)	ANHUI GOLDEN BIRD AGRICULTURAL AND SIDELINE PRODUCTS DEVELOPMENT CO., LTD.	223.01

YANCHENG FUDA FOODS CO., LTD. (A-570-848-040)	YANCHENG FUDA FOODS CO., LTD.	223.01
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ENTRIES MAY ALSO HAVE BEEN MADE UNDER A-570-848-000.

3. 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.

4. 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, CUSTOMS 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.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY O9:SF).

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