

MESSAGE NO: 4349207 MESSAGE DATE: 12/14/2004
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: 09/01/2002 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 FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-848)

MESSAGE NO: 4349207 DATE: 12 14 2004

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 848 - -

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PERIOD COVERED: 09 01 2002 TO 08 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-848)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER (69 FR 61636) ON 10/20/2004 THE FINAL RESULTS OF ITS ANTIDUMPING DUTY ADMINISTRATIVE REVIEW, AND FINAL RESCISSION OF REVIEW, IN PART OF THE ANTIDUMPING ORDER ON FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) FOR THE PERIOD OF 09/01/2002 THROUGH 08/31/2003. ACCORDINGLY, YOU ARE NOW INSTRUCTED TO LIQUIDATE ALL SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PRC EXPORTED BY THE EXPORTERS LISTED BELOW,

AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING
THE PERIOD OF 09/01/2002 THROUGH 08/31/2003 AT THE PRC-WIDE RATE
SHOWN BELOW:

ID NUMBER	COMPANY NAME	RATE
A-570-848-032	SHOUZHOU HUAXIANG FOODSTUFFS CO., LTD.	223.01
A-570-848-037	QINGDAO JIN YONG XIANG AQUATIC FOODS CO., LTD.	223.01
A-570-848-036	HUBEI QIANJIANG HOUHU FROZEN & PROCESSING FACTORY	223.01
A-570-848-025	NANTONG SHENGFA FROZEN FOOD CO., LTD	223.01
A-570-848-039	SHANGHAI OCEAN FLAVOR INTERNATIONAL TRADING CO., LTD.	223.01

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF FRESHWATER
CRAWFISH TAIL MEAT FROM THE PRC YOU SHALL, UNLESS OTHERWISE

INSTRUCTED, 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 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 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.

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 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