

MESSAGE NO: 5027207 MESSAGE DATE: 01/27/2005  
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: LIQ INST. FOR NEW SHIPPER REVIEW OFFRESHWATER CRAWFISH TAIL MEAT FROM CHINA MANUFACTURED AND EXPORTED BY QINGDAO XIYUAN REFRIGERATE FOOD CO.,LTD.(A-570-848-041)

MESSAGE NO: 5027207

DATE: 01 27 2005

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: LIQ INST. FOR NEW SHIPPER REVIEW OFFRESHWATER CRAWFISH TAIL MEAT FROM CHINA MANUFACTURED AND EXPORTED BY QINGDAO XIYUAN REFRIGERATE FOOD CO.,LTD.(A-570-848-041)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER ON 12/03/2004 (69 FR 70225) THE RESCISSION OF ITS NEW SHIPPER REVIEW OF THE ANTIDUMPING DUTY ORDER (A-570-848) ON FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) FOR THE PERIOD 09/01/2002 THROUGH 08/31/2003 FOR QINGDAO XIYUAN REFRIGERATE FOOD CO., LTD. AS THE DEPARTMENT HAS NOW DETERMINED TO RESCIND THE NEW SHIPPER REVIEW, QINGDAO XIYUAN

REFRIGERATE FOOD CO., LTD. IS NOT ENTITLED TO A SEPARATE RATE AND IT REMAINS PART OF THE PRC ENTITY. CUSTOMS SHOULD THEREFORE LIQUIDATE ALL ENTRIES MADE BY QINGDAO XIYUAN REFRIGERATE FOOD CO., LTD. AT THE PRC-WIDE RATE (223.01%)

2. ACCORDINGLY, FOR THE EXPORTER/PRODUCER COMBINATION 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NOW INSTRUCTED TO LIQUIDATE SHIPMENTS OF FRESHWATER CRAWFISH TAIL MEAT FROM THE PEOPLE'S REPUBLIC OF CHINA, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 09/01/2002 THROUGH 08/31/2003.

EXPORTER	PRODUCER	RATE
QINGDAO XIYUAN REFRIGERATE FOOD CO., LTD.	QINGDAO XIYUAN REFRIGERATE FOOD CO., LTD.	223.01%

THE ID NUMBER IS A-570-848-041. ENTRIES MAY ALSO HAVE BEEN MADE UNDER A-570-848-000. SOME OF THESE ENTRIES MAY HAVE ENTERED UNDER THE NAME QINGDAO XIYUAN FROZEN FOODSTUFFS CORP.

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 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 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