

MESSAGE NO: 5090115 MESSAGE DATE: 03/31/1995
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-470-007, A-791-502

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1994 TO 12/31/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

MESSAGE NO: 5090115

DATE: 03 31 1995

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 470 - 007

A - 791 - 502

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PERIOD COVERED: 01 01 1994 TO 12 31 1994

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: NON ADMINISTRATIVE REVIEW LIQUIDATION INSTRUCTIONS

1. THE DEPARTMENT OF COMMERCE NO LONGER AUTOMATICALLY CONDUCTS

ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/ORDERS. INSTEAD,
REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 353.22 OF THE
COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR
CERTAIN PERIODS ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE
FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 353.22(e) OF THE

COMMERCE REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION

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

POTASSIUM PERMANGANATE FROM SPAIN PERIOD

A-470-007

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 1/1/94 - 12/31/94

BRAZING COPPER WIRE AND ROD FROM S. AFRICA PERIOD

A-791-502

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 1/1/94 - 12/31/94

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED
UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE
ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL
ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND
ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS
PERIOD.

4. THIS TELEX CONSTITUTES 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE
THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN
SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER

SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PROR TO LIQUIDATION OF THE ENTRY SUMMARY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO 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.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST OVERPAYMENTS, OR 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 PRIOR TO THE DATE OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM 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.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, TECHNICAL PROGRAMS, ANTIDUMPING/COUNTERVAILING DUTY, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-5253, OFFICE OF ANTIDUMPING COMPLIANCE, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS TELEX.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party