

MESSAGE NO: 5056205 MESSAGE DATE: 02/25/2005
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 4358212
MESSAGE #
(s):

CASE #(s): A-570-204

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2002 TO 01/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS FROM THE
PEOPLE'S REPUBLIC OF CHINA (AXES/ADZES) (A-570-204)

MESSAGE NO: 5056205

DATE: 02 25 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 4358212

REFERENCE DATE: 12 23 2004

CASES: A - 570 - 204

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PERIOD COVERED: 02 01 2002 TO 01 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS
FROM THE PEOPLE'S REPUBLIC OF CHINA (AXES/ADZES)
(A-570-204)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION

1. FOR ALL SHIPMENTS OF AXES/ADZES FROM THE PEOPLE'S REPUBLIC
OF CHINA (PRC) EXPORTED BY SHANDONG HUARONG GENERAL GROUP
CORPORATION (ALSO DOING BUSINESS AS SHANDONG HUARONG MACHINERY

COMPANY LIMITED) (HUARONG) (A-570-204-004), LIAONING MACHINERY
IMPORT AND EXPORT CORPORATION (ALSO DOING BUSINESS AS LIAONING

MACHINERY IMPORT AND EXPORT CORPORATION LIMITED AND AS THE LIMAC COMPANY) (LMC/LIMAC) (A-570-204-005), OR SHANDONG MACHINERY IMPORT AND EXPORT CORPORATION (SMC) (A-570-204-002) ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 02/01/2002 THROUGH 01/31/2003, ASSESS AN ANTIDUMPING LIABILITY OF 55.74 PERCENT OF THE ENTERED VALUE.

A. ALL SHIPMENTS OF AXES/ADZES FROM THE PRC EXPORTED BY TIANJIN MACHINERY IMPORT AND EXPORT CORPORATION (TMC) (A570-204-003), ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE

PERIOD 02/01/2002 THROUGH 01/31/2003, WERE ENJOINED FROM LIQUIDATION VIA MESSAGE NUMBER 4358212 DATED 12/23/2004.

ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE ENTRIES OF AXES/ADZES FROM THE PRC EXPORTED BY TMC FOR THIS TIME PERIOD.

B. FOR ALL SHIPMENTS OF AXES/ADZES FROM THE PRC PRODUCED AND/OR EXPORTED BY ALL OTHER PRC AND NON-PRC COMPANIES, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD

02/01/2002 THROUGH 01/31/2003, ASSESS AN ANTIDUMPING LIABILITY OF 55.74 PERCENT OF THE ENTERED VALUE.

2. EXCEPT AS INSTRUCTED IN PARAGRAPH 1(A), THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. FOR ALL OTHER SHIPMENTS OF AXES/ADZES 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 THE CUSTOMS AND BORDER PROTECTION (CBP) 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 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 O4:TEM).

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