

MESSAGE NO: 5119201 MESSAGE DATE: 04/29/2005
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-357-812

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/2002 TO 11/30/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR HONEY FROM ARGENTINA (A-357-812)

MESSAGE NO: 5119201 DATE: 04 29 2005

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 357 - 812 - -

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PERIOD COVERED: 12 01 2002 TO 11 30 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR HONEY FROM ARGENTINA
(A-357-812)

1. FOR ALL SHIPMENTS OF HONEY FROM ARGENTINA EXPORTED BY THE BELOW EXPORTERS, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 12/01/2002 THROUGH 11/30/2003, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE PERCENTAGE OF ENTERED VALUE INDICATED BELOW FOR THE RELEVANT EXPORTERS:

COMPANY	CASE NUMBER	PERCENT
ASOCIACION DE COOPERATIVAS ARGENTINAS	A-357-812-002	0.00
NEXCO S.A.	A-357-812-006	0.00
SEYLINCO S.A.	A-357-812-007	0.00

TRANSHONEY S.A.	A-357-812-008	0.00
COMPANIA APICOLA ARGENTINA S.A.	A-357-812-010	0.00
MIELAR S.A.	A-357-812-011	0.00
EL CHELIBO S.A.	A-357-812-012	0.00
NUTRIN S.A.	A-357-812-013	55.15

NOTE: FOR THE PURPOSES OF THIS REVIEW PERIOD, WE HAVE TREATED COMPANIA APICOLA ARGENTINA S.A. (A-357-812-010), MIELAR S.A. (A-357-812-011), AND EL CHELIBO S.A. (A-357-812-012) AS A SINGLE ENTITY.

NOTE: FOR NUTRIN S.A., A-357-812-004 PREVIOUSLY APPLIED TO NUTRIN S.A./APICULTURA MONICA GARCIA. NUTRIN S.A. IS NOW REFERENCED UNDER CASE NUMBER A-357-812-013. DURING THE PERIOD 12/01/2002 THROUGH 11/30/2003, ENTRIES FOR NUTRIN S.A. MAY HAVE ENTERED UNDER CASE NUMBER A-357-812-004 OR A-357-812-000.

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 HONEY FROM ARGENTINA 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 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 07:BJJ).

6. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

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