

MESSAGE NO: 5339203 MESSAGE DATE: 12/05/2005
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-122-848

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2004 TO 12/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR HARD RED SPRING WHEAT FROM CANADA
EXCEPT FOR ENTRIES FROM THE CANADIAN WHEAT BOARD (C-122-848-001)

MESSAGE NO: 5339203

DATE: 12 05 2005

CATEGORY: CVD

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: C - 122 - 848

- -

- -

- -

- -

- -

PERIOD COVERED: 01 01 2004 TO 12 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR HARD RED SPRING WHEAT
FROM CANADA EXCEPT FOR ENTRIES FROM THE CANADIAN
WHEAT BOARD (C-122-848-001)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON HARD RED SPRING WHEAT FROM CANADA (C-122-848) FOR THE PERIOD 01/01/2004 THROUGH 12/31/2004 EXCEPT FOR THE CANADIAN WHEAT BOARD. HOWEVER, THE CANADIAN WHEAT BOARD ALSO REQUESTED A DEFERRAL OF THE REVIEW FOR ONE YEAR. SEE 70 FR 72107. THEREFORE, WE ARE DEFERRING THE REVIEW FOR THE CANADIAN WHEAT BOARD UNTIL NEXT YEAR, AND ENTRIES SHOULD NOT BE LIQUIDATED FOR THE CANADIAN WHEAT BOARD UNTIL YOU RECEIVE LIQUIDATION INSTRUCTIONS.

2. THE MERCHANDISE COVERED BY THESE INSTRUCTIONS IS HARD RED SPRING WHEAT FROM CANADA CURRENTLY PROVIDED FOR UNDER HARMONIZED

TARIFF SCHEDULE ITEM NUMBERS 1001.90.10.00, 1001.90.20.05, 1001.90.20.11, 1001.90.20.12, 1001.90.20.13, 1001.90.20.14, 1001.90.20.16, 1001.90.20.19, 1001.90.20.21, 1001.90.20.22, 1001.90.20.23, 1001.90.20.24, 1001.90.20.26, 1001.90.20.29, 1001.90.20.35, AND 1001.90.20.96. THIS ORDER DOES NOT COVER IMPORTS OF WHEAT THAT ENTER UNDER THE SUBHEADINGS 1001.90.10.00 AND 1001.90.20.96 THAT ARE NOT CLASSIFIABLE AS HARD RED SPRING WHEAT.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER 01/01/2004 AND ON OR BEFORE 12/31/2004 AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY, EXCEPT FOR ENTRIES FROM THE CANADIAN WHEAT BOARD.

4. YOU SHOULD LIQUIDATE ALL ENTRIES DURING THE PERIOD 01/01/2004 THROUGH 12/31/2004 FROM ALL FIRMS EXCEPT FOR THE FOLLOWING:

COMPANY NAME	ID NUMBER
CANADIAN WHEAT BOARD	C-122-848-001

5. ENTRIES OF MERCHANDISE OF THE CANADIAN WHEAT BOARD SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF HARD RED SPRING WHEAT FROM CANADA EXPORTED OR PRODUCED BY THE CANADIAN WHEAT BOARD AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

6. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF THE SUSPENSION OF LIQUIDATION OF ENTRIES EXCEPT FOR ENTRIES FROM THE CANADIAN WHEAT BOARD FOR HARD RED SPRING WHEAT FROM CANADA DURING THE PERIOD 01/01/2004 - 12/31/2004.

7. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

8. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CBP SERVICE ON SHIPMENTS OR 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 OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT WHICHEVER IS LATER, OF ESTIMATED COUNTERVAILING DUTIES 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.

9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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 O1:ART).

10. 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