

MESSAGE NO: 6055206 MESSAGE DATE: 02/24/2006
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-552-801

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2004 TO 07/31/2005

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: RESCISSION, IN PART, FROZEN FISH FILLETS FROM VIETNAM LIQ ALL EXCEPT A-552-801-000, A-552-801-003 to -006 A-552-801-008 TO -009, A-552-801-011 TO -012

MESSAGE NO: 6055206 DATE: 02 24 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 552 - 801 - -

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PERIOD COVERED: 08 01 2004 TO 07 31 2005

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: RESCISSION, IN PART, FROZEN FISH FILLETS FROM VIETNAM
LIQ ALL EXCEPT A-552-801-000, A-552-801-003 to -006
A-552-801-008 TO -009, A-552-801-011 TO -012

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM (A-522-801), COVERING THE PERIOD 08/01/2004 THROUGH 07/31/2005, HAS BEEN RESCINDED IN PART, AT THE REQUEST OF THE CATFISH FARMERS OF AMERICA (THE PETITIONER) AND VINH HOAN COMPANY LIMITED. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION

DURING THE PERIOD LISTED BELOW FOR THE CASH DEPOSIT OR BONDING

RATE REQUIRED AT THE TIME OF ENTRY.

CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM (A-552-801)(AUGUST 1, 2004 THROUGH JULY 31, 2005).

LIQUIDATE ALL ENTRIES EXCEPT FOR THE FOLLOWING FIRMS:

MFR/PRODUCER/EXPORTER NUMBER	CUSTOMS ID/
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NAM VIET COMPANY LIMITED	A-552-801-003
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CAN THO ANI/FISH PROCESSING/ EXPORT ENTERPRISE	A-552-801-006
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VINH LONG IMPORT-EXPORT COMPANY	A-552-801-011
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QVD FOOD COMPANY LTD.	A-552-801-009
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AN GIANG AGRICULTURE AND/ FOOD IMPORT EXPORT COMPANY	A-552-801-005
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CAN THO AGRICULTURAL AND/ ANIMAL PRODUCTS IMPORT/EXPORT COMPANY	A-552-801-004
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MEKONG FISHERIES JOINT STOCK COMPANY	A-552-801-008
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PHAN QUAN COMPANY, LTD.	A-552-801-012
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VIETNAM-WIDE ENTITY	A-552-801-000
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2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW ON 02/07/2006 (71 FR 6266). YOU SHALL 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 ("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 PAYS INTEREST ON OVERPAYMENTS, OR ASSESSES 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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SUCH SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDES REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT'S 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 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 O9: JEH).

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