

MESSAGE NO: 6137205 MESSAGE DATE: 05/17/2006
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6104204
MESSAGE #
(s):

CASE #(s): A-533-809

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2005 TO 01/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTO LIQ INSTRUCTION FOR FORGED STAINLESS STEEL FLANGES FROM INDIA (A-533-809) LIQ ALL EXCEPT ECHJAY, SHREE GANESH, KUNJ FORGINGS, MICRO FORGE, PRADEEP, ROLLWELL

MESSAGE NO: 6137205

DATE: 05 17 2006

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 6104204

REFERENCE DATE: 04 14 2006

CASES: A - 533 - 809

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PERIOD COVERED: 02 01 2005 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTO LIQ INSTRUCTION FOR FORGED STAINLESS STEEL FLANGES FROM INDIA (A-533-809) LIQ ALL EXCEPT ECHJAY, SHREE GANESH, KUNJ FORGINGS, MICRO FORGE, PRADEEP, ROLLWELL

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS

NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

MERCHANDISE/CASE NUMBER/PERIOD
CERTAIN FORGED STAINLESS STEEL FLANGES FROM INDIA
(A-533-809) (02/01/2005 - 01/31/2006)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

ECHJAY FORGINGS PVT. LTD.
SHREE GANESH FORGINGS, LTD.
KUNJ FORGINGS PVT. LTD.
MICRO FORGE (INDIA) LTD
PRADEEP METALS LIMITED
ROLLWELL FORGE, LTD

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CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

NOTE THAT ENTRIES FOR THE EXCLUDED FIRMS MAY HAVE BEEN UNDER A-533-809-000.

NOTE ALSO THAT WHILE KUNJ FORGINGS PVT. LTD., MICRO FORGE (INDIA) LTD, PRADEEP METALS LIMITED, AND ROLLWELL FORGE, LTD ARE CURRENTLY REFERENCED UNDER A-533-809-016, A-533-809-017, A-533-809-018, AND A-533-809-019, RESPECTIVELY, ENTRIES FOR THESE FIRMS DURING THE PERIOD REFERENCED ABOVE (I.E., 02/01/2005 THROUGH 01/31/2006) WOULD NOT HAVE ENTERED UNDER THOSE CUSTOMS CASE NUMBERS, AS THOSE CUSTOMS CASE NUMBERS DID NOT EXIST DURING

THE PERIOD REFERENCED ABOVE. THOSE CASE NUMBERS WERE CREATED AS

A RESULT OF THE INITIATION OF NEW SHIPPER REVIEWS INVOLVING THOSE FIRMS (AND THE BOND OPTION ASSOCIATED WITH SUCH REVIEWS) (SEE MESSAGE NUMBER 6132206 (DATED 05/12/2006) AND MESSAGE NUMBER 6104204 (DATED 04/14/2006)).

FURTHERMORE, FOR A-533-809-016, A-533-809-017, A-533-809-018, OR A-533-809-019 TO BE APPLICABLE FOR A SPECIFIC ENTRY, BOTH THE MANUFACTURER AND THE EXPORTER MUST BE THE IDENTIFIED FIRM; BUT FOR THE PERIOD LISTED ABOVE (I.E., 02/01/2005 THROUGH 01/31/2006) FOR THE ADMINISTRATIVE REVIEW REFERENCED ABOVE, EVERY ENTRY FOR KUNJ FORGINGS PVT. LTD., MICRO FORGE (INDIA) LTD, PRADEEP METALS LIMITED, OR ROLLWELL FORGE, LTD SHOULD REMAIN UNLIQUIDATED, NOT JUST THOSE THAT WERE BOTH MANUFACTURED BY AND EXPORTED BY THE FIRM IN QUESTION. FINALLY, AS NOTED ABOVE, ALL ENTRIES FOR ECHJAY FORGINGS PVT. LTD. AND ALL ENTRIES FOR SHREE GANESH FORGINGS, LTD. SHOULD REMAIN UNLIQUIDATED AS WELL.

4. THESE INSTRUCTIONS CONSTITUTE 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 SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION 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 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 SECTION 6621 OF THE INTERNAL REVENUE

CODE OF 1954 FOR SUCH PERIOD.

6. 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.

7. 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:BB).

8. 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