

MESSAGE NO: 6178202

MESSAGE DATE: 06/27/2006

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: ADM

PUBLIC

NON-PUBLIC

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-475-819

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 06/26/2006

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY CORTICELLA  
MOLINI (C-475-819-045) CORTICELLA MOLINI/ PASTA COMBATTENTI (C-475-819-046) ATAR  
(-052) OTH(-000)

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CASES: C - 475 - 819

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PERIOD COVERED: 06 26 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: CASH DEPOSIT INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY  
CORTICELLA MOLINI (C-475-819-045) CORTICELLA MOLINI/  
PASTA COMBATTENTI (C-475-819-046) ATAR (-052) OTH(-000)

1. THE DEPARTMENT OF COMMERCE HAS COMPLETED ITS ADMINISTRATIVE  
REVIEW OF THE COUNTERVAILING DUTY ORDER (C-475-819) ON CERTAIN  
PASTA FROM ITALY FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER  
31, 2004 AND PUBLISHED THE FINAL RESULTS IN THE FEDERAL REGISTER  
ON JUNE 26, 2006 (71 FR 36318).

2. IMPORTS COVERED BY THE ORDER ARE SHIPMENTS OF CERTAIN NON-EGG  
DRY PASTA IN PACKAGES OF FIVE POUNDS FOUR OUNCES OR LESS,

WHETHER OR NOT ENRICHED OR FORTIFIED OR CONTAINING MILK OR OTHER OPTIONAL INGREDIENTS SUCH AS CHOPPED VEGETABLES, VEGETABLE PUREES, MILK, GLUTEN, DIASTASIS, VITAMINS, COLORING AND FLAVORINGS, AND UP TO TWO PERCENT EGG WHITE. THE PASTA COVERED BY THIS SCOPE IS TYPICALLY SOLD IN THE RETAIL MARKET, IN FIBERBOARD OR CARDBOARD CARTONS, OR POLYETHYLENE OR POLYPROPYLENE BAGS OF VARYING DIMENSIONS.

EXCLUDED FROM THE SCOPE OF THE ORDER ARE REFRIGERATED, FROZEN, OR CANNED PASTAS, AS WELL AS ALL FORMS OF EGG PASTA, WITH THE EXCEPTION OF NON-EGG DRY PASTA CONTAINING UP TO TWO PERCENT EGG WHITE. ALSO EXCLUDED ARE IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY THE INSTITUTO MEDITERRANEO DI CERTIFICAZIONE, BIOAGRICOOP S.R.L. , QC&I INTERNATIONAL SERVICES, ECOCERT ITALIA, CONSORZIO PER IL CONTROLLO DEI PRODOTTI BIOLOGICI, ASSOCIAZIONE ITALIANA PER L'AGRICOLTURA BIOLOGICA, OR CODEX S.R.L. IN ADDITION, BASED ON PUBLICLY AVAILABLE INFORMATION, THE DEPARTMENT HAS

DETERMINED THAT, AS OF AUGUST 4, 2004, IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY BIOAGRICERT S.R.L. ARE ALSO EXCLUDED FROM THIS ORDER. SEE MEMORANDUM FROM ERIC B. GREYNOLDS TO MELISSA G. SKINNER, DATED AUGUST 4, 2004, WHICH IS ON FILE IN THE DEPARTMENT'S CENTRAL RECORDS UNIT ("CRU") IN ROOM B-099 OF THE MAIN DEPARTMENT BUILDING. IN ADDITION, BASED ON PUBLICLY AVAILABLE INFORMATION, THE DEPARTMENT HAS DETERMINED THAT, AS OF MARCH 13, 2003, IMPORTS OF ORGANIC PASTA FROM ITALY THAT ARE ACCOMPANIED BY THE APPROPRIATE CERTIFICATE ISSUED BY INSTITUTO PER LA CERTIFICAZIONE ETICA E AMBIENTALE (ICEA) ARE ALSO EXCLUDED FROM THIS ORDER. SEE MEMORANDUM FROM AUDREY TWYMAN TO SUSAN KUHBACH, DATED FEBRUARY 28, 2006, ENTITLED "RECOGNITION OF INSTITUTO PER LA CERTIFICAZIONE ETICA E AMBIENTALE (ICEA) AS A PUBLIC AUTHORITY FOR CERTIFYING ORGANIC PASTA FROM ITALY" WHICH IS ON FILE IN THE DEPARTMENT'S CENTRAL RECORDS UNIT ("CRU") IN ROOM B-099 OF THE MAIN DEPARTMENT BUILDING.

THE MERCHANDISE SUBJECT TO REVIEW IS CURRENTLY CLASSIFIABLE

UNDER ITEMS 1901.90.9095 AND 1902.19.20 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS"). ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE SUBJECT TO THE ORDER IS DISPOSITIVE.

3. ACCORDINGLY, FOR SHIPMENTS OF CERTAIN PASTA FROM ITALY, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JUNE 26, 2006, YOU SHALL COLLECT A CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES AT THE FOLLOWING PERCENTAGES OF THE ENTERED VALUE PRICE:

ID NUMBER	COMPANY NAME	RATE
C-475-819-045	CORTICELLA MOLINI E PASTIFICI S.P.A.	0.00%
C-475-819-046	CORTICELLA MOLINI E PASTIFICI S.P.A./ PASTA COMBATTENTI S.P.A.	0.00%
C-475-819-052	ATAR S.R.L.	0.00%
C-475-819-000	ALL OTHER COMPANIES	3.85%

4. THESE CASH DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS OF THE NEXT ADMINISTRATIVE REVIEW. DO NOT LIQUIDATE ANY ENTRIES OF MERCHANDISE INCLUDED IN THIS ADMINISTRATIVE REVIEW UNTIL ASSESSMENT INSTRUCTIONS ARE RECEIVED.

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 O1:ART).

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