

MESSAGE NO: 6212203 MESSAGE DATE: 07/31/2006
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-331-802

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/04/2004 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: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802). LIQ ALL EXCEPT NAMED FIRMS.

MESSAGE NO: 6212203 DATE: 07 31 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 331 - 802 - -

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PERIOD COVERED: 08 04 2004 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802). LIQ ALL EXCEPT NAMED FIRMS.

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING 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 CERTAIN FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802) FOR THE PERIODS 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351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

CERTAIN FROZEN WARMWATER SHRIMP FROM ECUADOR (A-331-802)
FOR PERIOD 08/04/2004-01/31/2006

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

AGRICOLA E IND ECUAPLANTATIO

AGROL

ALQUIMIA MARINA SA

BABYCHIC SA

BRIMON

CAMARONES DEL MAR COBUS S.A.

COMERCIALIZADORA DEL MAR COMAR CIA. LTDA.

DOBLERTEL SA

DUNCI SA

ECULINE

EDPACIF

EL ROSARIO ERSA SA

EMPACADORA BILBO BILBOSA

EMPACADORA DEL PACIFICO SA, EDPACIF SA

EMPACADORA DUFER CIA. LTDA.

EMPACADORA GRUPO GRANMAR SA

EMPACADORA NACIONAL

EMPACADORA Y EXPORTADORA CALVI CIA. LTDA.

EMPAGRAN

EMPREDE

ESTAR CA

EXPORKLORE EXPORTS & REPRESENTACION

EXPORTADORA BANANERA NOBOA

EXPORTADORA DEL OCEANO OCEANEXA C. A.

EXPORTS DEL OCEANO

FORTUMAR ECUADOR SA

GAMBAS DEL PACIFICO
GONDI
HECTOROSA
INDUSTRIAL PESQUERA SANTA PRISCILA SA
INDUSTRIAL PESQUERA SANTA PRISCILLA
INEPEXA INC.
INEPEXA SA
JORGE LUIS
JORGE LUIS BENITEZ LOPEZ
KARPICORP SA
LUIS LOAIZA ALVAREZ
MARDEX CIA. LTDA.
MARECUADOR CO LTDA.
MARINES CA
MARISCO
MARISCOS DE CHUPADORES CHUPAMAR
MARISCOS DEL ECUADOR C.L. MARECUADOR
MARISCOS DEL ECUADOR MARECUADOR CO.
NEGOCIOS INDUSTRIALES REAL NIRSA SA
NOVAPESCA SA
OCEANINVEST SA
OCEANMUNDO SA
OCEANPRO
OMARSA-OPE.Y PROC.DE PROD. MARINOS SA
OYERLY SA
P.C. SEAFOOD SA
PACFISH
PCC CONGELADOS & FRESCOS SA
PESCAZUL
PELASA SA

PHILLIPS SEAFOODS
PROCESADORA DEL RIO PRORIOSA SA
PROCESADORA DEL RIO SA PRORIOSA
PRODUCTOS CULTIVADOS DEL MAR PROC.
PROMARISCO
PROMAROSA PRODUCTOS
PRORIOSA SA PROCESADORA DEL RIO SA

SEAFOOD PADRE AGUIRRE
SOCIEDAD ATLANTICO PACIFICO
SOCIEDAD NACIONAL DE GALAPAGOS
SOITGAR
STUDMARK SA
TECNICA & COMERCIO DE LA PESCA TECO
TRANSMARINA C. A.
UNILINES TRANSPORT SYSTEM

3. PLEASE NOTE, THAT FOR THE FOLLOWING COMPANIES THE NAMES DIFFER FROM THE INITIATION NOTICE: CAMARONES DEL MAR COBUS S.A. , COMERCIALIZADORA DEL MAR COMAR CIA. LTDA, AND PACFISH. THE DEPARTMENT HAS OBTAINED INFORMATION DEMONSTRATING THAT THE NAMES AS LISTED ABOVE ARE CORRECT.

4. 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.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 8/04/2004 THROUGH 1/31/2006 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW (71 FR 17819, 04/07/2006). FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM

ECUADOR YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. 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.

7. 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.

8. 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 OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O2:GB).

9. 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