

MESSAGE NO: 6213203 MESSAGE DATE: 08/01/2006  
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-351-838

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 INSTRUCTION FOR FROZEN WARMWATER SHRIMP  
FROM BRAZIL (A-351-838) LIQ ALL EXCEPT NAMED FIRMS

MESSAGE NO: 6213203 DATE: 08 01 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 351 - 838 - -

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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 INSTRUCTION FOR FROZEN WARMWATER  
SHRIMP FROM BRAZIL (A-351-838) 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 BRAZIL (A-351-838) 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351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION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.

CERTAIN FROZEN WARMWATER SHRIMP FROM BRAZIL (A-351-838)  
FOR PERIOD 08/04/2004-01/31/2006

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

ACARAU PESCA DISTR. DE PESC. IMP E EXP LTDA.  
ACARAU PESCA DISTR. DE PESCADO IMP E EXP LTDA.  
AMAZONAS INDUSTRIA ALIMENTICIAS SA  
AQUACULTURA FORTALEZA AQUAFORT SA  
AQUAMARIS AQUACULTURE SA  
AQUATICA MARICULTURA DO BRASIL LTDA.  
ARTICO

BRAMEX BRASIL MERCANTIL S.A.  
CAMANOR - PRODUTOS MARINHOS LTDA.  
CAMAROS DO BRASIL LTDA.  
CAMEXIM CAPTURA MEC EXPORTS IMPORTS  
CAMPI CAMAROA DO PIAUI LTDA.  
CENTRAL DE INDUSTRIA  
CIDA CENTRAL DE INDUSTRIA  
CIDA CENTRAL DE IND. E DISTRIBUICAO DE ALIMENTOS LTDA.  
CINA COMPANHIA NORDESTE DE AQUICULTURA E ALIMENTACAO  
COMERCIO DE PESCADO ARACATIENSE LTDA.  
COMPESCAL - COMECIO DE PESCADO ARACATIENSE LTDA  
EMPAF - EMPRESA DE ARMAZENAGEM FRIGORIFICA LTDA.  
EMPRESA DE ARMAZENAGEM FRIGORIFICA LTDA.  
GUY VAUTRIN IMPORTACAO E EXPORTACO  
IPESCA  
ITA FISH - S.W.F. IMPORTACAO E EXPORTACAO LTDA.  
J K PESCA LTDA.  
JUNO IND & COM DE PESCADOS

LUSOMAR MARICULTURA LTDA.  
MARICULTURA NETUNO SA  
MARICULTURA RIO GRANDENSE  
MARICULTURA TROPICAL  
MARINE MARICULTURA DO NORDESTE  
MARINE MARICULTURA DO NORDESTE SA  
MARINE MARICULTURA NORDESTE SA  
MM MONTEIRO PESCA E EXPORTACAO LTDA.  
MUCURIBE PESCA LTDA., EPP.  
NORTE PESCA SA  
ORTICO  
PESQUEIRA MAGUARY LTDA.  
POTIGUAR ALIMENTOS DO MAR LTDA.  
POTIPORA AQUACULTURA LTDA.  
PRODUMAR - CIA EXPORTADORA DE PRODUTOS DO MAR  
PRODUVALE PRODUTOS DO VALE LTDA.  
QUALIMAR COMERCIO IMPORTAAO E EXPORTACAO LTDA.  
SANTA LAVINIA COMERCIO E EXPORTACIO LTDA.  
SEAFARM CRIACAO E COMERCIO DE PRODUTOS AQUATICOS LTDA.  
SECOM AQUICULTURA COMERCIO E INDUSTRIA SA  
SM PESCADOS INDUSTRIA COMERCIO E EXPORTACAO LTDA.  
SM TRADING INDUSTRIA E COMERCIO LTDA.  
SOHAGRO MARINA DO NORDESTE SA  
TECMARES MARICULTURA LTDA.  
TERRACOR TDG EXP. E IMP. LTDA.  
TORQUATO PONTES PESCADOS  
VALENCIA DA BAHIA MARICULTURA SA

3. PLEASE NOTE THAT FOR THE FOLLOWING COMPANIES THE NAMES DIFFER FROM THE INITIATION NOTICE: BRAMEX BRASIL MERCANTIL S.A. AND GUY VAUTRIN IMPORTACAO E EXPORTACAO. 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

BRAZIL 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 TRENTHAM 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:AG).

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