

MESSAGE NO: 6251214 MESSAGE DATE: 09/08/2006
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-337-806

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2005 TO 06/30/2006

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 INDIVIDUALLY QUICK FROZEN
RED RASPBERRIES FROM CHILE (A-337-806) EXCEPT FOR THOSE FIRMS LISTED

MESSAGE NO: 6251214 DATE: 09 08 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 337 - 806 - -

- - - -

- - - -

PERIOD COVERED: 07 01 2005 TO 06 30 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR INDIVIDUALLY
QUICK FROZEN RED RASPBERRIES FROM CHILE (A-337-806)
EXCEPT FOR THOSE FIRMS LISTED

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'S 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COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.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
INDIVIDUALLY QUICK FROZEN RED RASPBERRIES FROM CHILE (A-337-806)	07/01/2005 - 06/30/2006

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

AGRICOLA NOVA LTDA.
AGRICOLA SAN ANTONIO
AGROCOMERCIAL LAS TINAJAS LTDA.
AGROFRUTA CHILENA LTDA.
AGROFRUTICOLA PEHUENCHE S.A.
AGROINDUSTRIA FRAMBERRY LTDA.
AGROINDUSTRIA FRISAC LTDA.
AGROINDUSTRIA FRUTOS DEL MAIPO LTDA.
AGROINDUSTRIA MERCO TRADING LTDA.
AGROINDUSTRIA NIQUEN LTDA.
AGROINDUSTRIA SAGRADA FAMILIA LTDA.
AGROINDUSTRIA SAN FRANCISCO LTDA.
AGROINDUSTRIA Y FRIGORIFICO M Y M LTDA.
AGROINDUSTRIAL DEL MAULE
AGROSS S.A.
ALIMENTOS NATURALES VITAFOODS
ALIMENTOS PROMETEO LTDA.
ALIMENTOS Y FRUTOS S.A.
ANDESUR S.A.
ANGLOEURO COMERCIO EXTERIOR S.A.
ARLAVAN S.A.
ARMIJO CARRASCO, CLAUDIO DEL CARMEN
BAJO CERO S.A.
C Y C GROUP S.A.

CERTIFIED PURE INGREDIENTS (CHILE) INC. Y CIA. LTDA.
CHILE ANDES FOODS S.A.
COMERCIALIZADORA AGRICOLA BERRIES & FRUIT LTDA
COMERCIALIZADORA DE ALIMENTOS DEL SUR LTDA.
COMERCIO Y SERVICIOS S.A.
COPEFRUT S.A.
EXPORTACIONES MEYER S.A.
EXPORTADORA FRAGARIA LTDA.
EXPORTADORA PENTAGRO S.A.
EXPORTADORA SOUTH BERRIES LTDA.
FRANCISCO NANCUVILU PUNSIN
FRIGORIFICO DITZLER LTDA.
FRUTAS DE GUAICO S.A.
FRUTICOLA OLMUE S.A.
FRUTICOLA VICONTO S.A.
HASSLER MONCKEBERG S.A.
HORTIFRUT S.A.
INTERAGRO COMERCIO Y GANADO S.A.
KUGAR EXPORT LTDA. (KULENKAMPFF & GARDEWEG LTDA.)
MARIA TERESA UBILLA ALARCON
MULTIFRIGO VALPARAISO S.A
NEVADA EXPORT S.A.
PRIMA AGROTRADING LTDA.
PROCESADORA Y EXPORTADORA DE FRUTAS Y VEGETALES
RIO TENO S.A.
SANTIAGO COMERCIO EXTERIOR LTDA. (SANCO)
SANTIAGO COMERCIO EXTERIOR SOCIEDAD ANONIMA
SOCIEDAD AGRICOLA VALLE DEL LAJA LTDA.
SOCIEDAD AGROINDUSTRIAL VALLE FRIO LTDA.
SOCIEDAD COMERCIAL C Y C, S.A.
SOCIEDAD EXPORTACIONES ANTIQUINA LTDA.
SOCIEDAD SAN ERNESTO LTDA
SURFRUT
TERRA NATUR S.A.
TERRAZAS EXPORT S.A.
VALLES ANDINOS S.A.
VITAL BERRY MARKETING S.A.

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.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 07/01/2005 THROUGH 06/30/2006 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW 71 FR 51573 ON 08/30/2006. 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 THE CUSTOMS AND BORDER PROTECTION SERVICE 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 CUSTOMS AND BORDER PROTECTION 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, CUSTOMS AND BORDER PROTECTION 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, CUSTOMS AND BORDER PROTECTION SHOULD DOUBLE THE ANTIDUMPING DUTIES IN

ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS AND BORDER PROTECTION SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS AND BORDER PROTECTION 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 O1:YB).

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