

MESSAGE NO: 6297202 MESSAGE DATE: 10/24/2004
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 6199213
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/2005 TO 04/30/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS & PARTS THEREOF FROM JAPAN FROM TOYOTA INDUSTRIES CORPORATION, TAKESHITA SEIKO,CO. LTD., & MINEBEA CO.,LTD. (A588-201)

MESSAGE NO: 6297202

DATE: 10 24 2004

CATEGORY: ADA

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REFERENCE: 6199213

REFERENCE DATE: 07 18 2006

CASES: A - 588 - 201

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PERIOD COVERED: 05 01 2005 TO 04 30 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS & PARTS THEREOF FROM JAPAN FROM TOYOTA INDUSTRIES CORPORATION, TAKESHITA SEIKO,CO. LTD., & MINEBEA CO.,LTD. (A588-201)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE DEPARTMENT OF COMMERCE RECEIVED REQUESTS FOR ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM JAPAN FOR TOYOTA INDUSTRIES CORPORATION, TAKESHITA SEIKO, CO. LTD., AND MINEBEA CO., LTD. FOR THE PERIOD 05/01/2005 THROUGH 04/30/2006. SUBSEQUENTLY, COMMERCE RECEIVED TIMELY WITHDRAWALS OF THE REQUESTS AND ON

OCTOBER 16, 2006, COMMERCE RESCINDED, IN PART, THE ADMINISTRATIVE REVIEW OF BALL BEARINGS AND PARTS THEREOF FROM JAPAN WITH RESPECT TO MERCHANDISE FROM TOYOTA INDUSTRIES CORPORATION, TAKESHITA SEIKO, CO. LTD., AND MINEBEA CO., LTD. IN ACCORDANCE WITH 19 CFR 351.213(d)(1) (71 FR 60688). ACCORDINGLY, YOU ARE TO LIQUIDATE ALL ENTRIES OF MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF ENTRY FOR THE PERIOD 05/01/2005 THROUGH 04/30/2006 FOR THESE COMPANIES UNLESS REPEAT UNLESS ENTRIES WERE MADE UNDER U.S. CUSTOMS AND BORDER PROTECTION (CBP) CASE NUMBERS FOR THE SPECIFIC COMPANIES LISTED AS AN EXCEPTION IN MESSAGE 6199213, DATED 07/18/2006, AND FOR WHICH COMMERCE HAS NOT RESCINDED THE REVIEW.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF APPLICABLE ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 05/01/2005 THROUGH 04/30/2006 OCCURRED WITH THE PUBLICATION OF THE PARTIAL RESCISSION OF THE ADMINISTRATIVE REVIEW (71 FR 60688, OCTOBER 16, 2006). FOR ALL OTHER SHIPMENTS OF BALL BEARINGS FROM JAPAN YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP 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 AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNT 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 WHICH IS MAY 15, 1989. 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.

4. 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.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC, AND INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY 05: KLC).

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