

MESSAGE NO: 7198114 MESSAGE DATE: 07/17/1997
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: COR PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-301-602

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/19/1996 TO 03/04/1997

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: REFUND OF EXCESS ANTIDUMPING DUTY DEPOSITS BY THE PAPAGAYO GROUP, FLORICOLA LA GAITANA, S.S. & THE AGA GROUP FRESH CUT FLOWERS FROM COLOMBIA (A-301-602)

MESSAGE NO: 7198114 DATE: 07 17 1997

CATEGORY: ADA TYPE: COR

REFERENCE: REFERENCE DATE:

CASES: A - 301 - 602 - -

- - - -

- - - -

PERIOD COVERED: 08 19 1996 TO 03 04 1997

LIQ SUSPENSION DATE:

TO: CMC DIRECTORS,
PORT DIRECTORS

FROM: DIRECTOR, IMPORT OPERATIONS

RE: REFUND OF EXCESS ANTIDUMPING DUTY DEPOSITS BY THE PAPAGAYO GROUP, FLORICOLA LA GAITANA, S.S. & THE AGA GROUP FRESH CUT FLOWERS FROM COLOMBIA (A-301-602)

1. THE DEPARTMENT OF COMMERCE HAS DETERMINED THAT THE PAPAGAYO GROUP, FLORICOLA LA GAITANA, S.A., AND THE AGA GROUP POSTED EXCESS ANTIDUMPING DUTY DEPOSITS ON CERTAIN FRESH CUT FLOWERS DURING THE PERIOD 8/19/96 THROUGH 3/4/97. THE FOLLOWING LIST INDICATES THE DEPOSIT RATES THAT WERE INCORRECTLY ASSIGNED TO THESE COMPANIES IN THE FINAL RESULTS OF REVIEW AND THE CORRECT DEPOSIT RATES THAT WERE REFLECTED IN THE AMENDED FINAL RESULTS PUBLISHED ON 03/05/97:

INCORRECT

AMENDED

GROWERS/EXPORTERS 10-DIGIT CASE NUMBER RATE RATE

Papagayo Group

Agricola Papagayo Ltda. A-301-602-049 9.96 3.88

Inversiones Calypso S.A. A-301-602-264 9.96 3.88

Floricola La Gaitana, S.A. A-301-602-148 5.02 0.00

AGA Group

Agricola la Celestina A-301-602-293 10.43 9.99

Agricola la Maria A-301-602-294 10.43 9.99

Agricola Benilda Ltda. A-301-602-064 10.43 9.99

2. FOR SHIPMENTS BY EACH COMPANY LISTED ABOVE OF CERTAIN FRESH CUT FLOWERS FROM COLOMBIA ENTERED, OR WITHDRAWN FROM WAREHOUSE, DURING THIS PERIOD FOR WHICH THE COMPANY POSTED A DEPOSIT RATE EQUAL TO THE INCORRECT RATE LISTED ABOVE FOR THAT COMPANY, YOU ARE INSTRUCTED TO GRANT A REFUND OF THE AMOUNT OF ANTIDUMPING DUTY DEPOSITS BASED ON THE DIFFERENCE BETWEEN THE INCORRECT RATE (POSTED DUE TO APPLICATION OF THE INCORRECT RATE) AND THE AMENDED RATE. COMMERCE MADE MINISTERIAL ERRORS IN THE CALCULATION OF ANTIDUMPING DUTY MARGINS FOR THE ADMINISTRATIVE REVIEW LISTED ABOVE; THEREFORE, INTEREST ON OVERPAYMENT DUE TO THESE MINISTERIAL ERRORS WILL BE PAID IN ACCORDANCE WITH NORMAL ESTABLISHED PRACTICE UNDER 19 U.S.C. 1520(a)(4). TO SUBSTANTIATE COMMERCE'S CLAIM THAT SUCH ERRORS HAVE BEEN MADE, REFER TO THE AMENDED FINAL RESULTS NOTICE PUBLISHED ON MARCH 5, 1997 (62 FR 10023).

THIS NOTICE WAS SIGNED BY THE ASSISTANT SECRETARY AT THE DEPARTMENT OF COMMERCE WHO ADMINISTERS ANTIDUMPING REVIEWS. IT ALSO DESCRIBES THE ERRORS IN DETAIL.

- 3 DO NOT LIQUIDATE ANY OF THE ABOVE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE RECEIVED.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, IMPORT OPERATIONS, ANTIDUMPING/ COUNTERVAILING DUTY, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT LYN JOHNSON AT (202)482-5287, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

5. THERE ARE NO RESTRICTIONS ON RELEASE OF THIS INFORMATION.

BYLLE PATTERSON
(ACTING)

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party