

MESSAGE NO: 2283301 MESSAGE DATE: 10/09/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 77 FR 55808 FR CITE DATE: 09/11/2012

REFERENCE MESSAGE #
(s): 2277302

CASE #(s): A-570-851

EFFECTIVE DATE: 09/11/2012 COURT CASE #:

PERIOD OF REVIEW: 02/01/2010 TO 01/31/2011

PERIOD COVERED: 02/01/2010 TO 01/31/2011

Notice of Lifting of Suspension Date: 09/11/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for certain preserved mushrooms from the People's Republic of China exported by PRC-wide entity for the period 02/01/2010 through 01/31/2011 (A-570-851)

1. For all shipments of certain preserved mushrooms from People's Republic of China exported by the PRC-wide entity (A-570-851-000) entered, or withdrawn from warehouse, for consumption during the period 02/01/2010 through 01/31/2011, and not covered under message numbers 2271301 (dated 09/27/2012), 2271302 (dated 09/27/2012), or 2277302 (dated 10/03/2012), assess an antidumping liability equal to 198.63 percent of the entered value.

2. In previous administrative reviews the Department determined that the firms referenced below in this paragraph were no longer eligible for a separate rate and were considered part of the PRC-wide entity. However, entries may have continued to enter under the case numbers referenced below during the period 02/01/2010 through 01/31/2011.

Therefore, entries of certain preserved mushrooms from the People's Republic of China for the firms listed in the company-details table appended to the bottom of this message, entered, or withdrawn from warehouse, for consumption during the period 02/01/2010 through 01/31/2011 should be liquidated in accordance with the assessment instructions listed in paragraph 1 above for the PRC-wide entity. Note that several of the company case numbers (001/004/008/015/029/031) were identified as producers, and entries under those company case numbers should be liquidated in accordance with the assessment instructions listed in paragraph 1 regardless of the exporter. Note also that two of the company case numbers in the company-details table (020/028) involve a required combination (producer and exporter).

3. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraphs 1 through 2 occurred with the publication of the final results of administrative review (77 FR 55808, 09/11/2012). Unless instructed otherwise, for all other shipments of certain preserved mushrooms from the People's Republic of China, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

4. There are no injunctions applicable to the entries covered by this instruction.

5. 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, as amended. 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 payment of estimated antidumping duties is required 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, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of commerce's 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 manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:MJH.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

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

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-851-000	198.63%	E		PRC-wide entity
A-570-851-001	198.63%	M		China Processed Food Import & Export Co.
A-570-851-004	198.63%	M		Gerber Food (Yunnan) Co., Ltd.
A-570-851-008	198.63%	M		Xiamen Gulong Import & Export Co., Ltd.
A-570-851-015	198.63%	M		Green Fresh Foods (Zhangzhou) Co., Ltd.
A-570-851-020	198.63%	E		Guangxi Yulin Oriental Food Co., Ltd.
A-570-851-020	198.63%	M		Guangxi Yulin Oriental Food Co., Ltd.
A-570-851-028	198.63%	E		Guangxi Hengxian Pro-Light Foods, Inc.
A-570-851-028	198.63%	M		Guangxi Hengxian Pro-Light Foods, Inc.
A-570-851-029	198.63%	M		China National Cereals, Oils, & Foodstuffs Import & Export Co., Ltd.
A-570-851-031	198.63%	M		Fujian Zishan Group Co., Ltd.