

MESSAGE NO: 9348203 MESSAGE DATE: 12/14/1999
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-475-819

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/1998 TO 12/31/1998

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQ. INSTRUCTIONS FOR THE CVD ADMINISTRATIVE REVIEW OF CERTAIN PASTA FROM ITALY (C-475-819)

MESSAGE NO: 9348203 DATE: 12 14 1999

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 475 - 819 - -

- - - -

- - - -

PERIOD COVERED: 01 01 1998 TO 12 31 1998

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQ. INSTRUCTIONS FOR THE CVD ADMINISTRATIVE REVIEW OF CERTAIN PASTA FROM ITALY (C-475-819)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF COUNTERVAILING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(B) OF THE COMMERCE DEPARTMENT REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON CERTAIN PASTA FROM ITALY FOR THE REVIEW PERIOD BEGINNING 01/01/98 - 12/31/98 EXCEPT FOR THE FIRMS NOTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION

351.221(B) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON CERTAIN PASTA FROM ITALY ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD

JANUARY 1, 1998, THROUGH DECEMBER 31, 1998, AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY, EXCEPT FOR ENTRIES FROM THE COMPANIES LISTED BELOW. BEFORE THESE ENTRIES CAN BE FINALLY LIQUIDATED, HOWEVER, APPLICABLE ANTIDUMPING DUTIES NEED ALSO TO BE ASSESSED.

3. YOU SHOULD LIQUIDATE ALL ENTRIES DURING THE PERIOD 01/01/98 THROUGH 12/31/98 FROM ALL FIRMS EXCEPT FOR THE FOLLOWING:

ID NUMBER	COMPANY NAME
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C-475-819-008	DELVERDE, S.R.L.
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C-475-819-017	TAMMA INDUSTRIE ALIMENTARI DI CAPITANATA, S.R.L.
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	RUMMO S.P.A. MOLINO E PASTIFICIO
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C-475-819-016	PASTIFICIO RISCOSSA F.LLI MASTROMAURO S.R.L.
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4. ENTRIES OF MERCHANDISE OF THE ABOVE-MENTIONED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF CERTAIN PASTA FROM ITALY EXPORTED OR PRODUCED BY THESE FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF THE SUSPENSION OF LIQUIDATION OF ENTRIES FOR CERTAIN PASTA FROM ITALY DURING THE PERIOD 01/01/98 - 12/31/98. THESE ENTRIES MAY NOT BE FINALLY LIQUIDATED, HOWEVER, UNTIL ANTIDUMPING DUTIES HAVE ALSO BEEN ASSESSED.

6. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS 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 PAY INTEREST ON OVERPAYMENTS AND ASSESS

INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE JULY 24, 1996, THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER ON CERTAIN PASTA FROM ITALY. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING 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.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SALLY HASTINGS AT 202-482-3464, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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