

MESSAGE NO: 6320201 MESSAGE DATE: 11/16/2006
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-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/2001 TO 11/30/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CASED PENCILS FROM CHINA EXPORTED BY MULTIPLE COMPANIES (A-570-827) (EXCEPT LISTED FIRMS)

MESSAGE NO: 6320201 DATE: 11 16 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 827 - -

- - - -

- - - -

PERIOD COVERED: 12 01 2001 TO 11 30 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN CASED PENCILS FROM CHINA EXPORTED BY MULTIPLE COMPANIES (A-570-827) (EXCEPT LISTED FIRMS)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL REGISTER (69 FR 29266) ON 05/21/2004 THE FINAL RESULTS AND PARTIAL RESCISSION OF ITS ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR THE PERIOD 12/01/2001 THROUGH 11/30/2002. ACCORDINGLY, FOR ALL FIRMS EXCEPT THOSE FIRMS LISTED BELOW, YOU ARE NOW INSTRUCTED TO ASSESS AN ANTIDUMPING

LIABILITY OF 114.90 PERCENT OF THE ENTERED VALUE OF CERTAIN
CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA (SUBJECT
MERCHANDISE) ENTERED OR WITHDRAWN FROM WAREHOUSE FOR
CONSUMPTION
DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002.

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

| COMPANY | COMPANY NUMBER |
|---|----------------|
| CHINA FIRST PENCIL CO., LTD. | A-570-827-004 |
| GUANGDONG STATIONERY & SPORTING GOODS IMPORTS & EXPORT CO., LTD. | A-570-827-007 |
| GUANGDONG STATIONERY & SPORTING GOODS IMPORTS & EXPORT CO., LTD. (EXPORTING OR SELLING CERTAIN CASED PENCILS PRODUCED BY SHANGHAI THREE STAR STATIONERY INDUSTRY CORP.) | A-570-827-001 |
| KAIYUAN GROUP CORPORATION | A-570-827-009 |
| LAIZHOU CITY GUANGMING PENCIL-MAKING CO., LTD. | A-570-827-006 |
| ORIENT INTERNATIONAL HOLDING SHANGHAI FOREIGN TRADE CO., LTD., | A-570-827-002 |
| SHANDONG RONGXIN IMPORT & EXPORT CO., LTD., | A-570-827-012 |
| SHANGHAI THREE STAR STATIONERY INDUSTRY CORP. | A-570-827-005 |
| TIANJIN CUSTOM WOOD PROCESSING CO., LTD. | A-570-827-011 |

2. ENTRIES DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002 OF SUBJECT MERCHANDISE OF THE EXCEPTED FIRMS LISTED ABOVE SHOULD BE LIQUIDATED IN ACCORDANCE WITH THE SPECIFIC LIQUIDATION INSTRUCTIONS ISSUED FOR THOSE FIRMS.

3. FOR PURPOSES OF THIS INSTRUCTION, NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS AND PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW ON 05/21/2004 (69 FR 29266). FOR ALL OTHER SHIPMENTS OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION (CBP) ON 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 UNDER-PAYMENTS 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.

5. 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.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O4: MZ).

7. 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