

MESSAGE NO: 4266310 MESSAGE DATE: 09/23/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: COR-Correction

FR CITE: 79 FR 51548 FR CITE DATE: 08/29/2014

REFERENCE 4255309
MESSAGE #
(s):

CASE #(s): A-475-818

EFFECTIVE DATE: 08/29/2014 COURT CASE #:

PERIOD OF REVIEW: 07/01/2013 TO 06/30/2014

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/29/2014

TO: { Directors Of Field Operations, Port Directors }

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

RE: Correction of message 4255309, dated 09/12/2014 concerning the antidumping duty order on certain pasta from Italy (A-475-818).

1. This is a correction to message 4255309, dated 09/12/2014, to correct paragraph 3. We are correcting the names originally listed as La Molisana Industrie Alimentari S.p.A.
2. Paragraph 3 of message 4255309 incorrectly identified La Molisana Industrie Alimentari S.p.A., A-475-818-015 as the firm for which entries should not be liquidated. The Department is currently conducting a changed circumstances review to determine if La Molisana S.p.A. is the successor-in-interest to La Molisana Industrie Alimentari S.p.A., and therefore entitled to the same treatment under the antidumping duty law. The initiation notice identifies the company for which we initiated an administrative review as "La Molisana S.p.A." Below is the fully corrected message.
3. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.
4. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except the firms listed in paragraph 5.
5. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms except those listed in paragraph 5 and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit rate in effect on the date of entry:
Product: Certain Pasta
Country: Italy
Case number: A-475-818
Period: 07/01/2013 through 06/30/2014
5. Entries of merchandise of the firms listed be should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported or produced by the listed firms and entered, or withdrawn from warehouse, for consumption during the period 07/01/2013 through 06/30/2014.

Company: La Molisana S.p.A.

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Case number: A-475-818-000

Note: Entries may have been made under the name La Molisana Industrie Alimentari S.p.A. (A-475-818-015).

Company: Rummo S.p.A. Molino e. Pastificio ("Rummo")

Case number: A-475-818-031

Company: Pasta Lensi S.r.L. (Lensi)

Case number: A-475-818-037

Company: Delverde Industrie Alimentari S.p.A.

Case number: A-475-818-063

Entries may also have been made under A-475-818-000 or other company-specific numbers.

Company: Dalla Costa Alimentare SRL

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-475-818-000 or other company specific number.

Company: Pastificio Andalini S.p.A.

Case number: No case number was in place for this company during the period of review. Entries may have been made under A-475-818-000 or other company specific number.

CBP officers must also examine entries under A-475-818-000 and all existing company-specific case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the producers and/or exporters listed above.

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

7. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 4 occurred with the publication of the notice of initiation of administrative review for the 07/2014 anniversary month (79 FR 51548, 08/29/2014). Unless instructed otherwise, for all other shipments of certain pasta from Italy you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. 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.

9. 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 producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duty and/or increase the antidumping duty by the amount of the countervailing 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.

10. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, 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 OIII: CH.)

11. 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