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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 79 FR 69832 FR CITE DATE: 11/24/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): A-462-811

EFFECTIVE DATE: 11/24/2014 COURT CASE #:

PERIOD OF REVIEW: 04/01/2012 TO 03/31/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 11/24/2014

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for solid fertilizer grade ammonium nitrate from the Russian Federation produced by MCC EuroChem and its affiliates for the period 04/01/2012 through 03/31/2013 (A-462-811)

1. For all shipments of solid fertilizer grade ammonium nitrate from the Russian Federation produced by MCC EuroChem/OJSC NAK Azot/OJSC Nevinnomyssky Azot, imported by EuroChem Trading USA Corp., and entered, or withdrawn from warehouse, for consumption during the period 04/01/2012 through 03/31/2013, liquidate without regard to antidumping liabilities.

MCC EuroChem/OJSC NAK Azot/OJSC Nevinnomyssky Azot did not have its own case number at the time of entry for the period covered by these instructions. Entries may have been made under A-462-811-000, A-462-811-001, or another company-specific case number.

2. As a result of Commerce's clarification of its assessment regulation on 05/06/2003 (68 FR 23954), for all shipments of solid fertilizer grade ammonium nitrate from the Russian Federation produced by MCC EuroChem/OJSC NAK Azot/OJSC Nevinnomyssky Azot, entered, or withdrawn from warehouse, for consumption during the period 04/01/2012 through 03/31/2013, entered under case number A-462-811-001 or A-462-811-000, and not covered by paragraph 1, assess antidumping duties at the all-others rate in effect on the date of entry. The all-others rate for solid fertilizer grade ammonium nitrate from the Russian Federation is 253.98 percent.

3. This administrative review has been assigned case number A-821-811. For CBP purposes only, the case number A-462-811 should be used.

4. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraphs 1 and 2 occurred with the publication of the final results of administrative review (79 FR 69832, 11/24/2014). Unless instructed otherwise, for all other shipments of solid fertilizer grade ammonium nitrate from the Russian Federation you shall continue to collect cash deposits of estimated antidumping duties at the current rates.

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

6. 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.

7. 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 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.

8. 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 OII:DC.)

9. 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