

MESSAGE NO: 4364303 MESSAGE DATE: 12/30/2014
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: OTH-Other PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: 79 FR 78044 FR CITE DATE: 12/29/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): C-201-846

EFFECTIVE DATE: 12/19/2014 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: Suspension of countervailing duty investigation on sugar from Mexico (C-201-846)

1. The Department of Commerce published in the Federal Register on 12/29/2014 (79 FR 78044) the Notice of Suspension of the Countervailing Duty Investigation on Sugar from Mexico, effective 12/19/2014. Imports of sugar from Mexico are subject to the terms and conditions pursuant to the suspension agreement between Commerce and the Government of Mexico.

2. The merchandise covered by the Agreement is raw and refined sugar of all polarimeter readings derived from sugar cane or sugar beets. The chemical sucrose gives sugar its essential character. Sucrose is a nonreducing disaccharide composed of glucose and fructose linked by a glycosidic bond via their anomeric carbons. The molecular formula for sucrose is C₁₂H₂₂O₁₁; the International Union of Pure and Applied Chemistry (IUPAC) International Chemical Identifier (InChI) for sucrose is 1S/C₁₂H₂₂O₁₁/c13-l-4-6(16)8(18)9(19)11(21-4)23-12(3-15)10(20)7(17)5(2-14)22-12/h4-11,13-20H,1-3H2/t4-,5-,6-,7-,8+,9-,10+,11-,12+/m1/s1; the InChI Key for sucrose is CZMRCDWAGMRECN-UGDNZRGBSA-N; the U.S. National Institutes of Health PubChem Compound Identifier (CID) for sucrose is 5988; and the Chemical Abstracts Service (CAS) Number of sucrose is 57-50-1.

Sugar described in the previous paragraph includes products of all polarimeter readings described in various forms, such as raw sugar, estandar or standard sugar, high polarity or semi-refined sugar, special white sugar, refined sugar, brown sugar, edible molasses, desugaring molasses, organic raw sugar, and organic refined sugar. Other sugar products, such as powdered sugar, colored sugar, flavored sugar, and liquids and syrups that contain 95 percent or more sugar by dry weight are also within the scope of this Agreement.

The scope of the Agreement does not include (1) sugar imported under the Refined Sugar Re-Export Programs of the U.S. Department of Agriculture (This exclusion applies to sugar imported under the Refined Sugar Re-Export Program, the Sugar-Containing Products Re-Export Program, and the Polyhydric Alcohol Program administered by the U.S. Department of Agriculture.); (2) sugar products produced in Mexico that contain 95 percent or more sugar by dry weight that originated outside of Mexico; (3) inedible molasses (other than inedible desugaring molasses noted above); (4) beverages; (5) candy; (6) certain specialty sugars; and (7) processed food

products that contain sugar (e.g., cereals). Specialty sugars excluded from the scope of this Agreement are limited to the following: caramelized slab sugar candy, pearl sugar, rock candy, dragees for cooking and baking, fondant, golden syrup, and sugar decorations.

Merchandise covered by this Agreement is typically imported under the following headings of the HTSUS: 1701.12.1000, 1701.12.5000, 1701.13.1000, 1701.13.5000, 1701.14.1000, 1701.14.5000, 1701.91.1000, 1701.91.3000, 1701.99.1010, 1701.99.1025, 1701.99.1050, 1701.99.5010, 1701.99.5025, 1701.99.5050, and 1702.90.4000. The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of this Agreement is dispositive.

3. For imports of sugar from Mexico, U.S. Customs and Border Protection (CBP) shall continue to suspend liquidation of such shipments entered, or withdrawn from warehouse, for consumption on or after 12/19/2014, at the subsidy rates identified below.

Producer and/or Exporter: Fondo de Empresas Expropiadas del Sector Azucarero (aka FEESA)

CBP Case Number: C-201-846-001

Subsidy rate: 0.00%

Note: This rate and company case number also apply to the following companies: Fideicomiso Ingenio El Modelo; Fideicomiso Ingenio San Cristobal; Fideicomiso Ingenio Plan De San Luis; Fideicomiso Ingenio San Miguelito; Fideicomiso Ingenio La Providencia; Fideicomiso Ingenio Atencingo; Fideicomiso Ingenio Casasano; Fideicomiso Ingenio El Potrero; and Fideicomiso Ingenio Emiliano Zapata.

Producer and/or Exporter: Ingenio Tala S.A. de C.V.

CBP Case Number: C-201-846-002

Subsidy rate: 0.00%

Note: This rate and company case number also apply to the following companies: Ingenio El Dorado S.A. de C.V. and Ingenio Lazaro Cardenas S.A. de C.V.

Producer and/or Exporter: All Others

CBP Case Number: C-201-846-000

Subsidy rate: 0.00%

4. These cash deposit requirements shall remain in effect until further notice. Do not liquidate any entries of merchandise entered, or withdrawn from warehouse, for consumption on or after

12/19/2014, until specific liquidation instructions are issued.

5. In accordance with the terms of the suspension agreement, shipments of sugar from Mexico entered into the United States, or withdrawn from warehouse, for consumption on or after 02/17/2015, shall be permitted only upon presentation to CBP of a valid export license issued by the Government of Mexico. An export license must be presented to CBP as a condition of entry of all Mexican sugar covered by the suspension agreement. CBP will prohibit the entry of any subject merchandise not accompanied by a valid export license issued by the Government of Mexico. Importers should include the export license number on the entry summary form 7501.

6. 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 OP/BAU: JWR)

7. 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