

MESSAGE NO: 5050301 MESSAGE DATE: 02/19/2015  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 62 FR 45621 FR CITE DATE: 08/28/1997

REFERENCE MESSAGE # 3353204  
(s):

CASE #(s): A-489-805

EFFECTIVE DATE: 08/28/1997 COURT CASE #:

PERIOD OF REVIEW: 01/19/1996 TO 06/30/1997

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/28/1997

TO: { Directors Of Field Operations, Port Directors }

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

RE: Automatic liquidation instructions for certain pasta from Turkey for the period 01/19/1996 through 06/30/1997 (A-489-805)

1. 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.
2. 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 for three firms listed in paragraph 3. Additionally, on 12/11/1998 (63 FR 68429) Commerce rescinded the administrative review with respect to one of these three firms. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms that are not identified in paragraph 3, and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry:

Product: Certain Pasta

Country: Turkey

Case number: A-489-805

Period: 01/19/1996 - 06/30/1997

3. Entries of merchandise produced by the firms listed below, and entered, or withdrawn from warehouse, for consumption during the period 01/19/1996 - 06/30/1997 should be liquidated pursuant to the following messages:

Company: Filiz Gida Sanayi ve Ticaret A.S. (Filiz)

Case number: A-489-805-001

Message: 9140111 dated 05/20/1999

Company: Pastavilla Kartal Makarnacilik Sanayi ve Ticaret A.S. (Pastavilla)

Case number: A-489-805-003

Message: 9140119 dated 05/20/1999

Entries of merchandise from the following firm, entered, or withdrawn from warehouse, for consumption during the period 01/19/1996 - 06/30/1997 should be liquidated pursuant to the following message:

Company: Nuh Ticaret ve Sanayi A.S. (Nuh Ticaret)

Case number: A-489-805-000

Message: 3353204 dated 12/19/2003

4. There are no injunctions applicable to the entries covered by this instruction.
  
5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the notice of initiation of administrative review for the January 1997 anniversary month (62 FR 45621, 08/28/1997). Unless instructed otherwise, for all other shipments of pasta from Turkey you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rate.
  
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 and/or countervailing duties, CBP shall double the antidumping duties 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.

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 CLU:JKD)

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