

MESSAGE NO: 5149305 MESSAGE DATE: 05/29/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 3072302
MESSAGE #
(s):

CASE #(s): A-570-601

EFFECTIVE DATE: 03/20/2015 COURT CASE #: 13-00095

PERIOD OF REVIEW: 06/01/2010 TO 05/31/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 05/29/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for tapered roller bearings from the PRC exported by Changshan from the PRC or exported by Peer Bearing from Thailand for the period 06/01/2010 through 05/31/2011 (A-570-601)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 4 below.

1. On 08/19/2014, the U.S. Court of International Trade ("CIT") sustained the Department of Commerce's results of redetermination, pursuant to the CIT's remand order, in *The Timken Company v. United States and Changshan Peer Bearing Co., Ltd. and Peer Bearing Company*, Slip Op. 2014-97 (CIT August 19, 2014). This CIT decision was appealed to the Court of Appeals for the Federal Circuit by The Timken Company ("Timken"); however, on 03/20/2015, the CIT granted Timken's voluntary withdrawal of its appeal and issued a final decision. As a result of this decision, the injunction to which message 3072302 refers enjoining liquidation of entries which are subject to the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China, for the period 06/01/2010 through 05/31/2011, which were exported by Changshan Peer Bearing Co., Ltd. from the People's Republic of China, or were exported by Peer Bearing (Thailand) Co., Ltd. from Thailand, dissolved on 03/20/2015.

2. For all shipments of tapered roller bearings and parts thereof, finished and unfinished from the People's Republic of China exported by Changshan Peer Bearing Co., Ltd. (A-570-601-028) from the People's Republic of China or exported by Peer Bearing (Thailand) Co., Ltd. from Thailand, imported by or sold to (as indicated on the commercial invoice or Customs documentation) Peer Bearing Company Div SKF USA Inc., and entered, or withdrawn from warehouse, for consumption during the period 06/01/2010 through 05/31/2011, assess an antidumping liability of 0.00 percent of entered value.

3. For all shipments of tapered roller bearings and parts thereof, finished and unfinished from the People's Republic of China exported by Changshan Peer Bearing Co., Ltd. from the People's Republic of China or exported by Peer Bearing (Thailand) Co., Ltd. from Thailand, entered, or withdrawn from warehouse, for consumption during the period 06/01/2010 through 05/31/2011, entered under case number A-570-601-028, and not covered by paragraph 2, assess antidumping

duties at the cash deposit or per-unit rate in effect on the date of entry.

4. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraphs 2 and 3. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of tapered roller bearings and parts thereof, finished and unfinished from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

5. 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.

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

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 O4: BF.)

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