

MESSAGE NO: 5163308 MESSAGE DATE: 06/12/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 80 FR 30041 FR CITE DATE: 05/26/2015

REFERENCE 4170305
MESSAGE #
(s):

CASE #(s): A-570-934

EFFECTIVE DATE: 05/26/2015 COURT CASE #:

PERIOD OF REVIEW: 04/01/2014 TO 04/27/2014

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 05/26/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Automatic liquidation instruction for 1-hydroxyethylidene-1, 1-diphosphonic acid ("HEDP") from China for the period 04/01/2014 through 04/27/2014 (A-570-934)

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 listed below. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect at the time of entry. Liquidate all entries for all firms.

Product: 1-hydroxyethylidene-1, 1-diphosphonic acid

Country: The People's Republic of China

Case number: A-570-934

Period: 04/01/2014 through 04/27/2014

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

4. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 04/2015 anniversary month (80 FR 30041, 05/26/2015). As a result of a five-year ("sunset") review, Commerce revoked the antidumping order on 1-hydroxyethylidene-1, 1-diphosphonic acid ("HEDP") from the People's Republic of China (A-570-934). The effective date of the revocation is 04/28/2014. Message 4170305 dated 06/19/2014 directed CBP to terminate the suspension of liquidation for all shipments of HEDP from the People's Republic of China which were entered, or withdrawn from warehouse, for consumption on or after 04/28/2014, and that all entries of HEDP from the People's Republic of China that were suspended on or after 04/28/2014 should be liquidated without regard to antidumping duties (i.e., release all bonds and refund all cash deposits with interest).

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. 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.

7. 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 OIV:KH.)

8. 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