

MESSAGE NO: 5274304 MESSAGE DATE: 10/01/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: 80 FR 45184 FR CITE DATE: 07/29/2015

REFERENCE MESSAGE # (s): 9321009, 0159301, 0218306,
1139307, 1139310

CASE #(s): A-570-912

EFFECTIVE DATE: 07/20/2015 COURT CASE #:

PERIOD OF REVIEW: 02/20/2008 TO 08/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/29/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions pursuant to final results in Section 129 determination for certain new pneumatic off-the-road tires (OTR tires) from the People's Republic of China (PRC) (A-570-912)

1. Commerce has published in the Federal Register (80 FR 45184) on 07/29/2015 the implementation of its Section 129 determination regarding the antidumping duty administrative review of OTR tires from the PRC for the period 02/20/2008 through 08/31/2009. The effective date of this determination is 07/20/2015.
2. As a result of Commerce's Section 129 determination, the antidumping duty assessment rates from the administrative review have not been revised from those determined in the administrative review. Therefore, pursuant to Commerce's 129 determination, for all entries of OTR tires from the PRC, entered, or withdrawn from warehouse, for consumption during the period 02/20/2008 through 08/31/2009, which remain unliquidated as of 07/20/2015, CBP should assess antidumping duties in accordance with the following liquidation messages. See message 9321009, dated 11/17/2009; message 0159301, dated 06/08/2010; message 0218306, dated 08/06/2010; message 1139307, dated 05/19/2011, message 1139310, dated 05/19/2011; and message 2248305, dated 09/04/2012.
3. The notice of lifting of suspension for merchandise covered in paragraph 2 above occurred with publication of Commerce's Section 129 determination. Accordingly, the notice of lifting of suspension occurred on 07/29/2015.
4. There are no injunctions applicable to the entries covered by this instruction.
5. Unless instructed otherwise, for all other shipments of subject merchandise you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
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 OIII:BQ)

9. There are no restrictions on the release of this information.

Sherri L. Hoffman

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party