

MESSAGE NO: 5296305 MESSAGE DATE: 10/23/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 64 FR 69481 FR CITE DATE: 12/13/1999

REFERENCE MESSAGE #
(s): 8116202

CASE #(s): A-549-813

EFFECTIVE DATE: 12/13/1999 COURT CASE #:

PERIOD OF REVIEW: 07/01/1997 TO 06/30/1998

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/13/1999

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for canned pineapple fruit from Thailand produced by Vita Food Factory (1989) Ltd. (Vita) for the period 07/01/1997 through 06/30/1998 (A-549-813)

1. For all shipments of canned pineapple fruit from Thailand produced by Vita Food Factory (1989) Ltd. (Vita) (A-549-813-011), entered or withdrawn from warehouse for consumption during the period 07/01/1997 through 06/30/1998, not covered by message number 0069204 dated 03/09/2000, assess an antidumping liability at the cash deposit or bonding rate in effect on the date of entry. Entries may have been made under A-549-813-000.
2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the notice of the final results of antidumping duty administrative review and rescission of administrative review in part (64 FR 69481, 12/13/1999).
3. In message number 8116202 dated 04/25/2008, CBP was advised that the antidumping duty order on canned pineapple fruit from Thailand was revoked effective 10/31/2007, and was ordered to discontinue the suspension of liquidation of entries after 10/31/2007.
4. There are no injunctions applicable to the entries covered by this instruction.
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 of payment of estimated antidumping duties 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 duty 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 CLU:JD.)

8. 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