

MESSAGE NO: 2198303 MESSAGE DATE: 07/16/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-868

EFFECTIVE DATE: 12/03/2001 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/16/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Antidumping duty scope determination on folding metal tables and chairs from the People's Republic of China (A-570-868).

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM LIFETIME PRODUCTS, INC. COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 07/03/2012 THAT LIFETIME'S 34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 THAT LIFETIME IMPORTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-868).

2. COMMERCE DETERMINED THAT LIFETIME'S 34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE THE LEGS OF LIFETIME'S TABLES, WHICH FOLD IN PAIRS, DIFFER FROM THE DESCRIPTION OF MERCHANDISE WITHIN THE SCOPE OF THE ORDER. THEREFORE, LIFETIME'S 34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. FOR ALL ENTRIES OF LIFETIME'S 34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 THAT REMAIN UNLIQUIDATED ON OR AFTER 12/03/2001, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ENTRIES OF LIFETIME'S TWO SQUARE FOLD-IN-HALF TABLES PRODUCTS DESCRIBED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS AND RELEASE ANY BONDS RELATING TO LIFETIME'S

34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF LIFETIME'S 34-INCH SQUARE FOLD-IN-HALF TABLES WITH MODEL NUMBER 80243 AND 37-INCH FOLD-IN-HALF SQUARE TABLES WITH MODEL NUMBERS 80100 AND 280011 DESCRIBED ABOVE THAT WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/03/2001.

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. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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, IMPORT ADMINISTRATION, 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:CJR.)

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