

MESSAGE NO: 5363302 MESSAGE DATE: 12/29/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 80 FR 78170 FR CITE DATE: 12/16/2015

REFERENCE 4323301
MESSAGE #
(s):

CASE #(s): A-570-836

EFFECTIVE DATE: 11/16/2015 COURT CASE #: 14-00296

PERIOD OF REVIEW: 03/01/2012 TO 02/28/2013

PERIOD COVERED: 03/01/2012 TO 02/28/2013

Notice of Lifting of Suspension Date: 12/16/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liq instructions for glycine from the PRC exported by Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. or Evonik Rexim S.A.S. for period 03/01/2012 thru 02/28/2013 (A-570-836)

1. On November 16, 2015, the U.S. Court of International Trade issued an order of judgment by stipulation in the case of Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. et al v. United States (Court No. 14-00296). As a result of this order, the injunction, to which message 4323301 refers enjoining liquidation of entries which are subject to the antidumping duty order on glycine from the People's Republic of China (PRC), which were entered, or withdrawn from warehouse, for consumption during the period 03/01/2012 through 02/28/2013, and exported by Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. or Evonik Rexim S.A.S., dissolved on 11/16/2015.
2. For all shipments of glycine from the PRC, which were entered, or withdrawn from warehouse, for consumption during the period 03/01/2012 through 02/28/2013, exported by Evonik Rexim (Nanning) Pharmaceutical Co. Ltd. or Evonik Rexim S.A.S., assess an antidumping liability equal to 155.89 percent of the entered value. There were no case numbers in place for these companies during the period 03/01/2012 through 02/28/2013. Entries may have come in under A-570-836-000.
3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the amended final results of administrative review (80 FR 78170, 12/16/2015). Unless instructed otherwise, for all other shipments of glycine from the PRC, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.
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 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 OVI:EAA.)

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