

MESSAGE NO: 5364311 MESSAGE DATE: 12/30/2015
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 80 FR 77605 FR CITE DATE: 12/15/2015

REFERENCE MESSAGE # (s): 5055308

CASE #(s): A-351-841

EFFECTIVE DATE: 12/15/2015 COURT CASE #:

PERIOD OF REVIEW: 11/01/2013 TO 11/09/2013

PERIOD COVERED: 11/01/2013 TO 11/09/2013

Notice of Lifting of Suspension Date: 12/15/2015

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liq instructions for polyethylene terephthalate film, sheet and strip from Brazil produced by Terphane Ltda. for the period 11/01/2013 through 11/09/2013 (A-351-841-001)

1. Terphane Ltda. reported to Commerce that it had no shipments of polyethylene terephthalate film, sheet and strip from Brazil during the period 11/01/2013, through 11/09/2013. Therefore, pursuant to the publication of the final results of review (80 FR 77605, 12/15/2015) and as a result of Commerce's clarification of its assessment regulation (05/06/2003, 68 FR 23954), for all shipments of polyethylene terephthalate film, sheet and strip from Brazil produced by Terphane Ltda., entered, or withdrawn from warehouse, for consumption during the period 11/01/2013, through 11/09/2013, entered under case number A-351-841-001, and not exported by Terphane Ltda., assess antidumping duties at the all-others rate in effect on the date of entry.

2. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (80 FR 77605, 12/15/2015). The antidumping duty order on polyethylene terephthalate film, sheet and strip from Brazil was revoked effective 11/10/2013 (see message number 5055308, dated 02/24/2015). Therefore, cash deposits shall not be collected.

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

4. 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.

5. 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.

6. 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 OVI:TRW.)

7. 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