

MESSAGE NO: 6211302 MESSAGE DATE: 07/29/2016
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 4100307
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: 07/12/2016 COURT CASE #: 14-00155

PERIOD OF REVIEW: 05/01/2009 TO 04/30/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/29/2016

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for ball bearings and parts thereof from Japan produced and/or exported by certain companies for the period 05/01/2009 through 04/30/2010 (A-588-201)

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 05/10/2016, the United States Court of International Trade issued a final ruling in the case of The Timken Company v. United States (court no. 14-00155). As a result of this decision, the injunction to which message 4190301 refers enjoining liquidation of entries which are subject to the antidumping duty order on ball bearings and parts thereof from the Japan for the period 05/01/2009 through 04/30/2010 produced and/or exported by Audi AG, Bosch Corporation, Bosch Packaging Technology K.K., Bosch Rexroth Corporation, Caterpillar Japan Ltd., Caterpillar Overseas S.A.R.L., Caterpillar Group Services S.A., Caterpillar Brazil Ltd., Caterpillar Africa Pty. Ltd., Caterpillar of Australia Pty. Ltd., Caterpillar S.A.R.L., Caterpillar Americas Mexico, S. de R.L. de C.V., Caterpillar Logistics Services China Ltd., Caterpillar Mexico, S.A. de C.V., Hagglunds Ltd., Hino Motors Ltd., JTEKT Corporation (formerly known as Koyo Seiko Co., Ltd.), Kongskilde Limited, Mazda Motor Corporation, Nachi-Fujikoshi Corporation, Nissan Motor Company, Ltd., Perkins Engines Company Limited, Volkswagen AG, Volkswagen Zubehor GmbH, Yamazaki Mazak Trading Corporation, dissolved on 07/11/2016.

2. For all shipments of ball bearings and parts thereof from Japan produced and/or exported by firms listed below and entered, or withdrawn from warehouse, for consumption during the period 05/01/2009 through 04/30/2010, assess an antidumping liability equal to the percentage of the entered value identified below.

Producer and/or Exporter: JTEKT Corporation (formerly known as Koyo Seiko Co., Ltd.)

Case Number: A-588-201-005

Final Rate: 4.58%

Producer and/or Exporter: Nachi-Fujikoshi Corporation

Case Number: A-588-201-007

Final Rate: 4.58%

Producer and/or Exporter: Mazda Motor Corporation

Case Number: A-588-201-042

Final Rate: 4.58%

Producer and/or Exporter: Nissan Motor Company, Ltd.

Case Number: A-588-201-043

Final Rate: 4.58%

Producer and/or Exporter: Yamazaki Mazak Trading Corporation

Case Number: A-588-201-048

Final Rate: 4.58%

Producer and/or Exporter: Audi AG

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Bosch Corporation

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Bosch Packaging Technology K.K.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Bosch Rexroth Corporation

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Japan Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Overseas S.A.R.L.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Group Services S.A.

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Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Brazil Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Africa Pty. Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar of Australia Pty. Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar S.A.R.L.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Americas Mexico, S. de R.L. de C.V.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Logistics Services China Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Caterpillar Mexico, S.A. de C.V.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Haggblunds Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Hino Motors Ltd.

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Kongskilde Limited

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Perkins Engines Company Limited

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Volkswagen AG

Case Number: A-588-201-000

Final Rate: 4.58%

Producer and/or Exporter: Volkswagen Zubehor GmbH

Case Number: A-588-201-000

Final Rate: 4.58%

Certain firms listed above did not have their own case number during the period of review; entries may have been made under A-588-201-000 or other company-specific case numbers.

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. The antidumping duty order on ball bearings and parts thereof from Japan was revoked, effective 09/15/2011 (see message 4100307 dated 04/10/2014).

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 OI:HP.)

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

Alexander Amdur

Company Details

*Party Indicator Value:

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