

MESSAGE NO: 6257304 MESSAGE DATE: 09/13/2016
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 66 FR 16875 FR CITE DATE: 03/30/2000

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-813

EFFECTIVE DATE: 03/30/2000 COURT CASE #:

PERIOD OF REVIEW: 08/05/1998 TO 01/31/2000

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 03/30/2000

TO: { Directors Of Field Operations, Port Directors }

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

RE: Automatic liquidation instructions for certain preserved mushrooms from India for the period 08/05/1998 through 01/31/2000 (A-533-813)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce did not receive a request for an administrative review of the antidumping duty order for the period and merchandise identified below except for the firms listed in paragraph 3. Liquidation instructions have previously been issued for the firms listed in paragraph 3 as indicated. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms not covered by paragraph 3, and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry:

Product: Certain Preserved Mushrooms

Country: India

Case number: A-533-813

Period: 08/05/1998 through 01/31/2000

3. Entries of merchandise from the firms listed in this paragraph should be liquidated in accordance with the appropriate message as indicated below:

Company: Agro Dutch Foods Ltd.

Case number: A-533-813-001

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 1288204 dated 10/15/2001.

Company: Hindustan Lever Ltd.

Case number: A-533-813-002

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 1288206 dated 10/15/2001.

Company: Alpine Biotech Ltd.

Case number: A-533-813-003

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Mandeep Mushrooms, Ltd.

Case number: A-533-813-004

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Dinesh Agro Products, Ltd

Case Number: A-533-813-005

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Flex Foods, Ltd.

Case Number: A-533-813-006

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Premier Mushroom Farms

Case number: A-533-813-007

Entries for the period 08/05/1998 through 01/31/2000 were liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Saptarishi Agro Industries, Ltd.

Case number: A-533-813-008

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Transchem, Ltd.

Case number: A-533-813-009

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 0202208 dated 07/20/2000.

Company: Himalya International Ltd.

Case number: A-533-813-010

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Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 1288205 dated 10/15/2001.

Company: Techtran Agro Industries Limited

Case number: A-533-813--012

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with message 1288202 dated 10/15/2001.

Company: Weikfield Agro Products Ltd.

Case number: A-533-813-013

Entries for the period 08/05/1998 through 01/31/2000 should be liquidated in accordance with messages 1288203 dated 10/15/2001 and 6251302 dated 09/07/2016.

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

5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 02/2000 anniversary month (66 FR16875, 03/ 30/2000). Unless instructed otherwise, for all other shipments of certain preserved mushrooms from India you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

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. 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.

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, 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 O2:KJ.)

9. 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