

MESSAGE NO: 6354301 MESSAGE DATE: 12/19/2016
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 69 FR 50164 FR CITE DATE: 08/13/2004

REFERENCE 3344203
MESSAGE #
(s):

CASE #(s): A-549-813

EFFECTIVE DATE: 08/13/2004 COURT CASE #: 03-00833

PERIOD OF REVIEW: 07/01/2002 TO 06/30/2003

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/19/2016

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for canned pineapple fruit from Thailand produced and/or exported by Thai Pineapple Canning Industry Corp. Ltd. for the period 07/01/2002 through 06/30/2003 (A-549-813-007)

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

1. On 11/25/2003, the U.S. Court of International Trade issued a preliminary injunction in the case of Thai Pineapple Canning Industry Corp. Ltd. v. United States (03-00833) which enjoined liquidation of certain entries of canned pineapple fruit from Thailand (A-549-813) produced and/or exported by Thai Pineapple Canning Industry Corp. Ltd. that were subject to the final results of the administrative review of canned pineapple fruit from Thailand for the period July 1, 2001, through June 30, 2002 (68 FR 65247, November 19, 2003). See message number 3344203, dated 12/10/2003. On 08/3/2004, the U.S. Court of International Trade dismissed this case, and, therefore, the injunction dissolved effective 08/03/2004.

2. For all shipments of canned pineapple fruit from Thailand produced and/or exported by Thai Pineapple Canning Industry Corp. Ltd. (A-549-813-007), including those subject to injunction under message no. 3344203, exported between July 1, 2001 and June 30, 2002 and entered, or withdrawn from warehouse, for consumption during the period 07/01/2002 through 06/30/2003, assess an antidumping liability of 51.16 percent of the entered value (69 FR 50164, 8/13/2004).

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.

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: MJK.)

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