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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 77 FR 21734 FR CITE DATE: 04/11/2012

REFERENCE 9268205
MESSAGE #
(s):

CASE #(s): A-570-941

EFFECTIVE DATE: 04/11/2012 COURT CASE #:

PERIOD OF REVIEW: 03/05/2009 TO 08/31/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/11/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM EXPORTED BY THE SEPARATE RATE COMPANY FOR THE PERIOD 03/05/2009 THROUGH 08/31/2010 (A-570-941)

1. FOR ALL SHIPMENTS OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE FIRMS AS LISTED IN THE COMPANY-DETAILS TABLE APPENDED TO THE BOTTOM OF THIS MESSAGE, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 03/05/2009 THROUGH 08/31/2010, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 7.89 PERCENT OF THE ENTERED VALUE.

2. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 03/05/2009 THROUGH 09/08/2009, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 7.89 PERCENT OF THE ENTERED VALUE EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

3. ENTRIES FOR THE PERIOD 08/25/2009 THROUGH 09/08/2009 SHOULD BE LIQUIDATED VIA MESSAGE 9268205, DATED 09/25/2009.

4. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE ENTERED DURING THE PERIOD 03/05/2009 THROUGH 08/31/2010, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (77 FR 21734, 04/11/2012). FOR ALL OTHER SHIPMENTS OF CERTAIN KITCHEN APPLIANCE SHELVING AND RACKS FROM THE PEOPLE'S REPUBLIC OF CHINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.

5. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

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 MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING AND/OR COUNTERVAILING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING 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, 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 O9:KJA.)

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

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

| Case # | Rate | Party Indicator* | Party ID | Party Name |
|---------------|-------|------------------|----------|---|
| A-570-941-004 | 7.89% | E | | HANGZHOU DUNLI IMPORT & EXPORT CO., LTD. |
| A-570-941-004 | 7.89% | M | | HANGZHOU DUNLI IMPORT & EXPORT CO., LTD. |