

MESSAGE NO: 2048301 MESSAGE DATE: 02/17/2012  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 77 FR 4759 FR CITE DATE: 01/31/2012

REFERENCE MESSAGE # 3078201  
(s):  
CASE #(s): A-570-863

EFFECTIVE DATE: 01/31/2012 COURT CASE #:

PERIOD OF REVIEW: 12/01/2010 TO 11/30/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 01/31/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Non-review liquidation instruction for honey from the People's Republic of China for the period 12/01/2010 through 11/30/2011 (A-570-863)

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 WILL NOT REVISE THE ASSESSMENT RATES FOR FIRMS WITH A NON-MARKET ECONOMY SEPARATE RATE FOR WHICH AN ANTIDUMPING ADMINISTRATIVE REVIEW WAS NOT REQUESTED FOR THIS PERIOD. THE FIRMS LISTED BELOW HAVE A NON-MARKET ECONOMY SEPARATE RATE AND ARE NOT SUBJECT TO THE REVIEW FOR THE PERIOD 12/01/2010 THROUGH 11/30/2011. THEREFORE, IN ACCORDANCE WITH 19 CFR 351.212(C), YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE FIRMS LISTED BELOW AT THE CASH-DEPOSIT OR BONDING RATE IN EFFECT AT THE TIME OF ENTRY.

PRODUCT: HONEY

COUNTRY: PEOPLE'S REPUBLIC OF CHINA

CASE NUMBER: A-570-863

PERIOD: 12/01/2010 THROUGH 11/30/2011

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

EXPORTER: INNER MONGOLIA

CASE NUMBER: A-570-863-001

EXPORTER: ZHEJIANG NATIVE PRODUCE

CASE NUMBER: A-570-863-003

EXPORTER: SHANGHAI ESWELL ENTERPRISE CO., LTD.

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3. PLEASE BE ADVISED THAT ANY ENTRIES OF HONEY FROM THE PEOPLE'S REPUBLIC OF CHINA THAT WERE THE SUBJECT OF AN AFFIRMATIVE CRITICAL CIRCUMSTANCES FINDING AND WERE ENTERED ON OR AFTER FEBRUARY 10, 2001, OR WERE THE SUBJECT OF A NEGATIVE CRITICAL CIRCUMSTANCES FINDING AND WERE ENTERED ON OR AFTER MAY 11, 2001, AND WERE IMPORTED BY THE IMPORTERS LISTED BELOW WILL REMAIN SUBJECT TO A PRELIMINARY INJUNCTION ENJOINING LIQUIDATION OF ANY SUCH ENTRIES. MESSAGE NUMBER 3078201, SENT MARCH 19, 2003, NOTIFIED THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) OF THIS INJUNCTION COVERING THE ANTIDUMPING DUTY ORDER AND INSTRUCTED THE CBP NOT TO LIQUIDATE CERTAIN ENTRIES IMPORTED. ACCORDINGLY, UNTIL FURTHER NOTICE, DO NOT LIQUIDATE SUCH ENTRIES OF SUBJECT MERCHANDISE EXPORTED BY ZHEJIANG NATIVE PRODUCE (A-570-863-003) LISTED IN PARAGRAPH 2 ABOVE AND IMPORTED BY ANY OF THE FIRMS NOTED BELOW:

ZHEJIANG NATIVE PRODUCE AND ANIMAL BY-PRODUCTS I/E GROUP CORP.

KUNSHAN FOREIGN TRADE CO.

CHINA (TUSHU) SUPER FOOD I/E CORP.

HIGH HOPE INTERNATIONAL GROUP JIANGSU FOODSTUFFS I/E CORP.

NATIONAL HONEY PACKERS & DEALERS ASSOCIATION

ALFRED L. WOLFF, INC.

C.M. GOETTSCHKE & CO.

CHINA PRODUCTS NORTH AMERICA, INC.

PURE SWEET HONEY FARM, INC.

SUNLAND INTERNATIONAL, INC.

D.F. INTERNATIONAL (USA) INC.

EVERGREEN COYLE GROUP, INC.

EVERGREEN PRODUCE, INC.

4. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED IN PARAGRAPH 2 SHOULD NOT BE LIQUIDATED UNTIL THE ISSUANCE OF SPECIFIC INSTRUCTIONS AFTER COMPLETION OF THE ADMINISTRATIVE REVIEW FOR THE PERIOD 12/01/2010 THROUGH 11/30/2011. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED BY FIRMS NOT LISTED IN PARAGRAPH 2 AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

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 01/2012 ANNIVERSARY MONTH (77 FR 4759, 01/31/2012). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF HONEY FROM THE PEOPLE'S REPUBLIC OF CHINA 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 MANUFACTURER, 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 REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O9:JS).

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-570-863-001	130.11%	E		Inner Mongolia
A-570-863-003	\$0.98/kg	E		Zhejiang Native Produce
A-570-863-005	\$2.38/kg	E		Shanghai Eswell Enterprise Co., Ltd.