

MESSAGE NO: 1362305 MESSAGE DATE: 12/28/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 76937 FR CITE DATE: 12/09/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-475-818

EFFECTIVE DATE: 12/09/2011 COURT CASE #:

PERIOD OF REVIEW: 07/01/2009 TO 06/30/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/09/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY BY CERTAIN
NON-SELECTED COMPANIES FOR PERIOD 07/01/2009 THROUGH 06/30/2010 (A-475-818)

1. FOR ALL SHIPMENTS OF CERTAIN PASTA FROM ITALY PRODUCED AND/OR
EXPORTED BY THE FOLLOWING
NON-SELECTED COMPANIES, AS LISTED BELOW, AND ENTERED, OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/01/2009 THROUGH
06/30/2010, ASSESS AN ANTIDUMPING LIABILITY BASED ON THE FOLLOWING PERCENT
MARGIN OF THE ENTERED VALUE:

MANUFACTURER: LIGUORI PASTIFICIO DAL 1820(AKA PAM)

CASE NUMBER: (A-475-818-018)

FINAL RATE: 3.57%

MANUFACTURER: INDUSTRIA ALIMENTARE COLAVITA S.P.A. (INDALCO)

CASE NUMBER: (A-475-818-029)

FINAL RATE: 3.57%

MANUFACTURER: RUMMO S.P.A. MOLINO E. PASTIFICIO (AKA) RUMMO S.P.A. MOLINO E.
PASTIFICIO (RUMMO)

CASE NUMBER: (A-475-818-031)

FINAL RATE: 3.57%

MANUFACTURER: P.A.M. S.P.A. (FORMERLY P.A.M. S.R.L)

CASE NUMBER: (A-475-818-034)

CASH DEPOSIT RATE: 3.57%

MANUFACTURER: PASTIFICIO RISCOSSA F.ILLI MASTROMAURO S.R.L. (SEE SPECIAL
INSTRUCTIONS OR NOTES)

CASE NUMBER: (A-475-818-036)

FINAL RATE: 3.57%

MANUFACTURER: DOMENCIO PAONE FUERASMO S.P.A. AKA DOMENICO PAONE FU ERASMO S.P.A. (ERASMO)

EXPORTER: DOMENCIO PAONE FU ERASMO S.P.A. AKA DOMENICO PAONE FU ERASMO S.P.A. (ERASMO)

CASE NUMBER: (A-475-818-052) (ENTRIES MAY HAVE ALSO COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: PASTIFICIO LABOR S.R.L.

CASE NUMBER: (A-475-818-053) (ENTRIES MAY HAVE ALSO COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: RUSTICHELLA D'ABRUZZO S.P.A. (AKA) RUSTICHELLA D'ABRUZZO S.P.A. (RUSTICHELLA)

CASE NUMBER: (A-475-818-054) (ENTRIES MAY HAVE ALSO COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: P.A.P. SNC DI PAZIENZA G.B. & C.

CASE NUMBER: (A-475-818-056) (ENTRIES MAY HAVE COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: PREMIATO PASTIFICIO AFELTRA S.R.L.

CASE NUMBER: (A-475-818-057) (ENTRIES MAY HAVE COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: PASTIFICIO FABIANELLI S.P.A.

CASE NUMBER: (A-475-818-058) (ENTRIES MAY HAVE COME IN UNDER A-475-818-000)

FINAL RATE: 3.57%

EXPORTER: AGRITALIA S.R.L.

CASE NUMBER: (A-475-818-059) (ENTRIES MAY HAVE COME IN UNDER A-475-818-023,A-475-818-024 OR

A-475-818-000)

FINAL RATE: 3.57%

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT

MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 76937, 12/09/2011). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN PASTA FROM ITALY YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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

4. 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.

5. 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.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE

IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM 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 O3:JZ).

7. 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