

MESSAGE NO: 4051313 MESSAGE DATE: 02/20/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 79 FR 6147 FR CITE DATE: 02/03/2014

REFERENCE MESSAGE #
(s): 3078201, 2363316

CASE #(s): A-570-863

EFFECTIVE DATE: 02/03/2014 COURT CASE #: 02-00057,12-00411

PERIOD OF REVIEW: 12/01/2012 TO 11/30/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 02/03/2014

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 12/01/2012 through 11/30/2013 (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 12/01/2012 through 11/30/2013. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption for the firms listed below at the cash-deposit or bonding rate in effect at the time of entry: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: 12/01/2012 through 11/30/2013

Liquidate all entries for the following firms:

Exporter: Zhejiang Native Produce

Case number: A-570-863-003

Exporter: Shanghai Eswell Enterprise Co., Ltd.

Case number: A-570-863-005

Exporter: Henan Native Produce Import and Export Corp.

Case number: A-570-863-007

Exporter: Wuhan Bee Healthy Co., Ltd

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Case number: A-570-863-010

Exporter: Cixi City Yikang Bee Industry Co., Ltd.

Producer: Jinfu Trading Co., Ltd

Case number: A-570-863-014

Exporter: Anhui Honghui Foodstuff (Group) Co. Ltd

Case number: A-570-863-015

Exporter: Shanghai Taiside Trading Co., Ltd.

Producer: Shanghai Taiside Trading Co., Ltd.

Case number: A-570-863-021

Exporter: Tianjin Eulia Honey Co., Ltd.

Producer: Tianjin Eulia Honey Co., Ltd.

Case number: A-570-863-026

Exporter: Linxiang Jindeya Beekeeping Co., Ltd.

Producer: Shanghai Bloom International Trading Co., Ltd.

Case number: A-570-863-029

3. The injunction with court number 02-00057, in message number 3078201, dated 03/19/2003, is applicable to the entries exported or manufactured by the PRC-wide entity and imported by the companies listed below during the period 12/01/2009 through 11/30/2010. Accordingly, until further notice, continue to suspend liquidation of these entries until liquidation instructions are provided.

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. Goettsche & 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.

The injunction with court number 12-00411, in message number 2363316, dated 12/28/2012, is applicable to entries of subject merchandise which were exported by Dongtai Peak Honey Industry Co., Ltd. and entered, or withdrawn from warehouse, for consumption during the period 12/01/2010 through 11/30/2011. Accordingly, until further notice, continue to suspend liquidation of these entries until liquidation instructions are provided.

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 12/01/2012 through 11/30/2013. 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 12/2013 anniversary month (79 FR 6147, 02/03/2014). 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 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 OV:KM.)

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