

MESSAGE NO: 1333306 MESSAGE DATE: 11/29/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 69702 FR CITE DATE: 11/09/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-905

EFFECTIVE DATE: 11/09/2011 COURT CASE #:

PERIOD OF REVIEW: 06/01/2009 TO 05/31/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 11/09/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for Certain Polyester Staple Fiber from the People's Republic of China exported by PRC-wide entity for the period 06/01/2009 through 05/31/2010 (A-570-905)

1. FOR ALL SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE PRC-WIDE ENTITY (A-570-905-000) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 06/01/2009 THROUGH 05/31/2010, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 44.3 PERCENT OF THE ENTERED VALUE.

NOTE THAT FOR ALL SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE HUVIS SICHUAN CO., LTD. (A-570-905-000) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 06/01/2009 THROUGH 05/31/2010, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 4.44 PERCENT OF THE ENTERED VALUE. HUVIS SICHUAN CO., LTD. IS BEING LIQUIDATED UNDER (A-570-905-000) BECAUSE IT WAS NOT ASSIGNED ITS OWN NINE-DIGIT CASE NUMBER PRIOR TO THIS REVIEW AND IT ONLY OBTAINED SEPARATE RATE STATUS UPON THE PUBLICATION OF THE FINAL RESULTS. THEREFORE, WE ARE LIQUIDATING ITS ENTRIES UNDER (A-570-905-000).

2. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 69702, 11/09/2011). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF CERTAIN POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.

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 SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN 19 CFR 351.402(F)(2). 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 SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

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 O9:SDH).

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

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-905-000	44.30%	I		PRC-WIDE ENTITY