

MESSAGE NO: 1270301 MESSAGE DATE: 09/27/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 9154204, 9224202, 1133311,
MESSAGE # 1133312, 1220301
(s):

CASE #(s): A-570-937

EFFECTIVE DATE: 09/27/2011 COURT CASE #: 09-00241

PERIOD OF REVIEW: 11/20/2008 TO 04/30/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/27/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR PERIOD 11/20/2008 THROUGH 04/30/2010 (A-570-937)

NOTE: NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. SEE PARAGRAPH 3 BELOW.

1. ON 08/09/2011, THE U.S. COURT OF APPEALS FOR THE FEDERAL CIRCUIT DISMISSED THE CASE OF SHANDONG TTCA ET AL. V. UNITED STATES ET AL., ON APPEAL FROM THE U.S. COURT OF INTERNATIONAL TRADE, CT NO. 09-00241. AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE 9224202 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA FOR PERIOD 11/20/2008 THROUGH 04/30/2010, PRODUCED AND/OR EXPORTED BY FIRMS IN PARAGRAPH 2 BELOW, DISSOLVED ON 08/09/2011.

2. FOR ALL SHIPMENTS OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE PEOPLE'S REPUBLIC OF CHINA PRODUCED AND/OR EXPORTED BY THE FIRMS LISTED BELOW, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIODS 11/20/2008 THROUGH 04/30/2010, ASSESS AN ANTIDUMPING LIABILITY OF 110.97 PERCENT OF THE ENTERED VALUE.

NOTE: ENTRIES FOR THE PERIOD 05/20/2009 THROUGH 05/28/2009 SHOULD BE LIQUIDATED VIA MESSAGE 9154204, DATED 06/03/2009.

EXPORTER: TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
PRODUCER: TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
CASE NUMBER: A-570-937-001

EXPORTER: ANHUI BBKA BIOCHEMICAL CO., LTD.
PRODUCER: ANHUI BBKA BIOCHEMICAL CO., LTD.
CASE NUMBER: A-570-937-003

EXPORTER: ANHUI BBKA BIOCHEMICAL CO., LTD.
PRODUCER: CHINA BBKA MAANSHAN BIOCHEMICAL CORP.
CASE NUMBER: A-570-937-004

EXPORTER: A.H.A. INTERNATIONAL CO., LTD.
PRODUCER: YIXING UNION BIOCHEMICAL CO., LTD.
CASE NUMBER: A-570-937-005

EXPORTER: A.H.A. INTERNATIONAL CO., LTD.
PRODUCER: NANTONG FEIYU FINE CHEMICAL CO., LTD.
CASE NUMBER: A-570-937-006

EXPORTER: HIGH HOPE INTERNATIONAL GROUP JIANGSU
NATIVE PRODUCE IMP & EXP CO., LTD.
PRODUCER: YIXING UNION BIOCHEMICAL CO., LTD.
CASE NUMBER: A-570-937-007

EXPORTER: HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.
PRODUCER: HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.
CASE NUMBER: A-570-937-008

EXPORTER: LIANYUNGANG JF INTERNATIONAL TRADE CO., LTD
PRODUCER: TTCA CO., LTD.,
(A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
CASE NUMBER: A-570-937-009

EXPORTER: LAIWU TAIHE BIOCHEMISTRY CO., LTD.
PRODUCER: LAIWU TAIHE BIOCHEMISTRY CO., LTD.
CASE NUMBER: A-570-937-010

EXPORTER: LIANYUNGANG SHUREN SCIENTIFIC CREATION
IMPORT & EXPORT CO.,LTD.
PRODUCER: LIANYUNGANG GREAT CHEMICAL INDUSTRY CO., LTD.
CASE NUMBER: A-570-937-011

EXPORTER: SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.
PRODUCER: SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.

CASE NUMBER: A-570-937-016

EXPORTER: WEIFANG ENSIGN INDUSTRY CO., LTD.

PRODUCER: WEIFANG ENSIGN INDUSTRY CO., LTD.

CASE NUMBER: A-570-937-017

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 11/20/2008 THROUGH 04/30/2010 FOR THE FIRMS LISTED IN PARAGRAPH 2. ACCORDINGLY, NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. FOR ALL OTHER SHIPMENTS OF CITRIC ACID AND CERTAIN CITRATE SALTS 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 RATES.

4. THE INJUNCTION WITH COURT NUMBER 11-00172, IN MESSAGE NUMBER 1220301, DATED 08/08/2011, IS APPLICABLE TO CERTAIN MERCHANDISE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION BY GLOBAL COMMODITY GROUP, LLC, CONSISTING OF CITRIC ACID OF CHINESE ORIGIN BLENDED IN THE DOMINICAN REPUBLIC WITH CITRIC ACID OF NON-CHINESE ORIGIN THAT WAS SUBJECT TO THE DEPARTMENT OF COMMERCE'S SCOPE RULING OF MAY 2, 2011 (SEE MESSAGES 1133311 AND 1133312, DATED 05/13/2011). ACCORDINGLY, UNTIL FURTHER NOTICE, CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED. (NOTE: A-247-937 AND C-247-938 ARE THE CASE NUMBERS THAT COVER ENTRIES OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE DOMINICAN REPUBLIC THAT MAY BE SUBJECT TO ANTIDUMPING AND COUNTERVAILING DUTIES).

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. 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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD 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 AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATIONS. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES.

7. 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 O4:KH).

8. 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-570-937-001	110.97	E		TCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
A-570-937-001	110.97	M		TCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
A-570-937-003	110.97	E		ANHUI BBCA BIOCHEMICAL CO., LTD.
A-570-937-003	110.97	M		ANHUI BBCA BIOCHEMICAL CO., LTD.
A-570-937-004	110.97	E		ANHUI BBCA BIOCHEMICAL CO., LTD.
A-570-937-004	110.97	M		CHINA BBCA MAANSHAN BIOCHEMICAL CORP.
A-570-937-005	110.97	E		A.H.A. INTERNATIONAL CO., LTD.
A-570-937-005	110.97	M		YIXING UNION BIOCHEMICAL CO., LTD.
A-570-937-006	110.97	E		A.H.A. INTERNATIONAL CO., LTD.
A-570-937-006	110.97	M		NANTONG FEIYU FINE CHEMICAL CO., LTD.
A-570-937-007	110.97	E		HIGH HOPE INTERNATIONAL GROUP JIANGSU NATIVE PRODUCE IMP & EXP CO., LTD.
A-570-937-007	110.97	M		YIXING UNION BIOCHEMICAL CO., LTD.

Case #	Rate	Party Indicator*	Party ID	Party Name
A-570-937-008	110.97	E		HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.
A-570-937-008	110.97	M		HUANGSHI XINGHUA BIOCHEMICAL CO., LTD.
A-570-937-009	110.97	E		LIANYUNGANG JF INTERNATIONAL TRADE CO., LTD
A-570-937-009	110.97	M		TTCA CO., LTD., (A.K.A. SHANDONG TTCA BIOCHEMISTRY CO., LTD.)
A-570-937-010	110.97	E		LAIWU TAIHE BIOCHEMISTRY CO., LTD.
A-570-937-010	110.97	M		LAIWU TAIHE BIOCHEMISTRY CO., LTD.
A-570-937-011	110.97	E		LIANYUNGANG SHUREN SCIENTIFIC CREATION IMPORT & EXPORT CO.,LTD.
A-570-937-011	110.97	M		LIANYUNGANG GREAT CHEMICAL INDUSTRY CO., LTD.
A-570-937-016	110.97	E		SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.
A-570-937-016	110.97	M		SHIHEZI CITY CHANGYUN BIOCHEMICAL CO., LTD.
A-570-937-017	110.97	E		WEIFANG ENSIGN INDUSTRY CO., LTD.
A-570-937-017	110.97	M		WEIFANG ENSIGN INDUSTRY CO., LTD.