

MESSAGE NO: 1244304 MESSAGE DATE: 09/01/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 50176 FR CITE DATE: 08/12/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-351-840

EFFECTIVE DATE: 08/12/2011 COURT CASE #:

PERIOD OF REVIEW: 03/01/2009 TO 02/28/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/12/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN ORANGE JUICE FROM BRAZIL FOR THE PERIOD 03/01/2009 THROUGH 02/28/2010 (A-351-840)

1. THE COMPANIES LISTED BELOW REPORTED TO COMMERCE THAT THEY HAD NO SHIPMENTS OF CERTAIN ORANGE JUICE FROM BRAZIL DURING THE PERIOD 03/01/2009 THROUGH 02/28/2010. THEREFORE, PURSUANT TO THE PUBLICATION OF THE FINAL RESULTS OF REVIEW (76 FR 50176, 08/12/2011) AND AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION (68 FR 23954, 05/06/2003), FOR ALL SHIPMENTS OF CERTAIN ORANGE JUICE FROM BRAZIL PRODUCED BY COMPANIES LISTED BELOW, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 03/01/2009 THROUGH 02/28/2010, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR CERTAIN ORANGE JUICE FROM BRAZIL IS 16.51 PERCENT.

COINBRA-FRUTESP S.A.

MONTECITRUS TRADING S.A.

A-351-840-004

REGARDING COINBRA-FRUTESP S.A. LISTED ABOVE, THIS COMPANY DID NOT HAVE AN INDIVIDUAL CASE NUMBER AT THE TIME OF ENTRY FOR THE PERIOD COVERED BY THESE INSTRUCTIONS. ENTRIES BY THIS COMPANY MAY HAVE BEEN MADE UNDER THE CASE NUMBER A-351-840-000. ENTRIES BY MONTECITRUS TRADING S.A. MAY ALSO HAVE BEEN MADE UNDER THE CASE NUMBER A-351-840-000.

2. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 03/01/2009 THROUGH 02/28/2010 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 50176, 08/12/2011). FOR ALL OTHER SHIPMENTS OF CERTAIN ORANGE JUICE FROM BRAZIL YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES 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. 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 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 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 O2: BW).

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