

MESSAGE NO: 1200307 MESSAGE DATE: 07/19/2011  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-831

EFFECTIVE DATE: 07/11/1994 COURT CASE #:

PERIOD OF REVIEW: 11/01/2008 TO 10/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/19/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING DUTY SCOPE RULING ON FRESH GARLIC FROM THE PEOPLE'S  
REPUBLIC OF CHINA (A-570-831)

NOTE: NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE  
LISTED IN THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM GENERAL MILLS, INC. COMMERCE ISSUED A FINAL SCOPE RULING ON 07/12/2011, THAT MINCED GARLIC IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER/FINDING COVERING FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-831).
2. COMMERCE DETERMINED THAT MINCED GARLIC MERITS A NEGATIVE SCOPE RULING BECAUSE THE SCOPE OF THE ORDER CLEARLY LIMITS GARLIC SUBJECT TO THE ORDER AS ANY WHOLE GARLIC OR GARLIC SEPARATED INTO CONSTITUENT CLOVES. THEREFORE, MINCED GARLIC IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA.
3. EFFECTIVE 07/11/1994 (THE DATE OF THE PRELIMINARY LESS THAN FAIR VALUE DETERMINATION), TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF MINCED GARLIC LISTED ABOVE.
4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO MINCED GARLIC LISTED ABOVE.
5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF MINCED GARLIC ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 07/11/1994.
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. 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. FOR ALL OTHER SHIPMENTS OF FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. 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 O6:DL).

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