

MESSAGE NO: 1133304 MESSAGE DATE: 05/13/2011  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 76 FR 23545 FR CITE DATE: 04/27/2011

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-351-840

EFFECTIVE DATE: 04/27/2011 COURT CASE #:

PERIOD OF REVIEW: 03/01/2010 TO 02/28/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/27/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN ORANGE JUICE FROM BRAZIL FOR THE PERIOD 03/01/2010 THROUGH 02/28/2011 (A-351-840)

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 SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: CERTAIN ORANGE JUICE

COUNTRY: BRAZIL

CASE NUMBER: A-351-840

PERIOD: 03/01/2010 THROUGH 02/28/2011

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

COMPANY: SUCOCITRICO CUTRALE LTDA.

CASE NUMBER: A-351-840-001

COMPANY: MONTECITRUS TRADING S.A.

CASE NUMBER: A-351-840-004

COMPANY: FISCHER S.A COMERCIO, INDUSTRIA, AND AGRICULTURA

CASE NUMBER: A-351-840-005

COMPANY: COINBRA-FRUTESP S.A.

COMPANY: LOUIS DREYFUS COMMODITIES AGROINDUSTRIAL S.A.

FOR THE COMPANIES LISTED ABOVE WITHOUT 10-DIGIT CASE NUMBERS, THESE COMPANIES DID NOT HAVE INDIVIDUAL CASE NUMBERS AT THE TIME OF ENTRY FOR THE PERIOD COVERED BY THESE INSTRUCTIONS. ENTRIES BY THESE COMPANIES MAY HAVE BEEN MADE UNDER THE CASE NUMBER A-351-840-000. ENTRIES BY FIRMS WITH CASE NUMBERS LISTED ABOVE ALSO MAY HAVE BEEN MADE UNDER THE CASE NUMBER A-351-840-000. CBP OFFICERS MUST ALSO EXAMINE ENTRIES UNDER A-351-840-000 AND ALL EXISTING COMPANY-SPECIFIC CASE NUMBERS TO ENSURE THE CONTINUED SUSPENSION OF LIQUIDATION OF ENTRIES DURING THE APPLICABLE PERIOD OF REVIEW FOR THE COMPANY(IES) LISTED ABOVE.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS 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 DURING THE PERIOD 03/01/2010 THROUGH 02/28/2011 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 03/2011 ANNIVERSARY MONTH (76 FR 23545, 04/27/2011). FOR ALL OTHER SHIPMENTS OF CERTAIN ORANGE JUICE FROM BRAZIL YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES 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. 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 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.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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: 02:AM).

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