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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 76718 FR CITE DATE: 12/13/2002

REFERENCE MESSAGE #
(s): 3024202

CASE #(s): A-549-813

EFFECTIVE DATE: 12/13/2002 COURT CASE #:

PERIOD OF REVIEW: 07/01/2000 TO 06/30/2001

PERIOD COVERED: 07/01/2000 TO 06/30/2001

Notice of Lifting of Suspension Date: 12/13/2002

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CANNED PINEAPPLE FRUIT FROM THAILAND
FOR THE PERIOD 07/01/2000 - 06/30/2001 (A-549-813)

1. BELOW ARE THE ONLY LIQUIDATION INSTRUCTIONS THAT HAVE BEEN SENT TO DATE
FOR CANNED PINEAPPLE FRUIT FROM THAILAND FOR THE PERIOD 07/01/2000 THROUGH
06/30/2001.

MESSAGE 3014201, 01/14/2003
DOLE FOOD COMPANY, INC. (A-549-813-001)

MESSAGE 3120202, 04/30/2003
DOLE FOOD COMPANY INC. (A-549-813-001)
DOLE PACKAGED FOODS COMPANY, (A-549-813-002),
DOLE THAILAND, LTD. (A-549-813-003)

MESSAGE 3014202, 01/14/2003
KUIBURI FRUIT CANNING CO., LTD (A-549-813-012)

MESSAGE 3023203, 01/23/2003
KUIBURI FRUIT CANNING CO., LTD. (A-549-813-012)

MESSAGE 3014203, 01/14/2003
MALEE SAMPRAN FACTORY PUBLIC CO., LTD. (A-549-813-004)

MESSAGE 3014204, 01/14/2003
SIAM FOOD PRODUCTS PUBLIC COMPANY, LTD. (A-549-813-008)

MESSAGE 3024201, 01/24/2003
SIAM FOOD PRODUCTS PUBLIC CO., LTD.(A-549-813-008)

MESSAGE 3024202, 01/24/2003
SIAM FOOD PRODUCTS PUBLIC CO., LTD. (A-549-813-008)

MESSAGE 3218201, 08/06/2003

SIAM FOOD PRODUCTS PUBLIC CO., LTD. (A-549-813-008)

MESSAGE 3014205, 01/14/2003

SIAM FRUIT CANNING (1988) CO., LTD. (A-549-813-013)

MESSAGE 3014206, 01/14/2003

THAI PINEAPPLE PUBLIC CO., LTD. (A-549-813-006)

MESSAGE 3014207, 01/14/2003

THAI PINEAPPLE CANNING INDUSTRY CORP., LTD. (A-549-813-007)

MESSAGE 3013210, 01/13/2003

VITA FOOD FACTORY (1989) CO., LTD. (A-549-813-011)

2. IF YOU ARE STILL SUSPENDING LIQUIDATION ON ANY ENTRIES OF CANNED PINEAPPLE FRUIT FROM THAILAND DURING THE PERIOD 07/01/2000 THROUGH 06/30/2001 AFTER APPLYING ALL OF THE ABOVE LIQUIDATION INSTRUCTIONS, YOU SHOULD NOW LIQUIDATE SUCH ENTRIES AT THE DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY OF THE MERCHANDISE.

3. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE ENTERED DURING THE PERIOD 07/01/2000 THROUGH 06/30/2001, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (67 FR 76718, 12/13/2002).

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

5. 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.

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, 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.

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 O1: DL).

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