

MESSAGE NO: 1088301 MESSAGE DATE: 03/29/2011  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ADRV-Administrative Review

FR CITE: 57 FR 3167 FR CITE DATE: 01/28/1992

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-588-703

EFFECTIVE DATE: 01/28/1992 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/24/1987 TO 05/31/1989

Notice of Lifting of Suspension Date: 01/28/1992

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR INTERNAL COMBUSTION FORKLIFT TRUCKS FROM JAPAN FOR THE PERIOD 11/24/1987 THROUGH 05/31/1989 (A-588-703)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. IF CBP IS STILL SUSPENDING LIQUIDATION OF ENTRIES OF INTERNAL COMBUSTION FORKLIFT TRUCKS FROM JAPAN (A-588-703) WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/24/1987 THROUGH 05/31/1989, CBP SHOULD NOW LIQUIDATE SUCH ENTRIES AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY OF THE MERCHANDISE.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 11/24/1987 THROUGH 05/31/1989 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (57 FR 3167 (01/28/1992)).

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON 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 AND 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 (6/7/1988). 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.

4. THE REGULATIONS COVERING THE REIMBURSEMENT OF ANTIDUMPING DUTIES CHANGED DURING THE PERIOD COVERED BY THESE INSTRUCTIONS (11/24/1987 THROUGH 05/31/1989).

A. FOR ENTRIES MADE FROM 02/05/1980 TO 04/26/1989, THE IMPORTER WAS REQUIRED TO FILE THE REIMBURSEMENT CERTIFICATE WITHIN 30 DAYS AFTER THE EARLIER OF 1) PUBLICATION OF THE ORDER OR ANY ADMINISTRATIVE REVIEW THEREOF PURSUANT TO §353.53, OR, IF APPROPRIATE, § 353.49, OR 2) IMPORTATION OF THE MERCHANDISE IN A DISTRICT IN WHICH NOT PREVIOUSLY IMPORTED.

B. THE REGULATION AT 19 CFR 353.26 (1989) WENT INTO EFFECT ON 04/27/1989. UPON ASSESSMENT OF ANTIDUMPING DUTIES ON ENTRIES MADE ON OR AFTER 04/27/1989, CBP SHOULD REQUIRE OF THE IMPORTER, PRIOR TO LIQUIDATION, THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 (1989) OF COMMERCE'S REGULATIONS. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES OR DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF28 OR CF29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES DUE IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION.

5. 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 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 O5:HP).

6. 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