

MESSAGE NO: 1046305 MESSAGE DATE: 02/15/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 76 FR 5137 FR CITE DATE: 01/28/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-357-812

EFFECTIVE DATE: 01/28/2011 COURT CASE #:

PERIOD OF REVIEW: 12/01/2009 TO 11/30/2010

PERIOD COVERED: 12/01/2009 TO 11/30/2010

Notice of Lifting of Suspension Date: 01/28/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR HONEY FROM ARGENTINA FOR THE PERIOD 12/01/2009 THROUGH 11/30/2010 (A-357-812)

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WITH SECTION 351.212(C) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.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: HONEY

COUNTRY: ARGENTINA

CASE NUMBER: A-357-812

PERIOD: 12/01/2009 THROUGH 11/30/2010

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

HONEYMAX S.A. A-357-812-005

NEXCO S.A. A-357-812-006

TRANSHONEY S.A. A-357-812-008

COMPANIA APICOLA ARGENTINA S.A. A-357-812-010

MIELAR S.A. A-357-812-011

EL MANA S.A. A-357-812-015

PATAGONIK S.A. A-357-812-017

COMPANIA INVERSORA PLATENSE S.A. A-357-812-018

A.G.L.H. S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

ALGODONERA AVELLANEDA, S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

ALIMENTOS NATURALES-NATURAL FOODS LAVALLE
(TEN DIGIT CASE NUMBER NOT ASSIGNED)

ALMA PURA S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

APIDOURO COMERCIAL EXPORTADORA E IMPORTADORA LTDA
(TEN DIGIT CASE NUMBER NOT ASSIGNED)

BOMARE S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

INDUSTRIAL HAEDO S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

INTERRUPCION S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

MIEL CETA S.R.L. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

PRODUCTOS AFER S.A. (TEN DIGIT CASE NUMBER NOT ASSIGNED)

SEABIRD ARGENTINA S.A. (TEN DIGIT NUMBER NOT ASSIGNED)

VILLAMORA S.A.
(TEN DIGIT CASE NUMBER NOT ASSIGNED DURING THE PERIOD OF REVIEW)

CBP OFFICERS MUST ALSO EXAMINE ENTRIES UNDER A-357-812-000 AND ALL EXISTING COMPANY-SPECIFIC CASE NUMBERS TO ENSURE THE CONTINUED SUSPENSION OF LIQUIDATION OF ENTRIES DURING THE APPLICABLE PERIOD OF REVIEW FOR THE COMPANIES 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 12/01/2009 THROUGH 11/30/2010 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 12/2010 ANNIVERSARY MONTH (76 FR 5137, 01/28/2011). FOR ALL OTHER SHIPMENTS OF HONEY FROM ARGENTINA 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 AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATIONS. ADDITIONALLY, IF

THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTY AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING DUTIES.

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 07:BW).

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