

MESSAGE NO: 4016302 MESSAGE DATE: 01/16/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: COR-Correction

FR CITE: FR CITE DATE:

REFERENCE MESSAGE # (s): 3078201, 6227201, 3351304

CASE #(s): A-570-863

EFFECTIVE DATE: 12/18/2009 COURT CASE #: 06-00234

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 12/17/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Correction of message 3351304, dated 12/17/2013 concerning the antidumping duty order on honey from the People's Republic of China (A-570-863)

1. This is a correction to message 3351304, dated 12/17/2013, to correct paragraphs 2 and 4.
2. Paragraphs 2 and 4 of message 3351304 contain incorrect information pertaining to exporter Zhejiang Native Produce and Animal By-Products Import & Export Group Corp. (A-570-863-003). In paragraph 2, we inadvertently included exporter Zhejiang Native Produce and Animal By-Products Import & Export Group Corp. (A-570-863-003) in the list of companies to be liquidated. Even though this company is included in the dismissal of court number 06-00234, because this company is also subject to the injunction with court number 02-00057, it should not have been included in paragraph 2. In paragraph 4, we inadvertently omitted reference to the injunction with court number 02-00057.
3. On 12/18/2009, the Court of International Trade dismissed the case of Zhejiang Native Produce and Animal By-Products Import & Export Group Corp., Jiangsu Kanghong Natural Healthfoods Co., Ltd., and Anhui Honghui Foodstuff (Group) Co., Ltd. v. United States (court no. 06-00234), because plaintiffs withdrew their appeal of the Department's remand determination in the case. As a result, the injunction to which message 6227201 refers enjoining liquidation of entries which are subject to the antidumping duty order on honey from the People's Republic of China for the period 12/01/2003 through 11/30/2004 exported by Zhejiang Native Produce and Animal By-Products Import & Export Group Corp., Jiangsu Kanghong Natural Healthfoods Co., Ltd., and Anhui Honghui Foodstuff (Group) Co., Ltd. dissolved on 12/18/2009.
4. For all shipments of honey from the People's Republic of China exported by the firms listed below, and entered or withdrawn from warehouse, for consumption during the period 12/01/2003 through 11/30/2004, assess an antidumping liability equal to the percentages listed below of the entered value:

Exporter: Anhui Honghui Foodstuff (Group) Co., Ltd.

Case Number: A-570-863-015

Final rate: 203.38%

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Exporter: Jiangsu Kanghong Natural Healthfoods Co., Ltd.

Case Number: A-570-863-018

Final rate: 201.57%

5. Message 3351304 constituted notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 4. Accordingly, notice of the lifting of suspension occurred on 12/17/2013, the message date of message 3351304. Unless instructed otherwise, for all other shipments of honey from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

6. The injunction with court number 02-00057, in message number 3078201, dated 03/19/2003, is applicable to the entries exported to or imported into the United States by the companies listed below. Accordingly, until further notice, do not liquidate entries of subject merchandise which were exported to or imported into the United States by the following companies:

Alfred L. Wolff, Inc.

C.M. Goettsche & Co.

China (Tushu) Super Food Import & Export Corp.

China Products North America, Inc.

D.F. International (USA) Inc.

Evergreen Coyle Group, Inc.

Evergreen Produce Inc.

High Hope International Group

Jiangsu Foodstuffs Import & Export Corp.

Kunshan Foreign Trade Co.

National Honey Packers & Dealers Association (NHPDA)

Pure Sweet Honey Farm, Inc.

Sunland International, Inc.

Zhejiang Native Produce & Animal By-Products Import & Export Group Corp.

and which were subject of an affirmative critical circumstances finding and were entered on or withdrawn from warehouse, for consumption on or after February 10, 2001; and which were subject of a negative critical circumstance finding and were entered or withdrawn from warehouse, for consumption on or after May 11, 2001.

7. 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, as amended. 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.

8. Upon assessment of antidumping duties, CBP shall 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 producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

9. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by OV:fmv.)

10. 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