

MESSAGE NO: 0334301 MESSAGE DATE: 11/30/2010
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 75 FR 69402 FR CITE DATE: 11/12/2010

REFERENCE MESSAGE # (s): 0260324

CASE #(s): A-412-201

EFFECTIVE DATE: 11/12/2010 COURT CASE #:

PERIOD OF REVIEW: 05/01/2009 TO 04/30/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 11/12/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM (A-412-201).

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM (A-412-201), COVERING THE PERIOD 05/01/2009 THROUGH 04/30/2010, HAS BEEN RESCINDED FOR THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2009 THROUGH 04/30/2010 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

COMPANY: PRATT & WHITNEY

CASE NUMBER: ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS

COMPANY: ROLLS-ROYCE PLC

CASE NUMBER: ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS

2. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ENTRIES OF MERCHANDISE PRODUCED AND/OR EXPORTED BY THE COMPANIES LISTED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2009 THROUGH 04/30/2010 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY UNLESS THE ENTRIES WERE MADE UNDER THE COMPANY NAMES AND/OR CBP CASE NUMBERS FOR THE SPECIFIC COMPANIES LISTED BELOW. ALL ENTRIES PRODUCED AND/OR EXPORTED BY THE FOLLOWING COMPANIES AND ENTERED UNDER THE FOLLOWING COMPANY NAMES OR CASE NUMBERS MUST REMAIN SUSPENDED UNTIL FURTHER NOTICE BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF THESE COMPANIES:

COMPANY: ALCATEL VACUUM TECHNOLOGY

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: BOSCH REXROTH LIMITED

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: CATERPILLAR S.A.R.L.

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: CATERPILLAR OF AUSTRALIA PTY LTD.

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: CATERPILLAR GROUP SERVICES S.A.

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: CATERPILLAR MARINE POWER UK

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: CATERPILLAR OVERSEAS S.A.R.L.

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: NSK BEARINGS EUROPE LTD.

CASE NUMBER: A-412-201-010

COMPANY: PERKINS ENGINES COMPANY LTD.

CASE NUMBER: 10-DIGIT CASE NUMBER NOT ASSIGNED TO THIS COMPANY; ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: SKF (U.K.) LIMITED

CASE NUMBER: ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: SKF AEROENGINE BEARINGS U.K. (FORMERLY KNOWN AS SNFA UK)

CASE NUMBER: ENTRIES MAY HAVE ENTERED UNDER A-412-201-012 OR A-412-201-015.

COMPANY: SNR UK

CASE NUMBER: ENTRIES MAY HAVE ENTERED UNDER A-412-201-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS

3. AS A RESULT OF ITS REVOCATION, IN PART, EFFECTIVE 05/01/2009, FROM THE ANTIDUMPING DUTY ORDER, COMMERCE HAS RESCINDED THE ADMINISTRATIVE REVIEW COVERING THE PERIOD 05/01/2009 THROUGH 04/30/2010 WITH RESPECT TO BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM EXPORTED AND/OR SOLD BY THE BARDEN CORPORATION (UK) LIMITED (A-412-201-001) AND/OR SCHAEFFLER GROUP (UK) LIMITED (A-412-201-004).

4. PURSUANT TO MESSAGE NUMBER 0260324 DATED 09/17/2010, ENTRIES EXPORTED AND/OR SOLD BY THE BARDEN CORPORATION (UK) LIMITED AND/OR SCHAEFFLER GROUP (UK) LIMITED WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/01/2009 SHOULD BE LIQUIDATED WITHOUT REGARD TO ANTIDUMPING DUTIES (I.E., RELEASE ALL BONDS AND REFUND ALL CASH DEPOSITS).

5. FOR MERCHANDISE WHICH WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2009 THROUGH 04/30/2010 AND PRODUCED BY THE BARDEN CORPORATION (UK) LIMITED OR SCHAEFFLER GROUP (UK) LIMITED BUT SOLD OR EXPORTED BY A FIRM LISTED IN PARAGRAPH 2 ABOVE, CBP IS INSTRUCTED TO CONTINUE SUSPENSION OF LIQUIDATION UNTIL FURTHER NOTICE BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF THESE COMPANIES.

6. FOR MERCHANDISE PRODUCED BY THE BARDEN CORPORATION (UK) LIMITED OR SCHAEFFLER GROUP (UK) LIMITED BUT SOLD OR EXPORTED BY ANY FIRM OTHER THAN THE BARDEN CORPORATION (UK) LIMITED, SCHAEFFLER GROUP (UK) LIMITED, OR ANY FIRM LISTED IN PARAGRAPH 2 ABOVE WHICH WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, OR CONSUMPTION DURING THE PERIOD 05/01/2009 THROUGH 04/30/2010, YOU ARE TO LIQUIDATE AND ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

7. FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS PRODUCED BY THE BARDEN CORPORATION (UK) LIMITED ARE SUSPENDED UNDER ROLLS-ROYCE PLC, CBP IS TO LIQUIDATE THESE ENTRIES AT THE CASH DEPOSIT OR BONDING RATE REQUIRED FOR ROLLS-ROYCE PLC AT THE TIME OF ENTRY. FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS PRODUCED BY THE BARDEN CORPORATION (UK) LIMITED ARE SUSPENDED UNDER NSK BEARINGS EUROPE LTD., SUCH ENTRIES MUST REMAIN SUSPENDED UNTIL COMMERCE COMPLETES ITS REVIEW OF NSK BEARINGS EUROPE LTD. AND CBP MUST NOT LIQUIDATE SUCH ENTRIES PURSUANT TO THESE INSTRUCTIONS BECAUSE, ALTHOUGH COMMERCE HAS RESCINDED THE REVIEW OF THE BARDEN CORPORATION (UK) LIMITED, COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF NSK BEARINGS EUROPE LTD.

8. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 05/01/2009 THROUGH 04/30/2010 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF RESCISSION OF ADMINISTRATIVE REVIEW, 75 FR 69402, 11/12/2010. FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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

10. 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.

11. 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.

12. 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 O5:DR).

13. 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