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

FR CITE: 75 FR 53661 FR CITE DATE: 09/01/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-412-201

EFFECTIVE DATE: 09/01/2010 COURT CASE #:

PERIOD OF REVIEW: 05/01/2008 TO 04/30/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/01/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR BALL BEARINGS AND PARTS THEREOF FROM THE U.K. EXPORTED AND/OR SOLD BY THE BARDEN CORPORATION (UK) LIMITED, FOR THE PERIOD 05/01/2008 THROUGH 04/30/2009(A-412-201-001)

1. FOR ALL SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM EXPORTED AND/OR SOLD BY THE BARDEN CORPORATION (UK) LIMITED, IMPORTED BY OR SOLD TO (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION) THE BARDEN CORPORATION, AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009, ASSESS AN ANTIDUMPING LIABILITY OF 0.00 PERCENT OF THE ENTERED VALUE.

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM PRODUCED BY THE BARDEN CORPORATION (UK) LIMITED, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009, ENTERED UNDER CASE NUMBER A-412-201-001, AND NOT COVERED BY PARAGRAPH 1 OR OTHER EXPORTER-SPECIFIC INSTRUCTIONS, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR BALL BEARINGS AND PARTS THEREOF FROM THE UNITED KINGDOM IS 54.27 PERCENT.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (75 FR 53661, 09/01/2010). 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 AT THE CURRENT RATES.

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 TRENTHAM 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).

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