

MESSAGE NO: 0258303 MESSAGE DATE: 09/15/2010  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 75 FR 53274 FR CITE DATE: 08/31/2010

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-475-819

EFFECTIVE DATE: 08/31/2010 COURT CASE #:

PERIOD OF REVIEW: 01/01/2009 TO 12/31/2009

PERIOD COVERED: 01/01/2009 TO 12/31/2009

Notice of Lifting of Suspension Date: 08/31/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR CERTAIN PASTA FROM ITALY FOR THE PERIOD 01/01/2009 - 12/31/2009 (C-475-819)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF COUNTERVAILING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED PURSUANT TO SECTION 751(A)(1) OF THE TARIFF ACT OF 1930 AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212 OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.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: CERTAIN PASTA

COUNTRY: ITALY

CASE NUMBER: C-475-819

PERIOD: 01/01/2009 TO 12/31/2009

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

COMPANY: PASTIFICIO ANTONI O PALLANTE S.R.L.

CASE NUMBER: (C-475-819-031)

COMPANY: F.LLI DE CECCO DI FILIPPO FARA SAN MARTINO S.P.A./ MOLINO E PASTIFICIO DE CECCO S.P.A.

CASE NUMBER: (C-475-819-005)

COMPANY: PASTIFICIO FABIANELLI S.P.A.

CASE NUMBER: (C-475-819-033)

COMPANY: MOLINE E PASTIFICIO TOMASELLO S.R.L.

CASE NUMBER: (C-475-819-051)

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 COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.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 01/01/2009 THROUGH 12/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 07/2009 ANNIVERSARY MONTH (75 FR 53274, 08/31/2010). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF SUBJECT MERCHANDISE AT THE CURRENT RATE.

6. THE ASSESSMENT OF COUNTERVAILING 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 COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES 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. 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 O1:MK).

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