

MESSAGE NO: 0139303 MESSAGE DATE: 05/19/2010
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 75 FR 22384 FR CITE DATE: 04/28/2010

REFERENCE 9007204
MESSAGE #
(s):

CASE #(s): A-428-201

EFFECTIVE DATE: 04/28/2010 COURT CASE #:

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

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/28/2010

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 GERMANY (A-428-201)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM GERMANY (A-428-201), COVERING THE PERIOD 05/01/2008 THROUGH 04/30/2009, HAS BEEN RESCINDED IN PART FOR THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

COMPANY: RWG FRANKENJURA-INDUSTRIE FLUGWERKLAGER GMBH (RWG)
CASE NUMBER: DID NOT HAVE ITS OWN CASE NUMBER DURING THIS PERIOD. ENTRIES MAY HAVE BEEN MADE UNDER A-428-201-000 OR OTHER COMPANY-SPECIFIC NUMBERS.

COMPANY: SNR WALZLAGER GMBH
CASE NUMBER: A-428-201-032

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DUTIES ON ENTRIES OF MERCHANDISE PRODUCED AND/OR EXPORTED BY THE COMPANIES LISTED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2008 THROUGH 04/30/2009 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY UNLESS THE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UNDER THE FOLLOWING COMPANY NAMES OR CASE NUMBERS MUST REMAIN SUSPENDED UNTIL FURTHER NOTICE BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF THESE COMPANIES: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: SKF GMBH

CASE NUMBER: A-428-201-012

COMPANY: THE SCHAEFFLER GROUP INCLUDING SCHAEFFLER KG

CASE NUMBERS: A-428-201-091, A-428-201-001, OR A-428-201-004

COMPANY: MYONIC GMBH

CASE NUMBER: ENTRIES MAY HAVE BEEN MADE UNDER A-428-201-029, A-428-201-000 OR OTHER COMPANY-SPECIFIC NUMBERS. SEE MESSAGE NUMBER 9007204 DATED 01/07/2009.

3. FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS EXPORTED BY RWG FRANKENJURA-INDUSTRIE FLUGWERKLAGER GMBH ARE SUSPENDED UNDER SKF GMBH AS THE PRODUCER, SUCH ENTRIES MUST REMAIN SUSPENDED UNTIL COMMERCE COMPLETES ITS REVIEW OF SKF GMBH AND CBP MUST NOT LIQUIDATE SUCH ENTRIES PURSUANT TO THESE INSTRUCTIONS BECAUSE, ALTHOUGH COMMERCE HAS RESCINDED ITS REVIEW OF RWG FRANKENJURA-INDUSTRIE FLUGWERKLAGER GMBH, IT HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF SKF GMBH.

FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS EXPORTED BY RWG FRANKENJURA-INDUSTRIE FLUGWERKLAGER GMBH ARE SUSPENDED UNDER SNR WALZLAGER GMBH AS THE PRODUCER, CBP SHOULD LIQUIDATE THEM PURSUANT TO THESE INSTRUCTIONS AT THE CASH-DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY BECAUSE COMMERCE HAS RESCINDED THE REVIEW OF BOTH SNR WALZLAGER AND RWG FRANKENJURA-INDUSTRIE FLUGWERKLAGER GMBH.

4. COMMERCE HAS REVOKED THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM GERMANY IN PART AND PUBLISHED THE REVOCATION IN THE FEDERAL REGISTER ON 08/31/2009. THE PARTIAL REVOCATION APPLIES TO ALL SUBJECT MERCHANDISE EXPORTED AND/OR SOLD BY GEBRUEDER REINFURT GMBH & CO., KG (GRW)(A-428-201-006), AND THE EFFECTIVE DATE OF THE REVOCATION IS 05/01/2008. PLEASE SEE MESSAGE NUMBER 9252204 DATED 09/09/2009.

5. 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 RESCISSION OF REVIEW IN PART (75 FR 22384, 04/28/2010). FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM GERMANY YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO

COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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

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. 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 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.

9. 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 05:CC).

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