

MESSAGE NO: 0109303 MESSAGE DATE: 04/19/2010

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

FR CITE: 75 FR 12726 FR CITE DATE: 03/17/2010

REFERENCE 0091304  
MESSAGE #  
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: 03/17/2010 COURT CASE #:

PERIOD OF REVIEW: 08/01/2007 TO 07/31/2008

PERIOD COVERED: 08/01/2007 TO 07/31/2008

Notice of Lifting of Suspension Date: 03/17/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN FISH FILLETS FROM VIETNAM EXPORTED BY AGIFISH OR EAST SEA SEAFOODS (A-552-801-001/014)

1. FOR ALL SHIPMENTS OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM EXPORTED BY THE FIRMS LISTED BELOW AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2007 THROUGH 07/31/2008, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO \$0.02 U.S. DOLLARS PER KILOGRAM OF SUBJECT MERCHANDISE.

EXPORTER: AGIFISH

CASE NUMBER: A-552-801-001

EXPORTER: EAST SEA SEAFOODS JOINT VENTURE COMPANY

CASE NUMBER: A-552-801-014

2. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE ENTERED DURING THE PERIOD 08/01/2007 THROUGH 07/31/2008, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW) (75 FR 12726, 03/17/2010). FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.

3. THE INJUNCTIONS WITH COURT NUMBER 10-00102, IN MESSAGE NUMBER 0091304, DATED 04/05/2010, IS APPLICABLE TO THE ENTRIES EXPORTED BY EAST SEA SEAFOODS JOINT VENTURE COMPANY OR EAST SEA SEAFOODS LLC AND IMPORTED BY EAST SEA SEAFOODS LLC OR PIAZZA'S SEAFOOD WORLD, DURING THE PERIOD 06/17/2008 THROUGH 07/31/2008. ACCORDINGLY, UNTIL FURTHER NOTICE, CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED.

4. 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.

5. 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.

6. 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 O9:AV).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

FLORENCE CONSTANT

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-552-801-001	\$0.02 PER KILOGRAM	E		AGIFISH (AN GIANG FISHERIES IMPORT/EXPORT JOINT STOCK CO.)
A-552-801-014	\$0.02 PER KILOGRAM	E		EAST SEA JOINT VENTURE CO., LTD (EAST SEA JOINT VENTURE COMPANY)