

MESSAGE NO: 0090301 MESSAGE DATE: 03/31/2010  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE: ADRV-Administrative Review

FR CITE: 75 FR 1336 FR CITE DATE: 01/11/2010

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-905

EFFECTIVE DATE: 01/11/2010 COURT CASE #:

PERIOD OF REVIEW: 12/26/2006 TO 05/31/2008

PERIOD COVERED: 12/26/2006 TO 05/31/2008

Notice of Lifting of Suspension Date: 01/11/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE PRC WIDE ENTITY

1. FOR ALL SHIPMENTS OF POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-905) EXPORTED BY THE PRC WIDE ENTITY, AND ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/26/2006 THROUGH 05/31/2008, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 44.30 PERCENT OF THE ENTERED VALUE, UNLESS PARAGRAPH 3 IS APPLICABLE.

2. IN THE DEPARTMENT'S FINAL RESULTS (AND CORRECTION NOTICE) OF ADMINISTRATIVE REVIEW 75 FR 1336, 01/11/2010, AND 75 FR 5763, 02/04/2010, RESPECTIVELY, THE DEPARTMENT DETERMINED THAT THE EXPORTER SUZHOU POLYFIBER CO., LTD., IS NO LONGER ELIGIBLE FOR A SEPARATE RATE AND IS CONSIDERED PART OF THE PRC-ENTITY. THEREFORE, ENTRIES OF POLYESTER STAPLE FIBER EXPORTED BY SUZHOU POLYFIBER CO., LTD., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/26/2006 THROUGH 05/31/2008, SHOULD BE LIQUIDATED IN ACCORDANCE WITH THE ASSESSMENT INSTRUCTIONS LISTED IN PARAGRAPH 1 ABOVE FOR THE PRC ENTITY, UNLESS PARAGRAPH 3 BELOW IS APPLICABLE. ENTRIES OF SUCH MERCHANDISE MAY HAVE ENTERED UNDER A-570-905-015.

3. FOR ALL SHIPMENTS OF POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY OTHER COMPANIES NOT COVERED BY PARAGRAPH 1, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/26/2006 THROUGH 05/31/2008, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT ON THE DATE OF THE ENTRY, EXCEPT IF PARAGRAPH 4 IS APPLICABLE.

4. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF POLYESTER STAPLE FIBER THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/26/2006 THROUGH 05/31/2008, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO

44.30 PERCENT OF THE ENTERED VALUE OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

5. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/26/2006 THROUGH 05/31/2008, OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS (AND CORRECTION NOTICE) OF ADMINISTRATIVE REVIEW 75 FR 1336, 01/11/2010. FOR ALL OTHER SHIPMENTS OF POLYESTER STAPLE FIBER FROM THE PEOPLE'S REPUBLIC OF CHINA, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT 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 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 O9:AV).

10. 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-570-905-015	44.30	E		SUZHOU POLYFIBER CO., LTD.