

MESSAGE NO: 7292208 MESSAGE DATE: 10/19/2007  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7289205  
MESSAGE #  
(s):

CASE #(s): A-533-840

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/04/2004 TO 01/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR THE PARTIAL RESCISSION OF SHRIMP FROM INDIA FROM BALAJI SEAFOODS, INNOVATIVE FOOD, SHARAT IND., AND TRIVENT FISHERIES (A-533-840)

MESSAGE NO: 7292208

DATE: 10 19 2007

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REFERENCE: 7289205

REFERENCE DATE: 10 16 2007

CASES: A - 533 - 840

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PERIOD COVERED: 08 04 2004 TO 01 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE PARTIAL RESCISSION OF SHRIMP FROM INDIA FROM BALAJI SEAFOODS, INNOVATIVE FOOD, SHARAT IND., AND TRIVENT FISHERIES (A-533-840)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP FROM INDIA (A-533-840), COVERING THE PERIOD 08/04/2004 THROUGH 01/31/2006, HAS BEEN RESCINDED FOR THE COMPANIES LISTED BELOW BECAUSE THEY REPORTED TO THE DEPARTMENT OF COMMERCE THAT THEY HAD NO SHIPMENTS OF SUBJECT MERCHANDISE DURING THE PERIOD.

BALAJI SEAFOODS EXPORTS (INDIA) LTD.

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INNOVATIVE FOODS LIMITED  
SHARAT INDUSTRIES LIMITED  
TRIVENI FISHERIES PVT. LTD.

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SUBJECT MERCHANDISE PRODUCED BY THE COMPANIES LISTED IN PARAGRAPH ONE AND EXPORTED BY OTHER ENTITIES, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/04/2004 THROUGH 01/31/2006, ASSESS ANTIDUMPING DUTIES AT THE ALL OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. PLEASE NOTE THAT ENTRIES OF MERCHANDISE PRODUCED BY EITHER INNOVATIVE FOODS LIMITED OR TRIVENI FISHERIES PVT. LTD. COVERED BY MESSAGE # 7289205 ARE NOT COVERED BY THESE INSTRUCTIONS.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF THE ADMINISTRATIVE REVIEW (72 FR 52055 ON 09/12/2007). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAYS INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDER PAYMENTS,

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 OF PAYMENT OF ESTIMATED ANTIDUMPING 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.

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 THE DEPARTMENT OF THE COMMERCE DEPARTMENT 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 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 O2:JEP).

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

ANNE MARICICH

## Company Details

\*Party Indicator Value:

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