

MESSAGE NO: 7292214 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
MESSAGE #
(s):

CASE #(s): A-331-802

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 FROZEN WARMWATER SHRIMP - ECUADOR
PROD'D OR EXP'D BY NAMED FIRMS (A-331-802-000) AGROL, CAMERONES, INEPEXA,
MARINES, PACFISH, & MORE

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CASES: A - 331 - 802

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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 FROZEN WARMWATER SHRIMP -
ECUADOR PROD'D OR EXP'D BY NAMED FIRMS (A-331-802-000)
AGROL, CAMERONES, INEPEXA, MARINES, PACFISH, & MORE

1. FOR ALL SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM
ECUADOR PRODUCED OR EXPORTED BY THE FOLLOWING COMPANIES, AND
ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE

PERIOD 08/04/2004 THROUGH 01/31/2006, ASSESS AN ANTIDUMPING
LIABILITY OF 3.69 PERCENT OF THE ENTERED VALUE, EXCEPT IF
PARAGRAPH 2 IS APPLICABLE:

MFR/PRODUCER EXPORTER	CUSTOMS ID NUMBER
AGROL S.A.	A-331-802-000
CAMARONES (CAMARONES DEL MAR COBUS S.A.)	A-331-802-000
COMERCIALIZADORA DEL MAR COMAR CIA. LTDA	A-331-802-000
EMPACADORA Y EXPORTADORA CALVI CIA. LTDA.	A-331-802-000
EMPREDE S.A.	A-331-802-000
EXPORTADORA DEL OCEANO OCEANEXA C. A.	A-331-802-000
FORTUMAR ECUADOR S.A.	A-331-802-000
GAMBAS DEL PACIFICO	A-331-802-000
HECTOROSA S.A.	A-331-802-000
INEPEXA S.A.	A-331-802-000
JORGE LUIS BENITEZ LOPEZ	A-331-802-000
LUIS LOAIZA ALVAREZ	A-331-802-000
MARDEX CIA. LTDA.	A-331-802-000
MARINES C.A.	A-331-802-000
PACFISH, S.A.	A-331-802-000
PCC CONGELADOS & FRESCOS SA	A-331-802-000
PESCAZUL S.A.	A-331-802-000
PRODUCTOS CULTIVADOS DEL MAR	
"PROCULMAR" CIA. LTDA.	A-331-802-000
PROMAROSA S.A.	A-331-802-000

2. IF A BOND OR CASH DEPOSIT WAS COLLECTED AS SECURITY FOR AN ESTIMATED ANTIDUMPING DUTY FOR ANY SHIPMENT OF MERCHANDISE DESCRIBED IN PARAGRAPH 1 THAT WAS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/04/2004 THROUGH 01/26/2005, ASSESS A DUMPING LIABILITY EQUAL TO 3.69 PERCENT OF THE ENTERED CBP VALUE OR EQUAL TO THE AMOUNT OF THE BOND OR CASH DEPOSIT, WHICHEVER IS LESS.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/04/2004 THROUGH 01/31/2006 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (72 FR 52070, SEPTEMBER 12, 2007).

4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON 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 AND 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 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 ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O2:GJB).

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