

MESSAGE NO: 8011205 MESSAGE DATE: 01/11/2008  
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-570-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/2005 TO 10/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INST. FOR PARTIAL RESCISSION OF ADMIN. REVIEW OF ADD/CVD ORDER OF FRESH GARLIC FROM CHINA FROM QINGDAO TIAN TAIXING FOODS AND ZHENGZHOU HARMONI (A-570-831)

MESSAGE NO: 8011205 DATE: 01 11 2008

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 831 - -

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- - - -

PERIOD COVERED: 11 01 2005 TO 10 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INST. FOR PARTIAL RESCISSION OF ADMIN. REVIEW OF ADD/CVD ORDER OF FRESH GARLIC FROM CHINA FROM QINGDAO TIAN TAIXING FOODS AND ZHENGZHOU HARMONI (A-570-831)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING/COUNTERVAILING DUTY ORDER OF FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-831), COVERING THE PERIOD 11/01/2005 THROUGH 10/31/2006, HAS BEEN RESCINDED FOR THE FIRM(S) LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE, ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 11/01/2005 THROUGH 10/31/2006 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE PERIOD 11/01/05 THROUGH 10/31/06,  
FOR THE FOLLOWING FIRMS:

QINGDAO TIAN TAIXING FOODS CO., LTD.  
ZHENGZHOU HARMONI SPICE CO., LTD.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW (72 FR 69562-64, DECEMBER 10, 2007). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. 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 PAYS INTEREST ON OVERPAYMENTS OR ASSESS 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.

4. 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-REFERENCES

REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. 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/CD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202)482-0984 OR (202) 482-3577 RESPECTIVELY. (GENERATED BY O9: JEH).

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

DAVID M GENOVESE

## Company Details

\*Party Indicator Value:

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