

MESSAGE NO: 3319304 MESSAGE DATE: 11/15/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-890

EFFECTIVE DATE: 06/24/2004 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 11/15/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Antidumping duty scope determination on wooden bedroom furniture from the People's Republic of China (A-570-890).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 5 below.

1. Commerce received a scope ruling request from Whalen Furniture Manufacturing Inc. ("Whalen"). Commerce issued a final scope determination on 10/28/2013 that Whalen's upholstered headboards (model numbers: S20715, A20719 and S20833) which Whalen imports are not within the scope of the antidumping duty order on wooden bedroom furniture from the People's Republic of China (A-570-890).
2. Commerce determined that Whalen's upholstered headboards are outside the scope of the order because these wooden headboards, which are designed to work with metal bed frames, are completely upholstered and there is nothing in the record of the proceeding to indicate that the antidumping duty order on wooden bedroom furniture was intended to cover completely upholstered headboards which when attached to a metal bed frame would be excluded under the completely upholstered bed exclusion. Therefore, Whalen's upholstered headboards (model numbers: S20715, A20719 and S20833) are not within the scope of the antidumping duty order on wooden bedroom furniture from the People's Republic of China.
3. For all entries of Whalen's upholstered headboards (model numbers: S20715, A20719 and S20833) that remain unliquidated on or after 06/24/2004, CBP shall terminate suspension and liquidate entries of these upholstered headboards which were entered, or withdrawn from warehouse, for consumption.
4. Refund any cash deposits and release any bonds relating to the upholstered headboards described above.
5. These instructions constitute notice of the lifting of suspension of liquidation of entries of the upholstered headboards described above entered, or withdrawn from warehouse, for consumption on or after 06/24/2004.

6. 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, as amended. 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.

7. Unless instructed otherwise, for all other shipments of wooden bedroom furniture from the People's Republic of China not covered by paragraph 2 above, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:LEA.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

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