

MESSAGE NO: 8183202 MESSAGE DATE: 07/01/2008
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5039201
MESSAGE #
(s):
CASE #(s): A-570-863

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 12/01/2002 TO 05/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INST. FOR HONEY FROM CHINA EXP'D & IMP'D INTO THE USA BY JINFU TRADING CO., LTD. & JINFU TRADING (USA) INC. (A-570-863-000/008) (INJUNCTION DISSOLVED)

MESSAGE NO: 8183202

DATE: 07 01 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 5039201

REFERENCE DATE: 02 08 2005

CASES: A - 570 - 863

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PERIOD COVERED: 12 01 2002 TO 05 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INST. FOR HONEY FROM CHINA EXP'D & IMP'D INTO THE USA BY JINFU TRADING CO., LTD. & JINFU TRADING (USA) INC. (A-570-863-000/008) (INJUNCTION DISSOLVED)

1. ON 04/04/2008, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF JINFU TRADING CO., LTD.V. UNITED STATES, COURT NUMBER 04-00597. NO APPEAL WAS FILED IN THIS CASE. AS A RESULT, THE INJUNCTIONS TO WHICH MESSAGE 5039201 REFER ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON HONEY FROM THE PRC FOR PERIOD 12/01/2002 THROUGH 05/31/2003 EXPORTED TO OR IMPORTED INTO THE UNITED STATES BY JINFU TRADING CO., LTD. AND JINFU TRADING (USA)

INC. DISSOLVED ON 06/03/2008.

2. FOR ALL SHIPMENTS OF HONEY FROM THE PRC EXPORTED TO OR IMPORTED INTO THE UNITED STATES BY JINFU TRADING CO., LTD. AND JINFU TRADING (USA) INC. (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION), AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2002 THROUGH 05/31/2003, ASSESS ANTIDUMPING LIABILITY OF 183.80 PERCENT OF THE ENTERED VALUE.

PRODUCT	IMPORTER NAME	MARGIN PERCENT
HONEY	JINFU TRADING (USA) INC.	183.80%

THIS MERCHANDISE ENTERED DURING THE PERIOD LISTED ABOVE UNDER A-570-863-000 AND A-570-863-008 (THE PRC-WIDE ENTITY).

4. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/01/2002 THROUGH 05/31/2003. YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. 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.

6. 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.

7. 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 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 07:PE).

8. 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