

MESSAGE NO: 8262206 MESSAGE DATE: 09/18/2008
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-475-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 05/01/2006 TO 04/30/2007

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
ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON BALL BEARINGS FROM
ITALY (A-475-201)

MESSAGE NO: 8262206

DATE: 09 18 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 475 - 201

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PERIOD COVERED: 05 01 2006 TO 04 30 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE PARTIAL RESCISSION OF
ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON BALL
BEARINGS FROM ITALY (A-475-201)

1. ON NOVEMBER 16, 2007, COMMERCE RESCINDED THE ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS
THEREOF FROM ITALY (A-475-201) COVERING THE PERIOD 05/01/2006
THROUGH 04/30/2007 FOR THE FOLLOWING FIRMS:

COMPANY

CASE NUMBER

BALTIC METALLTECHNIK GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

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BRASANTI MACCHINE S.P.A. (10-DIGIT CASE NUMBER NOT ASSIGNED)

CERMEX (10-DIGIT CASE NUMBER NOT ASSIGNED)

CERULEAN PACKING MACHINERY (10-DIGIT CASE NUMBER NOT ASSIGNED)

DECOUFLE S.A.R.L. (10-DIGIT CASE NUMBER NOT ASSIGNED)

FOCKE & CO./FOPAC
MASCHINENBAU GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

HAUNI LONDON LTD. (10-DIGIT CASE NUMBER NOT ASSIGNED)

HAUNI MASCHINENBAU AG (10-DIGIT CASE NUMBER NOT ASSIGNED)

HAUNI PRIMARY GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

ITCM (10-DIGIT CASE NUMBER NOT ASSIGNED)

MOLINS PLC (10-DIGIT CASE NUMBER NOT ASSIGNED)

MOLINS TOBACCO MACHINERY
LTD. (10-DIGIT CASE NUMBER NOT ASSIGNED)

MOLMAC ENGINEERING LTD. (10-DIGIT CASE NUMBER NOT ASSIGNED)

RBK MACHINERY SALES (10-DIGIT CASE NUMBER NOT ASSIGNED)

SCHAEFFLER ITALIA S.R.L. (FORMERLY
FAG ITALIA S.P.A. A-475-201-001

SIDEL BLOWING AND SERVICES
S.A.S. (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL CONVEYING S.A.S. (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL ENGINEERING AND

TURNKEY S.A.S. (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL FILLING FOOD S.A.S. (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL GROUP (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL ITALIA (10-DIGIT CASE NUMBER NOT ASSIGNED)

SIDEL UK LTD. (10-DIGIT CASE NUMBER NOT ASSIGNED)

UNIVERSELLE ENGINEERING

U.N.I. GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

2. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ENTRIES OF MERCHANDISE PRODUCED AND/OR EXPORTED BY THE COMPANIES LISTED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 05/01/2006 THROUGH 04/30/2007 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY UNLESS THE ENTRIES WERE MADE UNDER THE COMPANY NAMES AND/OR U.S. CUSTOMS AND BORDER PROTECTION (CBP) CASE NUMBERS FOR THE SPECIFIC COMPANIES LISTED BELOW. ALL ENTRIES PRODUCED AND/OR EXPORTED BY THE FOLLOWING COMPANIES MUST REMAIN SUSPENDED UNTIL FURTHER NOTICE BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW

OF THESE COMPANIES:

COMPANY	CASE NUMBER
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SKF INDUSTRIE S.P.A.	A-475-201-012
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ESSEX NEXANS L+K GMBH	(10-DIGIT CASE NUMBER NOT ASSIGNED)
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SOCIETE NEXANS	(10-DIGIT CASE NUMBER NOT ASSIGNED)
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S.A.S. ESSEX NEXANS	(10-DIGIT CASE NUMBER NOT ASSIGNED)
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ESSEX NEXANS S.A.S. (10-DIGIT CASE NUMBER NOT ASSIGNED)

ESSEX NEXANS IVA (10-DIGIT CASE NUMBER NOT ASSIGNED)

ESSEX NEXANS UK LTD. (10-DIGIT CASE NUMBER NOT ASSIGNED)

ESSEX NEXANS (10-DIGIT CASE NUMBER NOT ASSIGNED)

IKN GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

LENTZ & SCHMAHL GMBH
& CO. KG (10-DIGIT CASE NUMBER NOT ASSIGNED)

CHRISTIAN FEDERSEN GMBH
& CO. KG (10-DIGIT CASE NUMBER NOT ASSIGNED)

WWC SERVICE CENTER GMBH (10-DIGIT CASE NUMBER NOT ASSIGNED)

3. FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS EXPORTED BY CERMEX ARE SUSPENDED UNDER SCHAEFFLER ITALIA S.R.L. (A-475-201-001) AS THE PRODUCER, CBP SHOULD LIQUIDATE THEM PURSUANT TO THESE INSTRUCTIONS AT THE CASH-DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY FOR SCHAEFFLER ITALIA SPA BECAUSE COMMERCE HAS RESCINDED THE REVIEW OF SCHAEFFLER ITALIA SPA AND CERMEX.

FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS EXPORTED BY CERMEX ARE SUSPENDED UNDER SKF INDUSTRIE S.P.A. (A-475-201-012) AS THE PRODUCER, SUCH ENTRIES MUST REMAIN SUSPENDED UNTIL COMMERCE COMPLETES ITS REVIEW OF SKF INDUSTRIE AND CBP MUST NOT LIQUIDATE SUCH ENTRIES PURSUANT TO THESE INSTRUCTIONS BECAUSE, ALTHOUGH COMMERCE HAS RESCINDED ITS REVIEW OF CERMEX, IT HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF SKF INDUSTRIE.

FOR EXAMPLE, IF ENTRIES OF BALL BEARINGS EXPORTED BY LENTZ & SCHMAHL GMBH & CO. KG ARE SUSPENDED UNDER SCHAEFFLER ITALIA S.R.L. (FORMERLY FAG ITALIA S.P.A.) (A-475-201-001) AS THE PRODUCER, SUCH ENTRIES MUST REMAIN SUSPENDED UNTIL COMMERCE COMPLETES ITS REVIEW OF LENTZ & SCHMAHL GMBH & CO. KG AND

CBP MUST NOT LIQUIDATE SUCH ENTRIES PURSUANT TO THESE INSTRUCTIONS BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF LENTZ & SCHMAHL GMBH & CO. KG.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE AND NAMED IN PARAGRAPH 1 AND DESCRIBED THROUGH EXAMPLES IN PARAGRAPH 3 OCCURRED WITH THE PUBLICATION OF THE NOTICE

OF THE RESCISSION OF THE ADMINISTRATIVE REVIEW (72 FR 64577, NOVEMBER 16, 2007). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

5. 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 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 WHICH IS 05/15/1989. 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 INEFFECT 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 OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202)482-3577 RESPECTIVELY (GENERATED BY O5:CC).

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