

MESSAGE NO: 9007203 MESSAGE DATE: 01/07/2009
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-549-822

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2007 TO 01/31/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR PARTIAL RESCISSION OF REVIEW OF ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822)

MESSAGE NO: 9007203 DATE: 01 07 2009

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 549 - 822 - -

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PERIOD COVERED: 02 01 2007 TO 01 31 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR PARTIAL RESCISSION OF REVIEW OF ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822), COVERING THE PERIOD 02/01/2007 THROUGH 01/31/2008, HAS BEEN RESCINDED FOR THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, DURING THE PERIOD 02/01/2007 THROUGH 01/31/2008 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

COMPANY: ANGLO-SIAM SEAFOODS CO., LTD

CASE NUMBER: A-549-822-013

COMPANY: APPLIED DB

CASE NUMBER: A-549-822-037

COMPANY: CHONBURI LC

CASE NUMBER: A-549-822-040

COMPANY: HAITAI SEAFOOD CO., LTD

CASE NUMBER: A-549-822-044

COMPANY: HIGH WAY INTERNATIONAL CO., LTD

CASE NUMBER: A-549-822-045

COMPANY: LI-THAI FROZEN FOODS CO., LTD

CASE NUMBER: A-549-822-022

COMPANY: MERKUR CO., LTD

CASE NUMBER: A-549-822-053

COMPANY: MING CHAO IND THAILAND

CASE NUMBER: A-549-822-054

COMPANY: NONGMON SMJ PRODUCTS

CASE NUMBER: A-549-822-055

COMPANY: QUEEN MARINE FOOD CO., LTD

CASE NUMBER: A-549-822-028

COMPANY: SCT CO., LTD

CASE NUMBER: A-549-822-058

COMPANY: SEARCH AND SERVE

CASE NUMBER: A-549-822-060

COMPANY: SMILE HEART FOODS

CASE NUMBER: A-549-822-032

COMPANY: SHIANLIN BANGKOK CO., LTD

CASE NUMBER: A-549-822-062

COMPANY: STAR FROZEN FOODS CO., LTD

CASE NUMBER: A-549-822-063

COMPANY: THAI WORLD IMPORTS AND EXPORTS CO., LTD

CASE NUMBER: A-549-822-035

COMPANY: WANN FISHERIES CO., LTD

CASE NUMBER: A-549-822-070

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE DURING THE PERIOD 02/01/2007 THROUGH 01/31/2008 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF THE PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW (73 FR 77612 12/19/2008).FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. 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. 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.

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 COMMERCE'S 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 THE 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 02:TKS).

7. 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