

MESSAGE NO: 8365205 MESSAGE DATE: 12/30/2008
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8241203
MESSAGE #
(s):

CASE #(s): A-533-838

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/2006 TO 11/30/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CARBAZOLE VIOLET PIGMENT 23 FROM INDIA
PRODUCED AND/OR EXPORTED BY PIDILITE INDUSTRIES LIMITED (A-533-838-002)

MESSAGE NO: 8365205

DATE: 12 30 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8241203

REFERENCE DATE: 08 28 2008

CASES: A - 533 - 838

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PERIOD COVERED: 12 01 2006 TO 11 30 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CARBAZOLE VIOLET PIGMENT
23 FROM INDIA PRODUCED AND/OR EXPORTED BY PIDILITE
INDUSTRIES LIMITED (A-533-838-002)

1. FOR ALL SHIPMENTS OF CARBAZOLE VIOLET PIGMENT 23 (CVP 23)
FROM INDIA PRODUCED AND/OR EXPORTED BY PIDILITE INDUSTRIES
LIMITED (PIDILITE) AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,
FOR CONSUMPTION DURING THE PERIOD 12/01/2006 THROUGH
11/30/2007, ASSESS AN ANTIDUMPING LIABILITY OF 49.57 PERCENT OF
THE ENTERED VALUE.

2. THE ANTIDUMPING LIABILITY OF 49.57 PERCENT REFLECTS AN
ADJUSTMENT FOR A PORTION OF THE COUNTERVAILING DUTY RATE IN

EFFECT DURING THE PERIOD 12/01/2006 THROUGH 11/30/2007 THAT IS ATTRIBUTABLE TO EXPORT SUBSIDIES. MESSAGE NO. 8241203, DATED 08/28/2008, INSTRUCTED U.S. CUSTOMS AND BORDER PROTECTION (CBP) TO ASSESS COUNTERVAILING DUTIES ON ENTRIES DURING THE PERIOD 01/01/2006 THROUGH 12/31/2006. IF CBP DOES NOT COLLECT COUNTERVAILING DUTIES IN ACCORDANCE WITH THAT MESSAGE OR ANY OTHER MESSAGE ON ENTRIES OF CVP 23 FROM INDIA PRODUCED AND/OR EXPORTED BY PIDILITE AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2006 THROUGH 11/30/2007, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO 66.59 PERCENT OF THE ENTERED VALUE.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 12/01/2006 THROUGH 11/30/2007 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW (73 FR 74141 DATED 12/05/2008). FOR ALL OTHER SHIPMENTS OF CVP 23 FROM INDIA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES AT THE CURRENT RATES.

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

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIMENTS 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 (12/29/2004). 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 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 AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING AND/OR INCREASE THE ANTIDUMPING DUTY BY THE AMOUNT OF THE COUNTERVAILING 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 AND/OR COUNTERVAILING 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 TRENTHAM 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:YJC).

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