

MESSAGE NO: 3273309 MESSAGE DATE: 09/30/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 78 FR 56209 FR CITE DATE: 09/12/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-893

EFFECTIVE DATE: 09/12/2013 COURT CASE #:

PERIOD OF REVIEW: 02/01/2011 TO 01/31/2012

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 09/12/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for certain frozen warmwater shrimp from the People's Republic of China ("PRC") exported by the PRC-wide entity for the period 02/01/2011 through 01/31/2012 (A-570-893)

1. For all shipments of certain frozen warmwater shrimp from the PRC exported by the PRC-wide entity (A-570-893-000) entered, or withdrawn from warehouse, for consumption during the period 02/01/2011 through 01/31/2012, assess an antidumping liability equal to 112.81 percent of the entered value of subject merchandise, except for those companies listed in paragraph 3 below.

2. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraph 1 occurred with the publication of the final results of administrative review (78 FR 56209, 09/12/2013). Unless instructed otherwise, for all other shipments of certain frozen warmwater shrimp from the PRC, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

3. The injunction with court number 05-00182 in message number 5160202, dated 06/09/2005, is applicable to the entries exported by Shantou SEZ Xu Hao Fastness Freeze Aquatic Factory Co., Ltd., Zhejiang Daishan Baofa Aquatic Product Co., Ltd., Zhejiang Evernew Seafood Co., Ltd., Zhejiang Taizhou Lingyang Aquatic Products Co., Taizhou Zhonghuan Industrial Co., Ltd. Zhoushan Haichang Food Co., Ltd., Zhoushan Industrial Co., Ltd., Zhoushan Juntai Foods Co., Ltd., Zhejiang Zhenglong Foodstuffs Co., Ltd., Zhoushan Putuo Huafa Sea Products Co., Ltd. Zhoushan Zhenyang Developing Co., Ltd., Beihai Zhengwu Industry Co., Ltd., Pingyang Xinye Aquatic Products Co., Ltd., Shantou Longfeng Foodstuffs Co., Ltd., Shantou Wanya Food Factory Co., Ltd., Shantou Ocean Freezing Industry and Trade General Corporation, Vantai Wei-Cheng Food Co., Ltd., Zhoushan Cereals Oils Foodstuffs Import Export Co., Ltd., Zhoushan Huading Seafood Co., Ltd., Zhoushan Lizhou Fishery Co., Ltd., Shantou Shengping Oceanstar Business Co., Ltd., Shantou Yuexing Enterprise Company, Chaoyang Qiaofeng Group Co Ltd (Shantou City Qiaofeng Group Co Ltd), Shantou Jinhang Aquatic Industry Co., Ltd., Shantou Ruiyuan Industry Co., Ltd., Hainan Fruit Vegetable Food Allocation Co., Ltd., Zhoushan Diciyuan Aquatic Products Co., Ltd., Zhoushan Xifeng Aquatic Co., Ltd., Zhejiang Cereals, Oils, Foodstuffs Import Export Co., Ltd., during the period 02/01/2011 through 01/31/2012. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

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, 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.

6. Upon assessment of antidumping duties, CBP shall 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 producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, 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 O9:JS.)

8. 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