

MESSAGE NO: 9016202

MESSAGE DATE: 01/16/2009

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CATEGORY: Countervailing

TYPE: ADM

PUBLIC

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SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-938

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 01/17/2009

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF CITRIC ACID & CERTAIN CITRATE SALTS FROM CHINA (C-570-938)

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CASES: C - 570 - 938 - -

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PERIOD COVERED: 01 17 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: DISCONTINUATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF CITRIC ACID & CERTAIN CITRATE SALTS FROM CHINA (C-570-938)

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT IS DISCONTINUING THE SUSPENSION OF LIQUIDATION ON THE COUNTERVAILING DUTY INVESTIGATION OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM THE PEOPLES REPUBLIC OF CHINA EFFECTIVE JANUARY 17, 2009, WHICH IS 120 DAYS AFTER THE DATE OF

PUBLICATION OF THE PRELIMINARY DETERMINATION (73 FR 54367, SEPTEMBER 19, 2008).

2. THE SCOPE OF THIS INVESTIGATION INCLUDES ALL GRADES AND GRANULATION SIZES OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE IN THEIR UNBLENDED FORMS, WHETHER DRY OR IN SOLUTION, AND REGARDLESS OF PACKAGING TYPE.

THE SCOPE ALSO INCLUDES BLENDS OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE; AS WELL AS BLENDS WITH OTHER INGREDIENTS, SUCH AS SUGAR, WHERE THE UNBLENDED FORM(S) OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE CONSTITUTE 40 PERCENT OR MORE, BY WEIGHT, OF THE BLEND.

THE SCOPE OF THIS INVESTIGATION ALSO INCLUDES ALL FORMS OF CRUDE CALCIUM CITRATE, INCLUDING DICALCIUM CITRATE MONOHYDRATE, AND TRICALCIUM CITRATE TETRAHYDRATE, WHICH ARE INTERMEDIATE PRODUCTS IN THE PRODUCTION OF CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE.

THE SCOPE OF THIS INVESTIGATION DOES NOT INCLUDE CALCIUM CITRATE THAT SATISFIES THE STANDARDS SET FORTH IN THE UNITED STATES PHARMACOPEIA AND HAS BEEN MIXED WITH A FUNCTIONAL EXCIPIENT, SUCH AS DEXTROSE OR STARCH, WHERE THE EXCIPIENT CONSTITUTES AT LEAST 2 PER CENT, BY WEIGHT, OF THE PRODUCT.

THE SCOPE OF THIS INVESTIGATION INCLUDES THE HYDROUS AND ANHYDROUS FORMS OF CITRIC ACID, THE DIHYDRATE AND ANHYDROUS FORMS OF SODIUM CITRATE, OTHERWISE KNOWN AS CITRIC ACID SODIUM SALT, AND THE MONOHYDRATE AND MONOPOTASSIUM FORMS OF POTASSIUM CITRATE. SODIUM CITRATE ALSO INCLUDES BOTH TRISODIUM CITRATE AND MONOSODIUM CITRATE, WHICH ARE ALSO KNOWN AS CITRIC ACID TRISODIUM SALT AND CITRIC ACID MONOSODIUM SALT, RESPECTIVELY.

CITRIC ACID AND SODIUM CITRATE ARE CLASSIFIABLE UNDER

2918.14.0000 AND 2918.15.1000 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS), RESPECTIVELY.

POTASSIUM CITRATE AND CRUDE CALCIUM CITRATE ARE CLASSIFIABLE UNDER 2918.15.5000 AND 3824.90.9290 OF THE HTSUS, RESPECTIVELY.

BLENDS THAT INCLUDE CITRIC ACID, SODIUM CITRATE, AND POTASSIUM CITRATE ARE CLASSIFIABLE UNDER 3824.90.9290 OF THE HTSUS.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (C-570-938).

4. FIELD OFFICES SHOULD DISCONTINUE THE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 17, 2009. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL THE DEPARTMENT OF COMMERCE PUBLISHES THE COUNTERVAILING DUTY ORDER

IN THIS CASE. FIELD OFFICES SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD, SEPTEMBER 19, 2008, THROUGH JANUARY 16, 2009, UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN THE DEPARTMENT OF COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF CITRIC ACID AND CERTAIN CITRATE SALTS FROM

THE PEOPLE'S REPUBLIC OF CHINA.

6. 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 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 O1:DJF).

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