

MESSAGE NO: 9034203 MESSAGE DATE: 02/03/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7207204
MESSAGE #
(s):

CASE #(s): A-570-867

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/2006 TO 03/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM CHINA PURSUANT TO COURT ORDER 02-00312 (A-570-867-002/004/005/006)

MESSAGE NO: 9034203

DATE: 02 03 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 7207204

REFERENCE DATE: 07 26 2007

CASES: A - 570 - 867

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PERIOD COVERED: 04 01 2006 TO 03 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM CHINA PURSUANT TO COURT ORDER 02-00312 (A-570-867-002/004/005/006)

1. ON 10/05/2007, THE U.S. COURT OF INTERNATIONAL TRADE (US CIT) ISSUED AN ORDER IN THE CASES CHANGCHUN PILKINGTON SAFETY GLASS COMPANY LIMITED, ET. AL. V. UNITED STATES (PILKINGTON V. UNITED STATES), 02-00312 AND XINYI AUTOMOTIVE GLASS (SHENZHEN) CO., LTD. V. UNITED STATES (XINYI AUTOMOTIVE GLASS V. UNITED STATES), 02-00321, ORDERING THE RELIQUIDATION, IN ACCORDANCE WITH THE FINAL COURT DECISIONS IN THESE ACTIONS, OF CERTAIN ENTRIES,

SUBJECT TO THE ANTIDUMPING DUTY ORDER ON AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-570-867).

2. AS A RESULT OF THE US CIT'S FINAL DECISIONS IN COURT NOS. 02-00312 AND 02-00321, THE DEPARTMENT OF COMMERCE DETERMINED THAT XINYI AUTOMOTIVE GLASS (SHENZHEN) CO., LTD. (A-570-867-002), CHANGCHUN PILKINGTON SAFETY GLASS, CO., LTD (A-570-867-004), GUILIN PILKINGTON SAFETY GLASS CO., LTD. (A-570-867-005), AND WUHAN YAOHUA PILKINGTON SAFETY GLASS CO., LTD (A-570-867-006) ARE EXCLUDED FROM THE ANTIDUMPING DUTY ORDER ON AUTOMOTIVE REPLACEMENT GLASS WINDSHIELDS FROM THE PRC.

3. PURSUANT TO THE US CIT'S FINAL DECISIONS, AND IN ACCORDANCE WITH ITS ORDER OF 10/05/2007, U.S. CUSTOMS AND BORDER PROTECTION (CBP) IS DIRECTED TO RELIQUIDATE WITHOUT REGARD TO ANTIDUMPING DUTIES ALL ENTRIES OF THE SUBJECT PRODUCT THAT WERE:

- (a) ENTERED, OR WITHDRAWN FROM THE WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 04/01/2006 THROUGH 03/31/2007; AND
- (b) MANUFACTURED/EXPORTED TO THE UNITED STATES BY (1) XINYI

AUTOMOTIVE GLASS (SHENZHEN) CO., LTD. (A-570-867-002), (WHICH MAY HAVE BEEN ENTERED UNDER XINYI AUTOMOBILE GLASS CO., LTD., XINYI GLASS (NORTH AMERICA) INC., XINYI GROUP COMPANY, XINYI GROUP GLASS COMPANY LIMITED, XINYI AUTOMOBILE GLASS; OR XINGYI GLASS (NORTH AMERICA) INC.); (2) CHANGCHUN PILKINGTON SAFETY GLASS, CO., LTD. (A-570-867-004); (3) GUILIN PILKINGTON SAFETY GLASS CO., LTD. (A-570-867-005); OR (4) WUHAN YAOHUA PILKINGTON SAFETY GLASS CO., LTD. (A-570-867-006); AND

- (c) LIQUIDATED BY CBP AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY PURSUANT TO DEPARTMENT OF COMMERCE MESSAGE NO. 7207204, DATED 07/26/2007.

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. 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: O4:ZP).

6. 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