

MESSAGE NO: 9083201 MESSAGE DATE: 03/24/2009
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-570-901

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/17/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION ORDERS FOR ANTIDUMPING SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS FROM CHINA (A-570-901); LAKESHORE'S MODEL #'S EE441- EE444 AND EE651 - EE654

MESSAGE NO: 9083201

DATE: 03 24 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 901

- -

- -

- -

- -

- -

PERIOD COVERED: 04 17 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION ORDERS FOR ANTIDUMPING SCOPE RULING ON CERTAIN LINED PAPER PRODUCTS FROM CHINA (A-570-901); LAKESHORE'S MODEL #'S EE441- EE444 AND EE651 - EE654

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM LAKESHORE LEARNING MATERIALS (LAKESHORE). COMMERCE ISSUED A FINAL SCOPE RULING ON 03/04/2009, THAT LAKESHORE'S EE441 AND EE442 (DAILY MATH PRACTICE JOURNAL GRADES 1 - 3); EE443 AND EE444 (DAILY MATH PRACTICE JOURNAL GRADES 4 - 6); EE651 AND EE652 (DAILY LANGUAGE PRACTICE, GRADES 1 - 3); AND EE653 AND EE654 (DAILY LANGUAGE PRACTICE JOURNAL, GRADES 4 - 6), COLLECTIVELY LAKESHORE'S WORKBOOKS ARE NOT WITHIN THE SCOPE OF THE

ANTIDUMPING DUTY ORDER COVERING CERTAIN LINED PAPER PRODUCTS (CLPP) FROM THE PEOPLES REPUBLIC OF CHINA (PRC) (A-570-901).

2. COMMERCE DETERMINED THAT LAKESHORE'S WORKBOOKS OR GROUP 1 PRODUCTS

- (1) ARE PHYSICALLY DIFFERENT FROM MERCHANDISE SUBJECT TO THE SCOPE OF THE ORDER ON CLPP FROM THE PRC;
- (2) HAVE A DIFFERENT ULTIMATE USE AND THERE ARE DIFFERENT EXPECTATIONS BY THE PURCHASER OF CLPP COVERED BY THE SCOPE OF THE ORDER;
- (3) ARE SOLD THROUGH SPECIALIZED CHANNELS OF TRADE THAT ARE NOT WIDELY USED FOR SELLING MERCHANDISE SUBJECT TO THE SCOPE OF THE ORDER ON CLPP FROM THE PRC; AND,
- (4) ARE ADVERTISED AND DISPLAYED DIFFERENTLY FROM MERCHANDISE SUBJECT TO THE SCOPE OF THE ORDER ON CLPP FROM THE PRC.

THEREFORE, LAKESHORE'S WORKBOOKS, LISTED ABOVE, ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CLPP FROM THE PRC.

3. EFFECTIVE 04/17/2006, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF LAKESHORES WORKBOOKS LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO LAKESHORES WORKBOOKS LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF EE441 AND EE442 (DAILY MATH PRACTICE JOURNAL GRADES 1 - 3); EE443 AND EE444 (DAILY MATH PRACTICE JOURNAL GRADES 4 - 6); EE651 AND EE652 (DAILY LANGUAGE PRACTICE, GRADES 1 - 3); AND EE653 AND EE654 (DAILY LANGUAGE PRACTICE JOURNAL, GRADES 4 - 6) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/17/2006.

6. 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.

7. FOR ALL OTHER SHIPMENTS OF CLPP FROM THE PRC NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. 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 O8:JCM).

9. 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