

MESSAGE NO: 9159202 MESSAGE DATE: 06/08/2009
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-570-204

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2008 TO 01/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ INSTRUCTIONS FOR RESCISSION OF ADMIN REV FOR HEAVY FORGED HAND TOOLS, WITH OR WITHOUT HANDLES (AXES/ADZES) - CHINA (A-570-204-000) GREENGUARD INDUSTRY & PRC-WIDE

MESSAGE NO: 9159202 DATE: 06 08 2009

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 204 - -

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- - - -

PERIOD COVERED: 02 01 2008 TO 01 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ INSTRUCTIONS FOR RESCISSION OF ADMIN REV FOR HEAVY FORGED HAND TOOLS, WITH OR WITHOUT HANDLES (AXES/ADZES) - CHINA (A-570-204-000) GREENGUARD INDUSTRY & PRC-WIDE

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON HEAVY FORGED HAND TOOLS, WITH OR WITHOUT HANDLES (AXES/ADZES) FROM THE PEOPLES REPUBLIC OF CHINA (A-570-204) COVERING THE PERIOD 02/01/2008 THROUGH 01/31/2009, HAS BEEN RESCINDED FOR THE FIRMS LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR

CONSUMPTION DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009 AT THE CASH DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

GREENGUARD INDUSTRY CO., LTD.

PRC-WIDE ENTITY (A-570-204-000)

2. NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2008 THROUGH 01/31/2009 OCCURRED WITH PUBLICATION OF THE FINAL RESCISSION RESULTS OF ADMINISTRATIVE REVIEW (74 FR 27103 (JUNE 8, 2009)). CBP OFFICIALS SHOULD NOTE THAT THIS ADMINISTRATIVE REVIEW WAS REQUESTED BY THE IMPORTER, FISKARS BRAND, INC., HOWEVER, THE ADMINISTRATIVE REVIEW WAS INITIATED FOR THE EXPORTER, GREENGUARD INDUSTRY CO., LTD. (74 FR 12310 MARCH 24, 2009).

FOR ALL OTHER SHIPMENTS OF HEAVY FORGED HAND TOOLS, WITH OR WITHOUT HANDLES (AXES/ADZES) FROM THE PEOPLES REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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

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. 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 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.

6. 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 09:AV).

7. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party