

MESSAGE NO: 9216202 MESSAGE DATE: 08/04/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 7299201
MESSAGE #
(s):
CASE #(s): A-570-846

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 04/01/2005 TO 03/31/2006

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN BRAKE ROTORS FROM CHINA EXPORTED BY THE ENTITIES LISTED BELOW, (A-570-846-022/024/028/040//046/059) CT NO 07-00321

MESSAGE NO: 9216202

DATE: 08 04 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 7299201

REFERENCE DATE: 10 26 2007

CASES: A - 570 - 846

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PERIOD COVERED: 04 01 2005 TO 03 31 2006

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN BRAKE ROTORS FROM CHINA EXPORTED BY THE ENTITIES LISTED BELOW, (A-570-846-022/024/028/040//046/059) CT NO 07-00321

1. ON 05/18/2009, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF LONGKOU HAIMENG MACH. CO., LTD. V. UNITED STATES (CT NO 07-00321). THE 60-DAY PERIOD FOR PARTIES TO FILE AN APPEAL OF THE CITS DECISION ENDED ON JULY 17, 2009. NO PARTIES HAVE APPEALED THIS DECISION.

ACCORDINGLY, THE INJUNCTION TO WHICH MESSAGES 7264201 AND 7299201 REFER, ENJOINING LIQUIDATION OF ENTRIES WHICH ARE

SUBJECT TO THE ANTIDUMPING DUTY ORDER ON CERTAIN BRAKE ROTORS

FROM THE PEOPLES REPUBLIC OF CHINA (PRC) FOR PERIOD 04/01/2005 THROUGH 03/31/2006, EXPORTED BY THE FIRMS LISTED IN PARAGRAPH TWO BELOW, DISSOLVED ON 07/17/2009.

2. FOR ALL SHIPMENTS OF CERTAIN BRAKE ROTORS FROM THE PRC EXPORTED BY THE FIRMS LISTED BELOW AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 04/01/2005 THROUGH 03/31/2006, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE MARGIN PERCENT OF THE ENTERED VALUE AS LISTED BELOW.

EXPORTER: LAIZHOU AUTO BRAKE EQUIPMENTS FACTORY (AKA LAIZHOU AUTO BRAKE EQUIPMENT CO., LTD, AND AKA LAIZHOU AUTO BRAKE EQUIPMENT COMPANY)

CASE NO.: A-570-846-022

FINAL RATE: 4.22 PERCENT

EXPORTER: QINGDAO GREN CO. (AKA GREN GROUP (QINGDAO) CO. AND AKA QINGDAO GREN (GROUP) CO.)

CASE NO.: A-570-846-024

FINAL RATE: 4.22 PERCENT

EXPORTER: LAIZHOU HONGDA AUTO REPLACEMENT PARTS CO., LTD.

CASE NO.: A-570-846-028

FINAL RATE: 4.22 PERCENT

EXPORTER: LAIZHOU CITY LUQI MACHINERY CO., LTD. (AKA LAIZHOU LUQI MACHINERY CO., LTD.)

CASE NO.: A-570-846-046

FINAL RATE: 4.22 PERCENT

EXPORTER: LAIZHOU CITY LUQI MACHINERY CO., LTD. (AKA LAIZHOU LUQI MACHINERY CO., LTD.)

CASE NO.: A-570-846-059

FINAL RATE: 4.22 PERCENT

EXPORTER: LONGKOU TLC MACHINERY CO., LTD.

CASE NO.: A-570-846-040

FINAL RATE: 4.22 PERCENT

3. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 04/01/2005 THROUGH 03/31/2006. FOR ALL OTHER SHIPMENTS OF CERTAIN BRAKE ROTORS 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.

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

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (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.

6. 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'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 MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING 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 DUTIES DUE.

7. 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 O8:FMV).

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

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

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