

MESSAGE NO: 9224203 MESSAGE DATE: 08/12/2009
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9208203
MESSAGE #
(s):

CASE #(s): A-552-801

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2006 TO 07/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN FISH FILLETS FROM VIETNAM EXPORTED BY VIETNAM-WIDE ENTITY (A-552-801-000/012/013)

MESSAGE NO: 9224203

DATE: 08 12 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 9208203

REFERENCE DATE: 07 29 2009

CASES: A - 552 - 801

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PERIOD COVERED: 08 01 2006 TO 07 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN FISH
FILLETS FROM VIETNAM EXPORTED BY VIETNAM-WIDE ENTITY
(A-552-801-000/012/013)

1. FOR ALL SHIPMENTS OF CERTAIN FROZEN FISH FILLETS FROM THE SOCIALIST REPUBLIC OF VIETNAM EXPORTED BY THE ENTITIES LISTED BELOW ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2006 THROUGH 07/31/2007, ASSESS AN ANTIDUMPING LIABILITY AT THE PER UNIT RATE AS LISTED BELOW.

ENTITY: PRC-WIDE ENTITY

CASE NUMBER (A-552-801-000)

FINAL RATE: 2.11/Kg

Message Date: 08/12/2009

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ENTITY: PHAN QUAN COMPANY, LTD.
CASE NUMBER (A-552-801-012)
FINAL RATE: 2.11/Kg

ENTITY: PHU THANH COMPANY
CASE NUMBER (A-552-801-013)
FINAL RATE: 2.11/kg

PHAN QUAN COMPANY, LTD. AND PHU THANH COMPANY DO NOT HAVE A SEPARATE RATE AND ARE THEREFORE CONSIDERED PART OF THE VIETNAM-WIDE ENTITY EVEN THOUGH EACH HAS ITS OWN CASE NUMBER.

2. THE NOTICE OF LIFTING OF SUSPENSION OF LIQUIDATION FOR ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2006 THROUGH 07/31/2007, OCCURRED WITH THE PUBLICATION OF THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (74 FR 17816, 04/17/2009). FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN FISH FILLETS FROM VIETNAM, YOU SHALL, UNLESS OTHERWISE INSTRUCTED,

CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT CASH DEPOSIT RATES OR PER-UNIT AMOUNTS.

3. THE FOLLOWING INJUNCTIONS ARE IN PLACE HOWEVER THEY DO NOT IMPACT THE LIQUIDATION OF THE ENTITIES LISTED:

COURT CASE NUMBER: 09-00158

MESSAGE NUMBER: 9156205

EXPORTER/PRODUCER: QVD FOOD COMPANY, QVD DONG THAP FOOD, THUAN HUNG

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 07/31/2007

COURT CASE NUMBER: 09-00158

MESSAGE NUMBER: 9156205

EXPORTER/PRODUCER: AN GIANG FISHERIES

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 07/31/2007

COURT CASE NUMBER: 08-00233

MESSAGE NUMBER: 8345206 AND 8238202

EXPORTER: VINH QUANG FISHERIES COMPANY LTD. OR NEW
CENTURY TRADING COMPANY

PRODUCER: VINH QUANG FISHERIES COMPANY LTD.

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 01/31/2007

COURT CASE NUMBER: 09-00159

MESSAGE NUMBER: 9156206

EXPORTER/PRODUCER: BINH AN SEAFOOD JOINT STOCK COMPANY

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 01/31/2007

COURT CASE NUMBER: 09-00159

MESSAGE NUMBER: 9156206

EXPORTER/PRODUCER: SOUTHERN FISHERY INDUSTRIES COMPANY

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 01/31/2007

COURT CASE NUMBER: 08-00304

MESSAGE NUMBER: 8315203 AND 9208203

EXPORTER/PRODUCER: ANVIFISH CO., LTD.

IMPORTER: NOT APPLICABLE

PERIOD: 08/01/2006 THROUGH 01/31/2007

ACCORDINGLY, UNTIL FURTHER NOTICE CONTINUE TO SUSPEND
LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE
PROVIDED.

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, 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.

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 O9:AV).

7. 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