

MESSAGE NO: 9196204 MESSAGE DATE: 07/15/2009
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-570-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/2006 TO 10/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION ORDERS FOR RECISSION OF ADMINISTRATIVE NEW SHIPPER
REVIEWS OF AD ORDER ON FRESH GARLIC FROM CHINA PROD BY ANQIU HAOSHUN OR
NINGJIN (A-570-831-000)

MESSAGE NO: 9196204 DATE: 07 15 2009

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 831 - -

- - - -

- - - -

PERIOD COVERED: 11 01 2006 TO 10 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION ORDERS FOR RECISSION OF ADMINISTRATIVE
NEW SHIPPER REVIEWS OF AD ORDER ON FRESH GARLIC FROM
CHINA PROD BY ANQIU HAOSHUN OR NINGJIN (A-570-831-000)

1. THE NEW SHIPPER REVIEWS OF THE ANTIDUMPING DUTY ORDER ON
FRESH GARLIC FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-831),
COVERING THE PERIOD 11/01/2006 THROUGH 10/31/2007, HAVE 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RESCINDED FOR THE FIRMS LISTED BELOW.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ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM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 11/01/2006 THROUGH
10/31/2007 AT THE PER-UNIT ANTIDUMPING LIABILITY LISTED BELOW.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM(S):

COMPANY: ANQIU HAOSHUN TRADE CO., LTD.

CASE NUMBER: A-570-831-000

FINAL RATE: \$4.71 PER KG

COMPANY: NINGJIN RUIFENG FOODSTUFF CO., LTD.

CASE NUMBER: A-570-831-000

FINAL RATE: \$4.71 PER KG

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 11/01/2006 THROUGH 10/31/2007 OCCURRED WITH THE PUBLICATION OF THE FINAL RESULTS OF ADMINISTRATIVE REVIEW AND NEW SHIPPER REVIEWS (74 FR 29174, 06/19/2009).

FOR ALL OTHER SHIPMENTS OF FRESH GARLIC FROM THE PEOPLE'S 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'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.

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 O6: SA).

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