

MESSAGE NO: 9274201 MESSAGE DATE: 10/01/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ADM PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9254204
MESSAGE #
(s):

CASE #(s): A-570-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/13/2009 TO 09/01/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AMENDED FINAL RESULTS FOR CERTAIN CASED PENCILS FROM CHINA, REFUND OF ADD CASH DEPOSIT, BUT NOT UNTIL LIQUIDATION INSTRUCTIONS ARE ISSUED. (A-570-827)

MESSAGE NO: 9274201

DATE: 10 01 2009

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REFERENCE DATE: 09 11 2009

CASES: A - 570 - 827

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PERIOD COVERED: 07 13 2009 TO 09 01 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AMENDED FINAL RESULTS FOR CERTAIN CASED PENCILS FROM CHINA, REFUND OF ADD CASH DEPOSIT, BUT NOT UNTIL LIQUIDATION INSTRUCTIONS ARE ISSUED. (A-570-827)

1. ON 09/01/2009 (74 FR 45177), COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS AMENDED FINAL RESULTS IN THE ANTIDUMPING DUTY REVIEW OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA. SEE MESSAGE NUMBER 9254204, DATED 09/11/2009.

2. 19 U.S.C. SECTION 1520(a)(4) AUTHORIZES REFUNDS PRIOR TO LIQUIDATION WHENEVER AN IMPORTER OF RECORD DECLARES OR IT IS ASCERTAINED THAT EXCESS DUTIES, FEES, CHARGES, OR EXACTIONS

HAVE BEEN DEPOSITED OR PAID. IN ACCORDANCE WITH 19 U.S.C. SECTION 1520(a)(4), CBP IS AUTHORIZED TO GRANT A REFUND, IF REQUESTED BY THE IMPORTER, OF CASH DEPOSITS FOR ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 07/13/2009 TO 09/01/2009 OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE ENTITIES LISTED IN PARAGRAPH 3 BELOW.

THE REFUND AMOUNT WILL BE CALCULATED BY DETERMINING THE DIFFERENCE BETWEEN THE AMOUNT OF CASH DEPOSITS PAID AS A RESULT OF THE APPLICATION OF THE FINAL RESULTS RATE AND THE AMOUNT DUE AS A RESULT OF THE APPLICATION OF THE AMENDED FINAL RESULTS RATE.

3. LISTED BELOW ARE THE DEPOSIT RATES ASSIGNED TO CERTAIN PRODUCERS AND/OR EXPORTERS IN THE FINAL RESULTS (SEE MESSAGE 9202202, DATED 07/21/2009). IN ADDITION, LISTED BELOW ARE THE AMENDED DEPOSIT RATES ASSIGNED IN THE AMENDED FINAL RESULTS (SEE MESSAGE NUMBER 9254204, DATED 09/11/2009).

CASE NUMBER: A-570-827-004
EXPORTER: CHINA FIRST PENCIL CO., LTD.
ADMINISTRATIVE RESULTS FINAL RATE: 26.32
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 10.41

CASE NUMBER: A-570-827-015
EXPORTER: CHINA FIRST PENCIL FANG ZHENG CO.,
LTD.
ADMINISTRATIVE RESULTS FINAL RATE: 26.32
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 10.41

CASE NUMBER: A-570-827-013
EXPORTER: SHANGHAI FIRST WRITING INSTRUMENT
CO., LTD.
ADMINISTRATIVE RESULTS FINAL RATE: 26.32
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 10.41

CASE NUMBER: A-570-827-014

EXPORTER: SHANGHAI GREAT WALL PENCIL CO.,
LTD.

ADMINISTRATIVE RESULTS FINAL RATE: 26.32
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 10.41

CASE NUMBER: A-570-827-005
EXPORTER: SHANGHAI THREE STAR STATIONERY
INDUSTRY CORP.

ADMINISTRATIVE RESULTS FINAL RATE: 60.91
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 59.62

CASE NUMBER: A-570-827-002
EXPORTER: ORIENT INTERNATIONAL HOLDING
SHANGHAI FOREIGN TRADE CO., LTD.

ADMINISTRATIVE RESULTS FINAL RATE: 32.90
AMENDED ADMINISTRATIVE RESULTS FINAL RATE: 32.21

4. ENTRIES OF CERTAIN CASED PENCILS FROM THE PEOPLE'S REPUBLIC OF CHINA EXPORTED BY THE ENTITIES LISTED IN PARAGRAPH 3 ABOVE SHOULD NOT BE LIQUIDATED UNTIL LIQUIDATION INSTRUCTIONS ARE RECEIVED.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES UPON LIQUIDATION BY CBP ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1939. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES UPON LIQUIDATION ONLY. 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 THE ADMINISTRATIVE REFUND. INTEREST IS PAYABLE AT THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

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 OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY:O1: AJM).

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

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

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