

MESSAGE NO: 9321001 MESSAGE DATE: 11/17/2009
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-570-868

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/01/2007 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS BASED ON A SCOPE RULING ON FOLDING METAL TABLES AND CHAIRS FROM CHINA (A-570-868). LIFETIME PRODUCTS INC. FOLD-IN-HALF ADJ. TABLES

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PERIOD COVERED: 07 01 2007 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS BASED ON A SCOPE RULING ON FOLDING METAL TABLES AND CHAIRS FROM CHINA (A-570-868). LIFETIME PRODUCTS INC. FOLD-IN-HALF ADJ. TABLES

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM LIFETIME PRODUCTS INC. COMMERCE ISSUED A FINAL SCOPE RULING ON 10/27/2009, THAT LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-868).

2. COMMERCE DETERMINED THAT LIFETIME PRODUCTS INC.'S

FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES ESSENTIALLY SHARE THE SAME PHYSICAL CHARACTERISTICS OF BANQUET TABLES, WHICH ARE EXPRESSLY EXCLUDED FROM THE SCOPE OF THE ORDER.

LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES ARE RECTANGULAR TABLES CONSISTING OF A FOLD-IN-HALF STEEL FRAME, A DOUBLE-WALL, HIGH-DENSITY POLYETHYLENE TABLETOP APPROXIMATELY 24 INCHES WIDE BY 42 INCHES LONG, AND ADJUSTABLE HEIGHT MECHANISM WHICH ADJUSTS TO THREE HEIGHTS.

THE MODEL NUMBERS ASSOCIATED WITH THESE PRODUCTS ARE: MODEL 80120, MODEL 80044, AND MODEL 80045. THEREFORE, LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 07/01/2007, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF LIFETIME PRODUCTS INC.'S FOLD-IN-HALF ADJUSTABLE HEIGHT TABLES LISTED ABOVE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 07/01/2007.

6. 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.

7. FOR ALL OTHER SHIPMENTS OF FOLDING METAL TABLES AND CHAIRS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. 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:CJR).

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

FLORENCE V. CONSTANT

Company Details

*Party Indicator Value:

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