

MESSAGE NO: 3232301 MESSAGE DATE: 08/20/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALI-Auto Liquidation

FR CITE: 78 FR 46566 FR CITE DATE: 08/01/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-905

EFFECTIVE DATE: 08/01/2013 COURT CASE #:

PERIOD OF REVIEW: 06/01/2012 TO 05/31/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/01/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Non-review liquidation instruction for certain polyester staple fiber from the People's Republic of China for the period 06/01/2012 through 05/31/2013 (A-570-905)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce will not revise the assessment rates for firms with a Non-Market Economy separate rate for which an antidumping administrative review was not requested for this period. The firms listed below have a Non-Market Economy separate rate and are not subject to the review for the period 06/01/2012 through 05/31/2013. Therefore, in accordance with 19 CFR 351.212(c), you are to assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption for the firms listed below at the cash-deposit or bonding rate in effect at the time of entry:

Product: CERTAIN POLYESTER STAPLE FIBER

Country: THE PEOPLE'S REPUBLIC OF CHINA

Case number: A-570-905

Period: 06/01/2012 through 05/31/2013

Exporter: HANGZHOU BEST CHEMICAL FIBRE CO., LTD.

Producer: HANGZHOU BEST CHEMICAL FIBRE CO., LTD.

Case number: A-570-905-007

Exporter: SUZHOU POLYFIBER CO., LTD.

Producer: SUZHOU POLYFIBER CO., LTD.

Case number: A-570-905-015

Exporter: XIAMEN XIANGLU FIBER CHEMICAL CO.

Producer: XIAMEN XIANGLU FIBER CHEMICAL CO.

Case number: A-570-905-016

Exporter: CIXI SANSHENG CHEMICAL FIBER CO., LTD.

Case number: A-570-905-022

Exporter: CIXI WAYSUN CHEMICAL FIBER CO., LTD.

Case number: A-570-905-024

Exporter: HANGZHOU HANBANG CHEMICAL FIBRE CO., LTD.

Case number: A-570-905-025

Exporter: HANGZHOU HUACHUANG CO., LTD.

Case number: A-570-905-026

Exporter: HANGZHOU SANXIN PAPER CO., LTD.

Case number: A-570-905-027

Exporter: HANGZHOU TAIFU TEXTILE FIBER CO., LTD.

Case number: A-570-905-028

Exporter: JIAXING FUDA CHEMICAL FIBRE FACTORY

Case number: A-570-905-029

Exporter: NANTONG LUOLAI CHEMICAL FIBER CO. LTD.

Case number: A-570-905-030

Exporter: NANYANG TEXTILE CO., LTD.

Case number: A-570-905-031

Exporter: ZHEJIANG ANSHUN PETTECHS FIBRE CO., LTD.

Case number: A-570-905-033

Exporter: ZHEJIANG WAYSUN CHEMICAL FIBER CO., LTD.

Case number: A-570-905-034

3. There are no injunctions applicable to the entries covered by this instruction.

4. Entries of merchandise of firms not listed in paragraph 2 should not be liquidated until the issuance of specific instructions after completion of the administrative review for the period 06/01/2012 through 05/31/2013. Continue to suspend liquidation of all entries of merchandise that

were exported by firms not listed in paragraph 2 and entered, or withdrawn from warehouse, for consumption during this period.

5. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 06/2013 anniversary month (78 FR 46566, 08/01/2013). Unless instructed otherwise, for all other shipments of certain polyester staple fiber from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

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, as amended. 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. Upon assessment of antidumping duties, CBP shall 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 producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O9: SDH.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

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Company Details

*Party Indicator Value:

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