

MESSAGE NO: 9345001 MESSAGE DATE: 12/11/2009
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-570-891

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/2008 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 UPON ANTIDUMPING SCOPE SCOPE RULING ON HAND TRUCKS AND CERTAIN PARTS THEREOF FROM CHINA (A-570-891); SAFCO'S STOWAWAY CART

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CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 891 - -

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PERIOD COVERED: 12 01 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS BASED UPON ANTIDUMPING SCOPE SCOPE RULING ON HAND TRUCKS AND CERTAIN PARTS THEREOF FROM CHINA (A-570-891); SAFCO'S STOWAWAY CART

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM LIBERTY DIVERSIFIED INDUSTRIES/SAFCO PRODUCTS CO. (SAFCO). COMMERCE ISSUED A FINAL SCOPE RULING ON 06/26/2009 THAT SAFCO'S STOWAWAY CART (MODEL 4062) AND "STOW AND GO" CART (MODEL 4049) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER/FINDING COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-891).

2. COMMERCE DETERMINED THAT SAFCO'S "STOWAWAY" CART (MODEL 4062) AND STOW AND GO CART (MODEL 4049) ARE BOTH SMALL TWO-WHEEL UTILITY CARTS SPECIFICALLY DESIGNED FOR CARRYING LOADS LIKE PERSONAL BAGS OR LUGGAGE IN WHICH THE FRAME IS MADE FROM TELESCOPING TUBULAR MATERIAL MEASURING LESS THAN 5/8 INCH IN DIAMETER (OF SUBHEADING 8716.80.5020, HTSUS). THEREFORE, SAFCO'S STOWAWAY CART (MODEL 4062) AND "STOW AND GO" CART (MODEL 4049) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING HAND TRUCKS AND CERTAIN PARTS THEREOF FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-891).

3. EFFECTIVE 12/01/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF SAFCO'S STOWAWAY CART (MODEL 4062) AND STOW AND GO CART (MODEL 4049) LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO SAFCO'S STOWAWAY CART (MODEL 4062) AND "STOW AND GO" CART (MODEL 4049) LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SAFCO'S STOWAWAY CART (MODEL 4062) AND "STOW AND GO" CART (MODEL 4049) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/01/2008.

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 HAND TRUCKS AND CERTAIN PARTS THEREOF 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 TRENTHAM 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 07:MF).

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

ALICE J. BUCHANAN

Company Details

*Party Indicator Value:

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