

MESSAGE NO: 0011308 MESSAGE DATE: 01/11/2010  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 9082203  
MESSAGE #  
(s):

CASE #(s): A-428-840

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/20/2008 TO 10/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LIGHTWEIGHT THERMAL PAPER FROM GERMANY (A-428-840); EXCEPT PAPIERFABRIK AUGUST;, MIT. INT'L;, MIT. HITEC (2)

MESSAGE NO: 0011308

DATE: 01 11 2010

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 9082203

REFERENCE DATE: 03 23 2009

CASES: A - 428 - 840

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PERIOD COVERED: 11 20 2008 TO 10 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR LIGHTWEIGHT THERMAL PAPER FROM GERMANY (A-428-840); EXCEPT PAPIERFABRIK AUGUST;, MIT. INT'L;, MIT. HITEC (2)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/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 SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS

NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: LIGHTWEIGHT THERMAL PAPER

COUNTRY: GERMANY

CASE NUMBER: (A-428-840)

PERIOD: 11/20/2008 - 10/31/2009

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

MANUFACTURER: PAPIERFABRIK AUGUST KOEHLER AG OR KOEHLER AMERICA, INC.

CASE NUMBER: (A-428-840-001)

MANUFACTURER: MITSUBISHI INTERNATIONAL CORPORATION

CASE NUMBER: (ENTRIES MAY HAVE COME IN UNDER A-428-840-000)

MANUFACTURER: MITSUBISHI HITEC PAPER FLENSBURG GMBH

CASE NUMBER: (ENTRIES MAY HAVE COME IN UNDER A-428-840-000)

MANUFACTURER: MITSUBISHI HITEC PAPER BIELEFELD GMBH

CASE NUMBER: (ENTRIES MAY HAVE COME IN UNDER A-428-840-000)

3. THE INJUNCTION WITH COURT NUMBER 08-00430, IN MESSAGE NUMBERS 9042201, DATED 02/11/2009, AND 9082203, DATED 03/23/2009, IS APPLICABLE TO THE ENTRIES MANUFACTURED AND EXPORTED BY PAPIERFABRIK AUGUST KOEHLER AG OR KOEHLER AMERICA, INC. (A-428-840-001) AND ENTRIES MANUFACTURED AND/OR EXPORTED BY MITSUBISHI HITEC PAPER FLENSBURG GMBH, OR MITSUBISHI HITEC PAPER BIELEFELD GMBH DURING THE PERIOD 11/20/2008 THROUGH 10/31/2009.

ACCORDINGLY, UNTIL FURTHER NOTICE, CONTINUE TO SUSPEND LIQUIDATION OF THESE ENTRIES UNTIL LIQUIDATION INSTRUCTIONS ARE PROVIDED.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 11/20/2008 THROUGH 10/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 11/2009 ANNIVERSARY MONTH (74 FR 68229, 12/23/2009).

FOR ALL OTHER SHIPMENTS OF LIGHTWEIGHT THERMAL PAPER FROM GERMANY

YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. 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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT 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 AND/OR COUNTERVAILING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES AND/OR INCREASE THE ANTIDUMPING DUTIES BY THE AMOUNT OF THE COUNTERVAILING 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.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERSTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (203) 482-3577 RESPECTIVELY (GENERATED BY O3:GL).

8. 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