

MESSAGE NO: 9363003 MESSAGE DATE: 12/29/2009
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-570-904

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/01/2009 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 ADD SCOPE RULING ON CERTAIN
ACTIVATED CARBON FROM CHINA (A-570-904); ROLF C. HAGEN (USA) CORP (HAGEN)

MESSAGE NO: 9363003

DATE: 12 29 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 570 - 904

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PERIOD COVERED: 04 01 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS BASED UPON ADD SCOPE RULING
ON CERTAIN ACTIVATED CARBON FROM CHINA (A-570-904);
ROLF C. HAGEN (USA) CORP (HAGEN)

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM ROLF C. HAGEN (USA) CORP(HAGEN). COMMERCE ISSUED A FINAL SCOPE RULING ON 12/07/2009, THAT THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (A-570-904).

2. COMMERCE DETERMINED THAT WHILE A SMALL AMOUNT OF ACTIVATED CARBON EXISTS IN THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN,

IT IS MERELY ONE OF SEVERAL FULLY INTEGRATED COMPONENTS, AND IS NOT A STAND-ALONE PRODUCT BY ITSELF. THEREFORE, THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING CERTAIN ACTIVATED CARBON FROM THE PRC.

3. EFFECTIVE 04/01/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE FISH TANK FILTER PRODUCTS IMPORTED BY HAGEN ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 04/01/2009.

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 CERTAIN ACTIVATED CARBON FROM THE PRC 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, THEIMPORTING 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 O9:JH).

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