

MESSAGE NO: 0026202 MESSAGE DATE: 01/26/2010  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8273203  
MESSAGE #  
(s):

CASE #(s): A-533-840

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2006 TO 01/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN WARMWATER SHRIMP  
FROM INDIA PROD OR EXP'T BY UNIROYAL MARINE EXPORTS LTD. (A-533-840-000/063);  
COURT NO. 08-00241

MESSAGE NO: 0026202

DATE: 01 26 2010

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 8273203

REFERENCE DATE: 09 29 2008

CASES: A - 533 - 840

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PERIOD COVERED: 02 01 2006 TO 01 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR CERTAIN FROZEN WARMWATER  
SHRIMP FROM INDIA PROD OR EXP'T BY UNIROYAL MARINE  
EXPORTS LTD. (A-533-840-000/063); COURT NO. 08-00241

1. ON 06/24/2009, THE U.S. COURT OF INTERNATIONAL TRADE (CIT)  
ISSUED A FINAL DECISION IN THE CASE OF UNIROYAL MARINE EXPORTS  
LTD. V. UNITED STATES (COURT NO. 08-00241). AS A RESULT OF  
THIS DECISION, THE INJUNCTION TO WHICH MESSAGE NUMBER 8273203  
REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO  
THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP  
FROM INDIA FOR PERIOD 02/01/2006 THROUGH 01/31/2007 PRODUCED OR  
EXPORTED BY UNIROYAL MARINE EXPORTS LTD. DISSOLVED ON

08/23/2009.

2. FOR ALL SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM INDIA EXPORTED BY UNIROYAL MARINE EXPORTS LTD. (A-533-840-063), AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2006 THROUGH 01/31/2007, ASSESS AN ANTIDUMPING LIABILITY OF 110.90 PERCENT OF THE ENTERED VALUE. ENTRIES MAY ALSO HAVE BEEN MADE UNDER THE CASE NUMBER A-533-840-000.

3. FOR ALL SHIPMENTS OF MERCHANDISE PRODUCED BY UNIROYAL MARINE EXPORTS LTD. AND EXPORTED BY ONE OF THE COMPANIES LISTED IN MESSAGE NUMBER 9072202, ASSESS ANTIDUMPING DUTIES OF 1.69 PERCENT OF THE ENTERED VALUE. IN ADDITION, FOR ALL SHIPMENTS OF MERCHANDISE PRODUCED BY UNIROYAL MARINE EXPORTS LTD. AND EXPORTED BY ONE OF THE COMPANIES (INCLUDING UNIROYAL MARINE EXPORTS LTD.) LISTED IN MESSAGE NUMBER 8213206, ASSESS ANTIDUMPING DUTIES OF 110.90 PERCENT OF THE ENTERED VALUE.

4. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM INDIA PRODUCED BY UNIROYAL MARINE EXPORTS LTD. ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 02/01/2006 THROUGH 01/31/2007, AND NOT COVERED BY PARAGRAPHS TWO OR THREE, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR CERTAIN FROZEN WARMWATER SHRIMP FROM INDIA IS 10.17 PERCENT.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 02/01/2006 THROUGH 01/31/2007. FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM INDIA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

7. 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.

8. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD 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 MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING 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.

9. 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 O2: EE).

10. 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