

MESSAGE NO: 0297204 MESSAGE DATE: 10/23/2000
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-570-201, A-570-202, A-570-203,
A-570-204

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/1993 TO 01/31/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS FROM CHINA
(A-570-201, 202, 203, 204)

MESSAGE NO: 0297204	DATE: 10 23 2000
CATEGORY: ADA	TYPE: LIQ
REFERENCE:	REFERENCE DATE:
CASES: A - 570 - 201	A - 570 - 202
A - 570 - 203	A - 570 - 204
- -	- -

PERIOD COVERED: 02 01 1993 TO 01 31 1994

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS FOR HEAVY FORGED HAND TOOLS
FROM CHINA (A-570-201, 202, 203, 204)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF 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351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

HAMMER/SLEDGES FROM THE PEOPLE'S REPUBLIC
OF CHINA PERIOD
A-570-201

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/1993-01/31/1994

FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP. (FMEC)#
SHANDONG MACHINERY IMPORT & EXPORT CORPORATION (SMC)#

BAR/WEDGES FROM THE PEOPLE'S REPUBLIC
OF CHINA PERIOD
A-570-202

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/1993-01/31/1994

FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP. (FMEC)#
SHANDONG MACHINERY IMPORT & EXPORT CORPORATION (SMC)#

PICKS/MATTOCKS FROM THE PEOPLE'S REPUBLIC
OF CHINA PERIOD
A-570-203

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/1993-01/31/1994

FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP. (FMEC)#
SHANDONG MACHINERY IMPORT & EXPORT CORPORATION (SMC)#

AXES/ADZES FROM THE PEOPLE'S REPUBLIC
OF CHINA PERIOD
A-570-204

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT: 02/01/1993-01/31/1994

FUJIAN MACHINERY & EQUIPMENT IMPORT & EXPORT CORP. (FMEC)#
SHANDONG MACHINERY IMPORT & EXPORT CORPORATION (SMEC)#

#ENTRIES FOR FUJIAN MACHINERY AND SHANDONG MACHINERY FOR THE
ABOVE REFERENCED PERIOD LIQUIDATED VIA MESSAGE #0165203, DATED
06/13/2000

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE
COMPLETION OF THE ADMINISTRATIVE REVIEW. CONTINUE TO SUSPEND
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED
BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,
FOR CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTES THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIODS LISTED ABOVE. YOU SHALL 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 THE CUSTOMS SERVICE
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 CUSTOMS PAY INTEREST ON OVERPAYMENTS AND 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, CUSTOMS SHOULD
REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT
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 EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATIONS, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISONS, USING ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SHEILA E. FORBES ON (202) 482-4697, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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