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MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 78 FR 35251 FR CITE DATE: 06/12/2013

REFERENCE 0328310
MESSAGE #
(s):

CASE #(s): A-570-964

EFFECTIVE DATE: 06/12/2013 COURT CASE #:

PERIOD OF REVIEW: 11/22/2010 TO 10/31/2011

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 06/12/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Rescission of administrative review in part of antidumping duty order on Seamless Refined Copper Pipe and Tube from China for the period 11/22/2010 through 10/31/2011 (A-570-964)

1. Commerce has rescinded the administrative review of the antidumping duty order on seamless refined copper pipe and tube from the People's Republic of China (A-570-964) covering the period 11/22/2010 through 10/31/2011 in part with respect to the firms listed below. You are to assess antidumping duties on this merchandise entered, or withdrawn from warehouse, for consumption during the period 11/22/2010 through 10/31/2011 at the cash deposit rate required at the time of entry.

Liquidate all entries for the following firms:

Zhejiang Naile Copper Co., Ltd.

Case number: A-570-964-003

Zhejiang Jiahe Pipes Inc.

Case number: A-570-964-004

Luvata Tube (Zhongshan) Ltd.

Case numbers: A-570-964-005 and A-570-964-006

Luvata Alltop (Zhongshan) Ltd.

Case number: A-570-964-007

Ningbo Jintian Copper Tube Co., Ltd.

Case number: A-570-964-008

2. On 11/22/2010, the International Trade Commission ("ITC") published in the Federal Register (75 FR 71146, dated 11/22/2010) its final determination notifying the Department of Commerce that imports of seamless refined copper pipe and tube from the People's Republic of China threaten the U.S. industry with material injury. Accordingly, all entries of subject merchandise that

were entered or withdrawn from warehouse for consumption before 11/22/2010 were liquidated without regard to antidumping duties (i.e., release all bonds and return all cash deposits) under message number 0328310, dated 11/24/2010.

3. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 1 occurred with the publication of the notice of final results and partial revocation of 2010/11 antidumping duty administrative review (78 FR 35251, 06/12/2013). Unless instructed otherwise, for all other shipments of seamless refined copper pipe and tube from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

4. There are no injunctions applicable to the entries covered by this instruction.

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, as amended. 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.

6. Upon assessment of antidumping duties, CBP shall 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 producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:TEM.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

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