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TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 78 FR 34037 FR CITE DATE: 06/06/2013

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-851

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

PERIOD OF REVIEW: 02/01/2011 TO 01/31/2012

PERIOD COVERED: 02/01/2011 TO 01/31/2012

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

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for Certain Preserved Mushrooms from the People's Republic of China exported by the PRC-wide entity for the period 02/01/2011 through 01/31/2012 (A-570-851)

1. For all shipments of Certain Preserved Mushrooms from the People's Republic of China exported by the PRC-wide entity (A-570-851-000) entered, or withdrawn from warehouse, for consumption during the period 02/01/2011 through 01/31/2012, assess an antidumping liability equal to 308.33 percent of the entered value.

2. In Commerce's final results, 78 FR 34037, 06/06/2013, Commerce determined that the following companies are no longer eligible for a separate rate and are considered part of the PRC-wide entity:

Exporter: Shandong Jiufa Edible Fungus Corporation, Ltd.

Case Number: A-570-851-036

Manufacturer: Ayecue (Liaocheng) Foodstuff Co., Ltd.

Exporter: Ayecue International SLU

Case Number: A-570-851-040

Manufacturer: Dujiangyan Xingda Foodstuff Co., Ltd.

Exporter: Dujiangyan Xingda Foodstuff Co., Ltd.

Case Number: A-570-851-041

Manufacturer: Zhejiang Iceman Group Co., Ltd. (aka Zhejiang Iceman Food Co., Ltd.)

Exporter: Zhejiang Iceman Group Co., Ltd. (aka Zhejiang Iceman Food Co., Ltd.)

Case Number: A-570-851-044

Exporter: Ayecue (Liaocheng) Foodstuff Co., Ltd.

Case Number: A-570-851-051

Exporter: Zhejiang Iceman Group Co., Ltd. (aka Zhejiang Iceman Food Co., Ltd.)

Case Number: A-570-851-053

Therefore, CBP shall liquidate entries of Certain Preserved Mushrooms from the People's Republic of China for the firms listed above in this paragraph and entered, or withdrawn from warehouse, for consumption during the period 02/01/2011 through 01/31/2012 in accordance with the instructions in paragraph 1 above for the PRC-wide entity. Entries of such merchandise may have entered under the following case numbers:

A-570-851-036

A-570-851-040

A-570-851-041

A-570-851-044

A-570-851-051

A-570-851-053

3. In previous reviews the Department determined that the firms referenced below in this paragraph were not eligible for a separate rate and were considered part of the PRC-wide entity. However, entries may have continued to enter under the case numbers referenced below during the period 02/01/2011 through 01/31/2012.

Therefore, entries of Certain Preserved Mushrooms from the People's Republic of China for the firms listed below, entered, or withdrawn from warehouse, for consumption during the period 02/01/2011 through 01/31/2012 should be liquidated in accordance with the assessment instructions listed in paragraph 1 above for the PRC-wide entity. Note that several of the company case numbers (-001, -004, -008, -015, -029, -031, -032, and -033) were identified as manufacturers, and entries under those company case numbers should be liquidated in accordance with the assessment instructions listed in paragraph 1 regardless of the exporter. Note also that several of the company case numbers (-020, -025, -028, -037, -047, and -050) involve a required combination (manufacturer and exporter).

Manufacturer: China Processed Food Import & Export Co.

Case Number: A-570-851-001

Manufacturer: Gerber Food (Yunnan) Co., Ltd.

Case Number: A-570-851-004

Manufacturer: Xiamen Gulong Import & Export Co., Ltd.

Case Number: A-570-851-008

Manufacturer: Green Fresh Foods (Zhangzhou) Co. Ltd.

Case Number: A-570-851-015

Manufacturer: Guangxi Yulin Oriental Food Co., Ltd.

Exporter: Guangxi Yulin Oriental Food Co., Ltd.

Case Number: A-570-851-020

Manufacturer: Primera Harvest (Xiangfan) Co., Ltd.

Exporter: Primera Harvest (Xiangfan) Co., Ltd.

Case Number: A-570-851-025

Manufacturer: Guangxi Hengxian Pro-Light Foods, Inc.

Exporter: Guangxi Hengxian Pro-Light Foods, Inc.

Case Number: A-570-851-028

Manufacturer: China National Cereals, Oils, & Foodstuffs Import & Export Co., Ltd.

Case Number: A-570-851-029

Manufacturer: Fujian Zishan Group Co., Ltd.

Case Number: A-570-851-031

Manufacturer: Xiamen Jiahua Import & Export Trading Co. Ltd.

Case Number: A-570-851-032

Manufacturer: Fujian Yu Xing Fruit & Vegetable Foodstuff Development Co.

Case Number: A-570-851-033

Manufacturer: Raoping CXF Food, Inc.

Exporter: Guangxi Eastwing Trading Co., Ltd.

Case Number: A-570-851-037

Manufacturer: Shandong Fengyu Edible Fungus Corporation, Ltd.

Exporter: Shandong Fengyu Edible Fungus Corporation, Ltd.

Case Number: A-570-851-047

Manufacturer: Zhangzhou Long Mountain Food Co., Ltd.

Exporter: Zhangzhou Long Mountain Food Co., Ltd.

Case Number: A-570-851-050

4. The notice of lifting of suspension of liquidation for entries of subject merchandise covered by paragraphs 1, 2, and 3 occurred with the publication of the final results of administrative review (78 FR 34037, 06/06/2013). Unless instructed otherwise, for all other shipments of Certain Preserved Mushrooms from the People's Republic of China, you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current cash deposit rates or per-unit amounts.

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

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, 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.

7. 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 manufacturer, 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.

8. 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 O7:MJH.)

9. 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