

MESSAGE NO: 3176301 MESSAGE DATE: 06/25/2013
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 9273210, 9258205, 3154302
MESSAGE #
(s):

CASE #(s): A-570-890

EFFECTIVE DATE: 06/13/2013 COURT CASE #: 09-00378

PERIOD OF REVIEW: 01/01/2007 TO 12/31/2007

PERIOD COVERED: 01/01/2007 TO 12/31/2007

Notice of Lifting of Suspension Date: 06/25/2013

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for furniture from the PRC exported by Orient International Holding Shanghai Foreign Trade and Dream Rooms Furniture (Shanghai) for the period 01/01/07 - 12/31/07 (A-570-890).

Notice of the lifting of suspension occurred on the message date of these instructions. See paragraph 3 below.

1. On 06/13/2013, in the case of Lifestyle Enterprise, Inc. v. United States (09-00378), the U.S. Court of International Trade severed and deconsolidated Orient International Holding Shanghai Foreign Trade Co., Ltd. v. United States (09-00379), Dream Rooms Furniture (Shanghai) Co., Ltd. v. United States (09-00395), and Ron's Warehouse Furniture v. United States (09-00399) from all other previously consolidated cases: American Furniture Manufacturers Committee for Legal Trade v. United States (09-00394) and Guangdong Yihua Timber Industry Co., Ltd. v. United States (09-00398). Furthermore, the Court ordered that the September 9, 2009, and September 22, 2009, injunctions issued in Ct. Nos. 09-00379 and 09-00395, respectively, are amended such that all entries exported by Orient International Holding Shanghai Foreign Trade Co., Ltd. and Dream Rooms Furniture (Shanghai) Co., Ltd. shall be liquidated without delay in accordance with the Court's February 5, 2013 final judgment for the period 01/01/2007 through 12/31/2007. As a result, the injunctions to which messages 9258205 and 9273210 refer, enjoining liquidation of entries which are subject to the antidumping duty order on wooden bedroom furniture from the People's Republic of China for the period 01/01/2007 through 12/31/2007, exported by Orient International Holding Shanghai Foreign Trading Co., Ltd. and Dream Rooms Furniture (Shanghai) Co., Ltd., dissolved on 06/13/2013.

This message orders liquidation of any remaining entries for Orient International Holding Shanghai Foreign Trading Co., Ltd. during the period 01/01/2007 through 12/31/2007, which were not covered by message number 3154302 (06/03/2013).

2. For all shipments of wooden bedroom furniture from the People's Republic of China exported by the companies listed below and entered, or withdrawn from warehouse, for consumption during the period 01/01/2007 through 12/31/2007, assess an antidumping liability equal to the percentage listed below of the entered value:

Orient International Holding Shanghai Foreign Trade Co., Ltd.

Final rate: 83.55%

May have entered under case number A-570-890-120

Dream Rooms Furniture (Shanghai) Co., Ltd.

Final rate: 216.01%

May have entered under case number A-570-890-099

3. These instructions constitute notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2. Accordingly, notice of the lifting of suspension occurred on the message date of these instructions. Unless instructed otherwise, for all other shipments of wooden bedroom furniture 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 O8:AM.)

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