

MESSAGE NO: 2080205 MESSAGE DATE: 03/21/2002
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ADM PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-831

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/01/1999 TO 10/31/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: CASH DEPOSIT INSTRUCTIONS FOR FRESH GARLIC FROM THE PEOPLE'S
REPUBLIC OF CHINA (A-570-831)

MESSAGE NO: 2080205 DATE: 03 21 2002

CATEGORY: ADA TYPE: ADM

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 831 - -

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PERIOD COVERED: 11 01 1999 TO 10 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: CASH DEPOSIT INSTRUCTIONS FOR FRESH GARLIC FROM
THE PEOPLE'S REPUBLIC OF CHINA (A-570-831)

1. THE DEPARTMENT OF COMMERCE HAS PUBLISHED IN THE FEDERAL
REGISTER (67 FR 11283) ON 03/13/2002 THE FINAL RESULTS OF ITS
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON FRESH
GARLIC

FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) FOR THE PERIOD
11/01/1999

THROUGH 10/31/2000. IN THE SAME NOTICE, COMMERCE RESCINDED THE
NEW SHIPPER REVIEW OF THE ANTIDUMPING DUTY ORDER ON FRESH GARLIC

FROM THE PRC FOR THE PERIOD 06/01/2000 THROUGH 11/30/2000. THE NEW SHIPPER REVIEW COVERED CLIPPER MANUFACTURING LTD. (CLIPPER).

2. AS A RESULT OF THE ADMINISTRATIVE REVIEW, FOR SHIPMENTS OF FRESH GARLIC FROM THE PRC PRODUCED OR EXPORTED BY FOOK HUAT TONG KEE PTE., LTD., AND TAIAN FOOK HUAT TONG KEE FOODS CO., LTD. (COLLECTIVELY FHTK) (A-570-831-005), AND IMPORTED, ENTERED, OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION IN THE UNITED STATES ON OR AFTER 03/13/2002, THE REQUIRED CASH DEPOSIT RATE IS 376.67 PERCENT.

3. A CASH DEPOSIT RATE OF 376.67 PERCENT IS REQUIRED FOR ALL OTHER PRC PRODUCERS OR EXPORTERS OF THE SUBJECT MERCHANDISE EXCEPT FOR THOSE PRODUCERS OR EXPORTERS LISTED IN MESSAGE NUMBER 2016204, DATED 01/16/2002, THAT ARE SUBJECT TO UNCOMPLETED NEW SHIPPER REVIEWS. FOR ALL NON-PRC EXPORTERS OF FRESH GARLIC FROM THE PRC, THE CASH-DEPOSIT RATE WILL BE THE RATE APPLICABLE TO THE PRC SUPPLIER OF THAT EXPORTER.

4. IMPORTERS OF SUBJECT MERCHANDISE PRODUCED OR EXPORTED BY THE PRODUCERS/EXPORTERS LISTED IN MESSAGE NUMBER 2016204, AS INSTRUCTED THEREIN, HAVE THE OPTION OF POSTING A BOND OR OTHER SECURITY DEPOSIT IN LIEU OF A CASH DEPOSIT AT THE RATE OF 376.67 PERCENT. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF THE CUSTOMS SERVICE, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE EQUIVALENT). OTHERWISE, AS IN THE CASE OF FRESH GARLIC FROM THE PRC, WHERE THE IMPORTER HAS THE OPTION TO POST A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES, CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE BONDING REQUIREMENTS.

5. EFFECTIVE 03/13/2002, CLIPPER MAY NO LONGER POST A BOND OR OTHER SECURITY DEPOSIT IN LIEU OF A CASH DEPOSIT. THEREFORE, FOR ALL SHIPMENTS OF FRESH GARLIC FROM THE PRC PRODUCED OR EXPORTED BY CLIPPER WHICH ARE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION, THE REQUIRED CASH DEPOSIT RATE IS 376.67 PERCENT.
6. THESE CASH DEPOSIT REQUIREMENTS WILL REMAIN IN EFFECT UNTIL PUBLICATION OF THE FINAL RESULTS FOR THE NEXT ADMINISTRATIVE REVIEW.
7. DO NOT LIQUIDATE ANY ENTRIES OF THE MERCHANDISE INCLUDED IN THE ADMINISTRATIVE REVIEW FOR THE PERIOD OF 11/01/1999 THROUGH 10/31/2000 OR THE NEW SHIPPER REVIEW FOR THE PERIOD OF 06/01/2000 THROUGH 11/30/2000 UNTIL APPRAISEMENT INSTRUCTIONS ARE RECEIVED.
8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT EDYTHE ARTMAN AT 202-482-3931, OF AD/CVD ENFORCEMENT 3, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.
9. 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