

MESSAGE NO: 2092211 MESSAGE DATE: 04/02/2002
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-588-604

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/01/1994 TO 09/30/1995

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR TRBS AND PARTS THEREOF FROM JAPAN (A-588-604)

MESSAGE NO: 2092211 DATE: 04 02 2002

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 588 - 604 - -

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PERIOD COVERED: 10 01 1994 TO 09 30 1995

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: LIQUIDATION INSTRUCTIONS FOR TRBS AND PARTS THEREOF FROM
JAPAN (A-588-604)

1. FOR ALL SHIPMENTS OF TAPERED ROLLER BEARINGS, AND PARTS THEREOF, FINISHED AND UNFINISHED, FROM JAPAN (A-588-604) MANUFACTURED/RESOLD/EXPORTED BY KAWASAKI HEAVY INDUSTRIES, LTD. (KAWASAKI), NIIGATA CONVERTER CO., LTD. (NIIGATA), SUZUKI MOTOR CO., LTD. (SUZUKI), AND YAMAHA MOTOR CO., LTD. (YAMAHA), IMPORTED BY ALL IMPORTERS, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/01/1994 THROUGH 09/30/1995, YOU ARE TO ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE PERCENTAGE

LISTED BELOW OF THE ENTERED VALUE:

MANUFACTURER/RESELLER/EXPORTER: KAWASAKI A-588-604-015

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	10/01/1994 - 09/30/1995	40.37

MANUFACTURER/RESELLER/EXPORTER: NIIGATA A-588-604-035

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	10/01/1994 - 09/30/1995	40.37

MANUFACTURER/RESELLER/EXPORTER: SUZUKI A-588-604-048

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	10/01/1994 - 09/30/1995	40.37

MANUFACTURER/RESELLER/EXPORTER: YAMAHA A-588-604-059

IMPORTER	PERIOD	PERCENT
ALL IMPORTERS	10/01/1994 - 09/30/1995	40.37

2. IN ADDITION, FOR ALL SHIPMENTS OF TAPERED ROLLER BEARINGS, AND PARTS THEREOF, FINISHED AND UNFINISHED, FROM JAPAN (A-588-604) MANUFACTURED/RESOLD/EXPORTED BY ICHIYANAGI TEKKO, KOYO SEIKO CO., LTD., NTN CORPORATION, SUMIKIN SEIATSU, AND TOYOSHA COMPANY LTD., IMPORTED BY ALL IMPORTERS, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/01/1994 THROUGH 09/30/1995, YOU ARE TO ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

3. IN ADDITION, THE DEPARTMENT OF COMMERCE HAS DETERMINED AND THE COURT OF INTERNATIONAL TRADE HAS UPHELD THAT ROUGH FORGINGS FALL WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON TAPERED ROLLER BEARINGS, AND PARTS THEREOF, FINISHED AND UNFINISHED, FROM JAPAN (A-588-604). THEREFORE, FOR ALL SHIPMENTS OF ROUGH FORGINGS FROM JAPAN MANUFACTURED BY KOYO, IMPORTED BY ALL IMPORTERS, AND ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 10/01/1994 THROUGH 09/30/1995, YOU ARE TO ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON 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 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, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS 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 LIQUIDATION, 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 LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT DEBORAH SCOTT AT 202-482-2657, AD/CVD ENFORCEMENT, GROUP III, OFFICE 8, 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