U.S. Customs and Border Protection has determined that there is a reasonable suspicion that an importer is evading the antidumping duty order on glycine from China by transshipping such goods through Thailand.

As a result, CBP is imposing the following interim measures.

- rate adjusting all unliquidated entries of subject goods entered as not subject to AD duties and requiring AD cash deposits
- requiring live entry for all future imports for the importer at issue
- rejecting any entry summaries that do not comply with live entry and requiring a refile for those within the entry summary reject period
- suspending liquidation of any entry entered on or after Oct. 16, 2018, and extending the liquidation period for all unliquidated entries entered before that date
- reliquidating any entries that have liquidated and for which CBP’s reliquidation authority has not yet lapsed
- evaluating the importer’s continuous bond and requiring single transaction bonds as appropriate

The Enforce and Protect Act, part of the Trade Facilitation and Trade Enforcement Act, gave CBP a significantly expanded role in investigating AD/CV duty evasion and the authorities to match. Under CBP regulations implementing the EAPA any interested party, including competing importers and federal government agencies, may submit allegations that AD/CV duties are being evaded; e.g., by misrepresenting the goods’ true country of origin, submitting false or incorrect shipping and entry documentation, or misreporting the goods’ physical characteristics.

CBP has broad authority to conduct investigations of these claims and can impose initial remedial measures that could interrupt a supply chain in as little as 90 days. Any final determination of evasion may be met with not only AD/CV duties but also other enforcement measures such as civil or
criminal investigations.

For more information on AD/CV duty evasion, please contact Kristen Smith at (202) 730-4965.

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