

MESSAGE NO: 4247204 MESSAGE DATE: 09/03/2004  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-533-825

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/22/2001 TO 12/31/2002

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INSTR. - POLYETHYLENE TEREPHTHALATE FILM SHEET AND STRIP (PET FILM) FROM INDIA (C-533-825) EXPORTER/PRODUCER POLYPLEX

MESSAGE NO: 4247204

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CASES: C - 533 - 825

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PERIOD COVERED: 10 22 2001 TO 12 31 2002

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INSTR. - POLYETHYLENE TEREPHTHALATE FILM SHEET AND  
STRIP (PET FILM) FROM INDIA (C-533-825)  
EXPORTER/PRODUCER POLYPLEX

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON 08/17/2004 (69 FR 51063) THE FINAL RESULTS OF ITS ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON PET FILM FROM INDIA (C-533-825) FOR THE PERIOD 10/22/2001 THROUGH 12/31/2002. THIS ADMINISTRATIVE REVIEW COVERED THE EXPORTER/PRODUCER POLYPLEX CORPORATION LTD. (POLYPLEX)

2. IMPORTS COVERED BY THE REVIEW ARE SHIPMENTS OF ALL GAUGES OF RAW, PRETREATED, OR PRIMED PET FILM, WHETHER EXTRUDED OR

COEXTRUDED. EXCLUDED ARE METALLIZED FILMS AND OTHER FINISHED FILMS THAT HAVE HAD AT LEAST ONE OF THEIR SURFACES MODIFIED BY THE APPLICATION OF A PERFORMANCE-ENHANCING RESINOUS OR INORGANIC LAYER OF MORE THAN 0.00001 INCHES THICK. IMPORTS OF PET FILM ARE CLASSIFIABLE IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER ITEM NUMBER 3920.62.00. HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES. THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. THE NET SUBSIDY FOR THE EXPORTER/PRODUCER POLYPLEX WAS FOUND TO BE 20.62 PERCENT AD VALOREM FOR THE PERIOD 10/22/2001 THROUGH 12/31/2001 AND 19.63 PERCENT AD VALOREM FOR THE FOLLOWING PERIODS: 1) THE PERIOD 1/1/2002 THROUGH 2/18/2002 AND 2) THE PERIOD 7/01/2002 THROUGH 12/31/2002. THE PERIOD 2/19/2002 THROUGH 6/30/2002 IS THE PERIOD DURING WHICH SUSPENSION OF LIQUIDATION WAS TERMINATED. SUSPENSION OF LIQUIDATION WAS TERMINATED ON THE 120TH DAY AFTER THE AFFIRMATIVE PRELIMINARY COUNTERVAILING DUTY DETERMINATION WAS PUBLISHED AND WAS RESUMED AT THE TIME THAT THE COUNTERVAILING DUTY ORDER WAS PUBLISHED.

4. ACCORDINGLY, FOR POLYPLEX, YOU ARE NOW INSTRUCTED TO ASSESS COUNTERVAILING DUTIES OF 20.62 PERCENT OF THE ENTERED VALUE ON ALL SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/22/2001 AND ON OR BEFORE 12/31/2001. IN ADDITION, YOU ARE INSTRUCTED TO ASSESS COUNTERVAILING DUTIES OF 19.63 PERCENT OF THE ENTERED VALUE ON ALL SHIPMENTS OF THIS MERCHANDISE THAT ARE 1) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 1/1/2002 AND ON OR BEFORE 2/18/2002, AND 2) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 7/1/2002 AND ON OR BEFORE 12/31/2002. SHIPMENTS OF THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE ON OR AFTER 2/19/2002 AND ON OR BEFORE 6/30/2002 SHOULD BE LIQUIDATED WITHOUT REGARD TO COUNTERVAILING DUTIES.

5. THE ASSESSMENT OF COUNTERVAILING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT

CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES 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. PLEASE NOTE THAT THE ASSESSMENT OF COUNTERVAILING DUTIES ON ENTRIES ON OR AFTER 10/22/01 AND ON OR BEFORE 2/18/2002 CANNOT EXCEED THE AMOUNT OF THE CASH DEPOSIT OR BOND IN EFFECT AT THE TIME OF ENTRY.

7. THE SUSPENSION OF LIQUIDATION ORDERED FOR THIS MERCHANDISE EXPORTED ON OR BEFORE 12/31/2002 IS LIFTED. SUSPENSION OF LIQUIDATION FOR ALL ENTRIES OF THIS MERCHANDISE EXPORTED AFTER 12/31/2002 WILL CONTINUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, CONTACT DAVINA HASHIMI OR RON TRENTHAM AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-0984 OR (202) 482-3577, RESPECTIVELY.

(GENERATED BY O4: JP).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party