

MESSAGE NO: 4254201 MESSAGE DATE: 09/10/2004
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: PRE-Preliminary PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-533-842

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/30/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: PRELIM. AFFIRM. DETERM. IN THE CVD INVESTIGATION OF BOTTLE-GRADE POLYETHYLENE TEREPHTHALATE RESIN - INDIA (C-533-842) AND ALIGNMENT WITH A-533-841.

MESSAGE NO: 4254201 DATE: 09 10 2004

CATEGORY: CVD TYPE: PRE

REFERENCE: REFERENCE DATE:

CASES: C - 533 - 842 - -

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PERIOD COVERED: 08 30 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIM. AFFIRM. DETERM. IN THE CVD INVESTIGATION OF BOTTLE-GRADE POLYETHYLENE TEREPHTHALATE RESIN - INDIA (C-533-842) AND ALIGNMENT WITH A-533-841.

1. ON AUGUST 30, 2004, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS PRELIMINARY AFFIRMATIVE DETERMINATION AND ALIGNMENT OF THE FINAL COUNTERVAILING DUTY DETERMINATION OF BOTTLE-GRADE POLYETHYLENE TEREPHTHALATE RESIN FROM INDIA (69 FR 52866), THEREBY ALIGNING IT WITH THE DUE DATE FOR THE FINAL DETERMINATION IN THE ANTIDUMPING DUTY INVESTIGATION OF BOTTLE-GRADE POLYETHYLENE TEREPHTHALATE RESIN FROM INDIA (A-533-841).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS BOTTLE-GRADE POLYETHYLENE TEREPHTHALATE (PET) RESIN, DEFINED AS HAVING AN INTRINSIC VISCOSITY OF AT LEAST 0.68 DECILITERS PER GRAM BUT NOT MORE THAN 0.86 DECILITERS PER GRAM. THE SCOPE INCLUDES BG PET RESIN THAT CONTAINS VARIOUS ADDITIVES INTRODUCED IN THE MANUFACTURING PROCESS. THE SCOPE DOES NOT INCLUDE POST-CONSUMER RECYCLE (PCR) OR POST-INDUSTRIAL RECYCLE (PIR) BOTTLE-GRADE PET RESIN; HOWEVER, INCLUDED IN THE SCOPE IS ANY BOTTLE-GRADE PET RESIN BLEND OF VIRGIN PET BOTTLE-GRADE RESIN AND RECYCLED PET (RPET). WASTE AND SCRAP PET IS OUTSIDE THE SCOPE OF THE INVESTIGATION. FIBER-GRADE PET RESIN, WHICH HAS AN INTRINSIC VISCOSITY OF LESS THAN 0.68 DECILITERS PER GRAM, IS ALSO OUTSIDE THE SCOPE OF THE INVESTIGATION.

THE MERCHANDISE SUBJECT TO THIS INVESTIGATION IS PROPERLY CLASSIFIED UNDER SUBHEADING 3907.60.0010 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS); HOWEVER, MERCHANDISE CLASSIFIED UNDER HTSUS SUBHEADING 3907.60.0050 THAT OTHERWISE MEETS THE WRITTEN DESCRIPTION OF THE SCOPE IS ALSO SUBJECT TO THIS INVESTIGATION. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-533-842.

4. FOR IMPORTS OF BG PET RESIN FROM INDIA, U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION

ON

OR AFTER AUGUST 30, 2004. EFFECTIVE AUGUST 30, 2004, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE SUBSIDY RATES SHOWN BELOW:

PRODUCER/ EXPORTER	CUSTOMS ID NUMBER	AD VALOREM SUBSIDY RATE
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RELIANCE		
INDUSTRIES LTD	C-533-842-001	30.24%
SOUTH ASIA		
PETROCHEM LTD	C-533-842-005	19.13%
ELQUE		
POLYESTERS LTD	C-533-842-004	12.02%
ALL OTHERS	C-533-842-000	24.01%

5. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF CBP, 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, 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.

6. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (O6:DI).

7. 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