

MESSAGE NO: 6194206 MESSAGE DATE: 07/13/2006
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-570-886

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/05/2006 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING SCOPE RULING ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLES REPUBLIC OF CHINA (A-570-886)

MESSAGE NO: 6194206 DATE: 07 13 2006

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 886 - -

- - - -

- - - -

PERIOD COVERED: 06 05 2006 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING SCOPE RULING ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLES REPUBLIC OF CHINA (A-570-886)

1. ON 06/05/2006, IN RESPONSE TO A REQUEST BY CONSOLIDATED PACKAGING, LLC (CONSOLIDATED), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CERTAIN PLASTIC BAGS WHICH CONSOLIDATED IMPORTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-886). THE COMMERCE DEPARTMENT'S DETERMINATION APPLIES TO THE FOLLOWING MODELS: 102116-ACL; 102116-LAB; 1618YEL-DR; 20x15FROZEN; 20x15REFRIG; 20x15RMTMP;

2587A; 28-4-470H; 28-4-470L; 39769; 46500-BIOPBAG; 62-10; 64-3-69; 64-6-52; 671100; 675000TL; 70-37; 99-950-0; 9x14FROZEN; 9x14REFRIG; 9x14RMTMP; BG975-124; DLOSPECBAG; DLOSTATBAG; EDB (OF ALL COLORS); MLED (of all colors); QD-06CLP; QD-104C; QD-16 (OF ALL COLORS); SB-899-C; SB-900-C; SB-902-C; SB-905-C; SB-913-C; SB-911-C.

2. THE COMMERCE DEPARTMENT DETERMINED THAT CONSOLIDATED'S PLASTIC BAGS CONTAIN CERTAIN FEATURES WHICH EXPLICITLY EXCLUDE THEM FROM THE SCOPE OF THE ORDER. FOR EXAMPLE, THE BAGS IDENTIFIED ABOVE ARE (1) SEALABLE, (2) WITHOUT HANDLES, (3) WITH INTERGRAL EXTRUDED CLOSURES, (4) WITH A LENGTH OR WIDTH SHORTER THAN 6 INCHES OR LONGER THAN 40 INCHES, OR (5) NOT PRINTED WITH LOGOS OR STORE NAMES AND CLOSEABLE WITH DRAWSTRINGS MADE OF POLYETHYLENE FILM. THEREFORE, CONSOLIDATED'S PLASTIC BAG MODELS IDENTIFIED ABOVE ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 06/05/2006, TERMINATE SUSPENSION AND LIQUIDATE UNLIQUIDATED ENTRIES WITHOUT REGARD TO ANTIDUMPING DUTIES, REGARDLESS OF ENTRY DATE, OF THE PLASTIC BAGS LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE PLASTIC BAGS LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CUSTOMS AND BORDER PROTECTION ON 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 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 WHICH IS 8/9/2004. 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM 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 (GENERATED BY O5:JK).

8. 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