

MESSAGE NO: 2193306 MESSAGE DATE: 07/11/2012
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-886

EFFECTIVE DATE: 01/26/2004 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 07/11/2012

TO: { Directors Of Field Operations, Port Directors }

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

RE: Antidumping duty scope determination on polyethylene retail carrier bags from the People's Republic of China

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM BUNZL DISTRIBUTION USA, INC. (BUNZL). COMMERCE ISSUED A FINAL SCOPE DETERMINATION ON 07/06/2012 THAT BUNZL'S ICE BAGS WHICH BUNZL 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).

2. COMMERCE DETERMINED THAT BUNZL'S ICE BAGS ARE OUTSIDE THE SCOPE OF THE ORDER BECAUSE COMMERCE FOUND THAT THE BAGS BUNZL IS IMPORTING ARE DRAWSTRING ICE BAGS WHERE THE DRAWSTRINGS PRIMARILY PERFORM THE FUNCTION OF CLOSING THE BAG TO PREVENT THE ICE CUBES FROM FALLING OUT OF THE BAG AND KEEPING THE ICE CUBES CLEAN RATHER THAN SERVING AS A HANDLE FOR THE BAG. THEREFORE, BUNZL'S ICE BAGS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. FOR ALL ENTRIES OF ICE BAGS NOT WITHIN SCOPE THAT REMAIN UNLIQUIDATED ON OR AFTER 01/26/2004, CBP SHALL TERMINATE SUSPENSION AND LIQUIDATE ENTRIES OF PRODUCT NOT WITHIN SCOPE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION.

4. REFUND ANY CASH DEPOSITS RELATING TO THE ICE BAGS DESCRIBED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF ICE BAGS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/26/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930, AS AMENDED. 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. 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.

7. UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS BY THE IMPORTING PUBLIC REGARDING THIS MESSAGE, PLEASE CONTACT THE CALL CENTER FOR THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0984. CBP PORTS SHOULD SUBMIT THEIR INQUIRIES THROUGH AUTHORIZED CBP CHANNELS ONLY. (THIS MESSAGE WAS GENERATED BY O1:BH.)

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

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

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