

MESSAGE NO: 1336301 MESSAGE DATE: 12/02/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ADRV-Administrative Review

FR CITE: 76 FR 70965 FR CITE DATE: 11/16/2011

REFERENCE
MESSAGE #
(s):

CASE #(s): A-549-821

EFFECTIVE DATE: 11/16/2011 COURT CASE #:

PERIOD OF REVIEW: 08/01/2009 TO 07/31/2010

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 11/16/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: Liquidation instructions for polyethylene retail carrier bags from Thailand produced and/or exported by Trinity Pac Co. Ltd. for the period 08/01/2009 through 07/31/2010 (A-549-821)

1. FOR ALL SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND PRODUCED AND/OR EXPORTED BY TRINITY PAC CO. LTD. AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2009 THROUGH 07/31/2010, ASSESS AN ANTIDUMPING LIABILITY OF 28.74 PERCENT OF THE ENTERED VALUE. TRINITY PAC CO. LTD. DID NOT HAVE ITS OWN CASE NUMBER DURING THE PERIOD OF REVIEW; ENTRIES MAY HAVE BEEN MADE UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS.

2. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE COVERED BY PARAGRAPH 1 OCCURRED WITH THE PUBLICATION OF THE CORRECTION TO THE AMENDED FINAL RESULTS OF ADMINISTRATIVE REVIEW (76 FR 70965, 11/16/2011). UNLESS INSTRUCTED OTHERWISE, FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES AT THE CURRENT RATES.

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

4. 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.

5. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHALL REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT, AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHALL DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, REIMBURSEMENT SHALL BE PRESUMED AND CBP SHALL DOUBLE THE ANTIDUMPING DUTIES DUE. IF AN IMPORTER TIMELY FILES A PROTEST CHALLENGING THE PRESUMPTION OF REIMBURSEMENT AND DOUBLING OF DUTIES, CONSISTENT WITH CBP'S PROTEST PROCESS, CBP MAY ACCEPT THE REIMBURSEMENT STATEMENT FILED WITH THE PROTEST TO REBUT THE PRESUMPTION OF REIMBURSEMENT.

6. 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 THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O1:BH).

7. 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

Case #	Rate	Party Indicator*	Party ID	Party Name
A-549-821-000	28.74%	E		Trinity Pac Co. Ltd.
A-549-821-000	28.74%	M		Trinity Pac Co. Ltd.