

MESSAGE NO: 1157309 MESSAGE DATE: 06/06/2011  
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-570-916, C-570-917

EFFECTIVE DATE: 01/31/2008 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 06/06/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING AND COUNTERVAILING DUTY SCOPE RULING ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-916, C-570-917)

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

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM THE SUPER POLY PARTNERSHIP. COMMERCE ISSUED A FINAL SCOPE RULING ON 05/18/2011, THAT THE SUPER POLY PARTNERSHIP'S LAMINATED WOVEN SACKS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING AND COUNTERVAILING DUTY ORDERS COVERING LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-916, C-570-917).

2. COMMERCE DETERMINED THAT THE SUPER POLY PARTNERSHIP'S LAMINATED WOVEN SACKS ARE NOT WITHIN THE SCOPE OF THE ORDER BECAUSE THE LAMINATED WOVEN SACKS PRODUCED BY THE SUPER POLY PARTNERSHIP IN CANADA ARE MADE FROM FABRIC IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA THAT IS OF A DIFFERENT KIND OR CLASS OF PRODUCT THAN THE LAMINATED WOVEN SACKS COVERED BY THE SCOPE OF THE ORDERS. FURTHER, COMMERCE DETERMINED THAT THE FABRIC IMPORTED BY THE SUPER POLY PARTNERSHIP UNDERGOES A SUBSTANTIAL TRANSFORMATION IN CANADA WHEN THE SUPER POLY PARTNERSHIP LAMINATES, APPLIES GRAPHICS TO, AND FURTHER PROCESSES THE FABRIC INTO LAMINATED WOVEN SACKS. THEREFORE, THE SUPER POLY PARTNERSHIP'S LAMINATED WOVEN SACKS THAT ARE PRODUCED IN CANADA ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING AND COUNTERVAILING DUTY ORDERS COVERING LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 01/31/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF LAMINATED WOVEN SACKS PRODUCED IN CANADA BY THE SUPER POLY PARTNERSHIP LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO LAMINATED WOVEN SACKS PRODUCED IN CANADA BY THE SUPER POLY

PARTNERSHIP LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF LAMINATED WOVEN SACKS PRODUCED IN CANADA BY THE SUPER POLY PARTNERSHIP ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/31/2008.

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

8. 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 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 09:KJA).

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