

MESSAGE NO: 0194301 MESSAGE DATE: 07/13/2010
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: PARRES-Partial Rescission

FR CITE: 75 FR 34699 FR CITE DATE: 06/18/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-549-821

EFFECTIVE DATE: 06/18/2010 COURT CASE #:

PERIOD OF REVIEW: 08/01/2008 TO 07/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 06/18/2010

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTIFICATION OF PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW OF ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821) COVERING THE PERIOD 08/01/2008 THROUGH 07/31/2009 HAS BEEN RESCINDED FOR THE FIRM LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRM:

LANDBLUE (THAILAND) CO., LTD.

THIS COMPANY DOES NOT HAVE AN INDIVIDUAL COMPANY-SPECIFIC CASE NUMBER. THEREFORE, ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER COMPANY-SPECIFIC CASE NUMBERS DURING THE PERIOD.

2. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ENTRIES OF MERCHANDISE PRODUCED AND/OR EXPORTED BY THE COMPANY LISTED ABOVE WHICH WERE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY UNLESS THE ENTRIES WERE MADE UNDER THE COMPANY NAMES AND/OR CBP CASE NUMBERS FOR THE SPECIFIC COMPANIES LISTED BELOW. ALL ENTRIES PRODUCED AND/OR EXPORTED BY THE FOLLOWING COMPANIES AND ENTERED UNDER THE FOLLOWING COMPANY NAMES OR CASE NUMBERS MUST REMAIN SUSPENDED UNTIL FURTHER NOTICE BECAUSE COMMERCE HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF THESE COMPANIES.

COMPANY: C.P. PACKAGING INDUSTRY CO., LTD., OR C.P. PACKAGING CO., LTD.

CASE NUMBER: A-549-821-007

COMPANY: GIANT PACK CO., LTD.

CASE NUMBER: NO CASE NUMBER EXISTS FOR THIS COMPANY. ENTRIES MAY HAVE ENTERED UNDER A-549-821-000 OR OTHER

COMPANY-SPECIFIC CASE NUMBERS.

COMPANY: SAHACHIT WATANA PLASTIC INDUSTRIES. CO., LTD.

CASE NUMBER: A-549-821-009

COMPANY: THAI PLASTIC BAGS INDUSTRIES CO., LTD., OR APEC FILM

CASE NUMBER: A-549-821-001

COMPANY: THANTAWAN INDUSTRY PUBLIC CO., LTD.

CASE NUMBER: A-549-821-011

3. FOR EXAMPLE, IF ENTRIES OF POLYETHYLENE RETAIL CARRIER BAGS PRODUCED BY LANDBLUE (THAILAND) CO., LTD., ARE EXPORTED BY THAI PLASTIC BAGS INDUSTRIES CO., LTD., SUCH ENTRIES MUST REMAIN SUSPENDED UNTIL COMMERCE COMPLETES ITS REVIEW OF THAI PLASTIC BAGS INDUSTRIES CO., LTD., AND CBP MUST NOT LIQUIDATE SUCH ENTRIES PURSUANT TO THESE INSTRUCTIONS BECAUSE, ALTHOUGH COMMERCE HAS RESCINDED ITS REVIEW OF LANDBLUE (THAILAND) CO., LTD., IT HAS NOT RESCINDED OR COMPLETED ITS REVIEW OF THAI PLASTIC BAGS INDUSTRIES CO., LTD.

4. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 COVERED BY THESE INSTRUCTIONS OCCURRED WITH THE PUBLICATION OF THE NOTICE OF RESCISSION OF ADMINISTRATIVE REVIEW IN PART (75 FR 34699; 06/18/2010). FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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

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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD 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 SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. 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 O5:MR).

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

Case #	Rate	Party Indicator*	Party ID	Party Name
A-549-821-000		E		LANDBLUE (THAILAND) CO., LTD. (MAY HAVE ENTERED UNDER OTHER COMPANY SPECIFIC CASE NUMBERS)
A-549-821-000		M		LANDBLUE (THAILAND) CO., LTD. (MAY HAVE ENTERED UNDER OTHER COMPANY SPECIFIC CASE NUMBERS)