

MESSAGE NO: 8043204 MESSAGE DATE: 02/12/2008
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-549-821

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/26/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQ. INST. FOR ANTIDUMPING SCOPE RULING ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND, ASIA DYNAMICS AND MEDLINE IND. PATIENT BAGS NOT WITHIN SCOPE (A-549-821)

MESSAGE NO: 8043204 DATE: 02 12 2008

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 549 - 821 - -

- - - -

- - - -

PERIOD COVERED: 01 26 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQ. INST. FOR ANTIDUMPING SCOPE RULING ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND, ASIA DYNAMICS AND MEDLINE IND. PATIENT BAGS NOT WITHIN SCOPE (A-549-821)

1. ON NOVEMBER 15, 2007, IN RESPONSE TO A REQUEST BY ASIA DYNAMICS, INC., ("ASIA") AND MEDLINE INDUSTRIES, INC. ("MEDLINE"), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CERTAIN PLASTIC BAGS CALLED "PATIENT BELONGINGS" AND "PATIENT SET-UP" BAGS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821).

2. THE COMMERCE DEPARTMENT DETERMINED THAT ASIA'S AND MEDLINE'S PRODUCTS ARE CONSUMED BY MEDICAL ESTABLISHMENTS AND THAT THE CONSUMER PACKAGING INDICATES AN END-USE OTHER THAN PACKAGING AND CARRYING MERCHANDISE FROM RETAIL ESTABLISHMENTS. THEREFORE, ASIA'S AND MEDLINE'S PRODUCTS ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821).

LIST OF PRODUCTS OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER:

ITEM NUMBER: 304211

DESCRIPTION: 20"X20"X4" DRAWSTRING (WHITE)
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG
COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 304311

DESCRIPTION: 20"X20"X4" DRAWSTRING (CLEAR)
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG
COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 304411

DESCRIPTION: 22"X19"X3" PE HANDLE (BLUE)
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG
COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 304611

DESCRIPTION: 22"X19"X3" PE HANDLE (CLEAR)
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG
COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 304711

DESCRIPTION: 20"X20"X4" PE HANDLE (WHITE)
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG
COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 304811

DESCRIPTION: 20"X20"X4" PE HANDLE (CLEAR)

PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG

COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 40219

DESCRIPTION: 20"X20"X4" DRAWSTRING (WHITE)

PRINTING ON PACKAGING: PATIENT'S BELONGINGS BAGS

COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: 40229

DESCRIPTION: 20"X20"X4" PE HANDLE

PRINTING ON PACKAGING: PATIENT'S BELONGINGS BAGS

COMPANY/IMPORTER: ASIA DYNAMICS, INC.

ITEM NUMBER: NON026310

DESCRIPTION: 18"X20"X3.5" DRAWSTRING (GUSSET WHITE)

PRINTING ON PACKAGING: PATIENT'S BELONGING BAG

COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026330

DESCRIPTION: 18"X20"X3.5" DRAWSTRING (GUSSET CLEAR)

PRINTING ON PACKAGING: PATIENT'S BELONGING BAG

COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026320

DESCRIPTION: 18"X20"X3.5" RIGID HANDLE (GUSSET WHITE)

PRINTING ON PACKAGING: PATIENT'S BELONGING BAG

COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026320GR

DESCRIPTION: 18"X20"X3.5" RIGID HANDLE (GUSSET TEAL)

PRINTING ON PACKAGING: PATIENT'S BELONGING BAG

COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026340

DESCRIPTION: 18"X20"X3.5" RIGID HANDLE (GUSSET CLEAR)

PRINTING ON PACKAGING: PATIENT'S BELONGING BAG
COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026350

DESCRIPTION: 15 1/2"X18" CUT OUT HANDLE (WHITE)
PRINTING ON PACKAGING: PATIENT'S BELONGING BAG
COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

ITEM NUMBER: NON026370

DESCRIPTION: 16"X12" PATIENT SET UP BAG (CLEAR)
PRINTING ON PACKAGING: PATIENT SET-UP BAG
COMPANY/IMPORTER: MEDLINE INDUSTRIES, INC.

3. EFFECTIVE NOVEMBER 15, 2007, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 26, 2004, DATE OF THE PRELIMINARY DETERMINATION OF INVESTIGATION (69 FR 3544), 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. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE PLASTIC BAGS LISTED ABOVE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 26, 2004.

6. 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 UNDER PAYMENTS, 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF POLYETHYLENE RETAIL CARRIER BAGS SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND (A-549-821).

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 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 O4:ZP).

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

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

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