

MESSAGE NO: 8043211 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: LIQUIDATION INSTRUCTIONS FOR ANTIDUMPING SCOPE RULING ON
POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND, DMS HOLDINGS HOSPITAL
BAGS NOT WITHIN SCOPE (A-549-821)

MESSAGE NO: 8043211

DATE: 02 12 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 549 - 821

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PERIOD COVERED: 01 26 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR ANTIDUMPING SCOPE RULING
ON POLYETHYLENE RETAIL CARRIER BAGS FROM THAILAND, DMS
HOLDINGS HOSPITAL BAGS NOT WITHIN SCOPE (A-549-821)

1. ON JANUARY 8, 2008, IN RESPONSE TO A REQUEST BY DMS HOLDINGS, INC., ("DMS"), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CERTAIN PLASTIC BAGS REFERRED TO AS "HOSPITAL 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 DMS'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, DMS'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:

MABIS PART NO.: 75-860-010
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: 1013-16
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 39 x 31
PRINTING ON PACKAGING: BIOHAZARD DISPOSAL BAG

MABIS PART NO.: 75-860-080
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: 1013-07
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 39 x 31
PRINTING ON PACKAGING: BIOHAZARD DISPOSAL BAG

MABIS PART NO.: 75-864-080
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: 1113-07
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 40 x 40
PRINTING ON PACKAGING: BIOHAZARD DISPOSAL BAG

MABIS PART NO.: 75-850-000
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: 75-850-000
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 20 x 20
PRINTING ON PACKAGING: ISOLATION BAG

MABIS PART NO.: 75-833-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DC1216PSET
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 12 x 16
PRINTING ON PACKAGING: PATIENT SET-UP BAG

MABIS PART NO.: 75-842-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DCRESPSTD
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 12 x 15 + 4
PRINTING ON PACKAGING: RESPIRATORY PATIENT SET-UP BAG

MABIS PART NO.: 75-970-550
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: RES810
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 8 x 10
PRINTING ON PACKAGING: PATIENT SET-UP BAG

MABIS PART NO.: 75-973-550
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: RES1216
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 12 x 16
PRINTING ON PACKAGING: PATIENT SET-UP BAG

MABIS PART NO.: 75-979-550
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: RES16183
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 16 x 18 + 3
PRINTING ON PACKAGING: PATIENT SET-UP BAG

MABIS PART NO.: 75-010-850
QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: DC2540PB
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 25 x 40
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-011-850
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: SH15194CH
HANDLE TYPE: SNAP-HANDLE
SIZE (INCHES): 15 x 19 + 4
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-013-850
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: SH2019CGGL
HANDLE TYPE: SNAP-HANDLE
SIZE (INCHES): 20.5 x 19.5 + 3.5
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-014-850
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: 75-014-850
HANDLE TYPE: DIE-CUT
SIZE (INCHES): 18 x 18 + 6
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-019-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: DC1822YRMC
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 18.5 x 22 + 3
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-032-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: BAG-UAB2
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 30.5 x 26

INCHES): 18.5 x 22 + 3

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-033-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: BAG-UNIVH

HANDLE TYPE: SNAP-HANDLE

SIZE (INCHES): 22 x 19.5 + 3

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-036-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: BAG-NS

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 19.5 x 26 + 4

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-037-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: HILOMDBAG

CARDINAL CATALOG NO.: BAG-NS

HANDLE TYPE: SNAP-HANDLE

SIZE (INCHES): 19 x 21

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-038-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: MBLK

HANDLE TYPE: SNAP-HANDLE

SIZE (INCHES): 23 x 19 + 3

(INCHES): 19 x 21

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-046-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: 75-046-850

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 20 x 20 + 4

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-047-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: MIAMICHILD

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 19.5 x 20.5 + 4.5

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-075-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: SOMARHSP

HANDLE TYPE: SNAP-HANDLE

SIZE (INCHES): 23 x 19.25 + 3

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-105-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: 75-105-850

HANDLE TYPE: DIE-CUT

SIZE (INCHES): 18 x 18 + 3

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-109-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: 75-107-850

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 19 x 21

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-110-850

QTY PER CASE (CARTON): 250

CARDINAL CATALOG NO.: 75-110-850

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 19 x 21

PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-111-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: 75-111-850
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 16 x 20
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-117-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: 75-117-850
HANDLE TYPE: DIE-CUT
SIZE (INCHES): 14.5 x 19 + 4
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-118-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: 75-118-850
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 18 x 20 + 3.5
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-120-850
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: 75-120-850
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 24 x 27 + 6
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-124-850
QTY PER CASE (CARTON): 250
HANDLE TYPE: DRAWSTRING
PRINTING ON PACKAGING: FOR USE IN HEALTHCARE FACILITY

MABIS PART NO.: 75-834-000
QTY PER CASE (CARTON): 250
CARDINAL CATALOG NO.: DC1921PBCB

HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 19 x 21 + 3
PRINTING ON PACKAGING: PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-838-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DC1921FLAG
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 19 x 21
PRINTING ON PACKAGING: PATIENT PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-839-000
QTY PER CASE (CARTON): 800
CARDINAL CATALOG NO.: DC1215FISH
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 12 x 15
PRINTING ON PACKAGING: PATIENT PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-844-000
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: SH205195PC
HANDLE TYPE: SNAP-HANDLE
SIZE (INCHES): 20.5 x 19 + 3.5
PRINTING ON PACKAGING: PATIENT PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-845-000
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: SH205195PB
HANDLE TYPE: SNAP-HANDLE
SIZE (INCHES): 20.5 x 19 + 3.5
PRINTING ON PACKAGING: PATIENT PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-847-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DC1921LADY
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 19 x 21 + 3.5
PRINTING ON PACKAGING: PATIENT PERSONAL BELONGINGS BAG

MABIS PART NO.: 75-801-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DCC912
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 9 x 12
PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-802-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DCC1215
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 12 x 15
PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-803-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DCC1624
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 16 x 24 + 3
PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-804-000
QTY PER CASE (CARTON): 500
CARDINAL CATALOG NO.: DCC2430
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 24 x 30 + 4
PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-862-000
QTY PER CASE (CARTON): 100
CARDINAL CATALOG NO.: 1013-50
HANDLE TYPE: DRAWSTRING
SIZE (INCHES): 39.5 x 31
PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-863-000

QTY PER CASE (CARTON): 100

CARDINAL CATALOG NO.: MV1112-50

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 40 x 40

PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

MABIS PART NO.: 75-865-000

QTY PER CASE (CARTON): 100

CARDINAL CATALOG NO.: 1113-50

HANDLE TYPE: DRAWSTRING

SIZE (INCHES): 39.5 + 40

PRINTING ON PACKAGING: PROCEDURAL KIT MANUFACTURING

3. EFFECTIVE JANUARY 8, 2008, 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 TRENTAM 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