

MESSAGE NO: 8070203 MESSAGE DATE: 03/10/2008
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-570-886

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/2006 TO 07/31/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS FOR THE PARTIAL RESCISSION OF POLYETHYLENE
RETAIL CARRIER BAGS FROM CHINA FOR THE FIRMS LISTED BELOW (A-570-886-
000/005/020/027)

MESSAGE NO: 8070203

DATE: 03 10 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 886

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PERIOD COVERED: 08 01 2006 TO 07 31 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR THE PARTIAL RESCISSION OF
POLYETHYLENE RETAIL CARRIER BAGS FROM CHINA FOR THE
FIRMS LISTED BELOW (A-570-886-000/005/020/027)

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING/COUNTERVAILING
DUTY ORDER ON POLYETHYLENE RETAIL CARRIER BAGS FROM THE
PEOPLE(S REPUBLIC OF CHINA, A-570-886, COVERING THE PERIOD
08/01/2006 THROUGH 07/31/2007, HAS BEEN RESCINDED FOR THE FIRMS
LISTED BELOW. YOU ARE TO ASSESS ANTIDUMPING DUTIES ON THIS
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THE PERIOD 08/01/2006 THROUGH 07/31/2007 AT
THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR THE FOLLOWING FIRMS:

CROWN POLYETHYLENE PRODUCTS (A-570-886-027)
(INTERNATIONAL) LTD.

EVERFAITH INTERNATIONAL (NO SEPARATE CASE NUMBER)
(SHANGHAI) LTD.

SHANGHAI HUA YUE PACKAGING (NO SEPARATE CASE NUMBER)
PRODUCTS

SHANGHAI YAFU PLASTICS (A-570-886-020)
INDUSTRIES CO., LTD.

SHANGHAI GLOPACK, PACKING CO., (A-570-886-005)
LTD. AND SEA LAKE POLYETHYLENE
ENTERPRISES, LTD.

2. LIQUIDATE ENTRIES ONLY FROM EVERFAITH INTERNATIONAL
(SHANGHAI) LTD. OR SHANGHAI HUA YUE PACKAGING PRODUCTS THAT
ENTERED UNDER THE PRC-WIDE ENTITY CASE NUMBER (A-570-886-000)
ACCORDING TO THE INSTRUCTIONS CONTAINED IN PARAGRAPH ONE ABOVE.

3. ON 02/20/2008, THE DEPARTMENT OF COMMERCE, PURSUANT TO
19 CFR 351.225(E), INITIATED A FORMAL SCOPE REVIEW REQUESTED BY
MEDLINE INDUSTRIES, INC., ((MEDLINE()), ON WHETHER CERTAIN
PATIENT(S BELONGINGS BAGS AND SURGICAL KIT BAGS IMPORTED BY
MEDLINE, ARE OUTSIDE THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON
POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF
CHINA. THE PRODUCTS IN QUESTION ARE:

MODEL# DS500C; CLEAR BAG POLY (NO PRINTING) LG; 1.25ML;
20.5"X18"X7"

MODEL# DS400C; CLEAR BAG POLY (NO PRINTING) SML; 1.5ML;
17"X17"X4"

MODEL# DONDS600; MATERNITY (STORK MOTIF) BAG POLY; 1 ML;
20"X22"

MODEL# 38667; CLEAR BAG POLY (NO PRINTING); 18"X21"

MODEL# 7510; CLEAR BAG POLY ((PATIENT(S BELONGING BAG(
PRINTING)); 2 ML; 18"X20"X4"

MODEL# 42818; WHITE BAG POLY; ((PATIENT(S BELONGING BAG(
PRINTING)); 2ML; 18"X20"X4"

MODEL# 25117; MATERNITY (STORK MOTIF) BAG POLY; 1 ML; 17"X17"

MODEL# 28614; CHILDREN(S BAG POLY (TOY MOTIF); 1ML; 11"X17"

MODEL# 42817; WHITE BAG POLY DRAWSTRING (NO PRINTING); 1ML;
13"X16"

MODEL# 26900; WHITE BAG RIGID HANDLE ((PATIENT(S BELONGING
BAG(PRINTING)); 2 ML; 18"X20"X4"

4. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF THE PRODUCTS LISTED IN PARAGRAPH 3 ABOVE, PENDING THE FINAL OUTCOME OF THE ONGOING SCOPE INQUIRY. UPON COMPLETION OF THE SCOPE INQUIRY, THE DEPARTMENT OF COMMERCE WILL ISSUE SEPARATE LIQUIDATION INSTRUCTIONS BASED ON THE FINAL OUTCOME OF THE SCOPE DECISION.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF THE RESCISSION OF THE

ADMINISTRATIVE REVIEW (73 FR 8031, DATED 02/12/2008). YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

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 PAYS 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 OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES 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 THE COMMERCE DEPARTMENT 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 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: KG).

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