

MESSAGE NO: 8198203 MESSAGE DATE: 07/16/2008

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 8099203
MESSAGE #
(s):

CASE #(s): A-570-916

EFFECTIVE DATE: COURT CASE #:
PERIOD OF REVIEW: TO
PERIOD COVERED: 06/24/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NOTICE OF FINAL DETERMINATION IN ANTIDUMPING DUTY INVESTIGATION OF LAMINATED WOVEN SACKS FROM SACKS (A-570-916-000 THROUGH A-570-916-014)

MESSAGE NO: 8198203

DATE: 07 16 2008

CATEGORY: ADA

TYPE: FIN

REFERENCE: 8099203

REFERENCE DATE: 04 08 2008

CASES: A - 570 - 916

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PERIOD COVERED: 06 24 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTICE OF FINAL DETERMINATION IN ANTIDUMPING DUTY INVESTIGATION OF LAMINATED WOVEN SACKS FROM SACKS (A-570-916-000 THROUGH A-570-916-014)

1. ON 06/24/2008, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND PARTIAL AFFIRMATIVE DETERMINATION OF CRITICAL CIRCUMSTANCES IN THE ANTIDUMPING DUTY INVESTIGATION OF LAMINATED WOVEN SACKS (LWS) FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC) (73 FR 35646).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS LAMINATED WOVEN SACKS. LAMINATED WOVEN SACKS ARE BAGS OR SACKS CONSISTING

OF ONE OR MORE PLIES OF FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE STRIP, REGARDLESS OF THE WIDTH OF THE STRIP; WITH OR WITHOUT AN EXTRUSION COATING OF POLYPROPYLENE AND/OR POLYETHYLENE ON ONE OR BOTH SIDES OF THE FABRIC; LAMINATED BY ANY METHOD EITHER TO AN EXTERIOR PLY OF PLASTIC FILM SUCH AS BIAXIALLY-ORIENTED POLYPROPYLENE (BOPP) OR TO AN EXTERIOR PLY OF PAPER THAT IS SUITABLE FOR HIGH QUALITY PRINT GRAPHICS (PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS, AS USED HEREIN, MEANS PAPER HAVING AN ISO BRIGHTNESS OF 82 OR HIGHER AND A SHEFFIELD SMOOTHNESS OF 250 OR LESS. COATED FREE SHEET IS AN EXAMPLE OF A PAPER SUITABLE FOR HIGH QUALITY PRINT GRAPHICS); PRINTED WITH THREE COLORS OR MORE IN REGISTER; WITH OR WITHOUT LINING; WHETHER OR NOT CLOSED ON ONE END; WHETHER OR NOT IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES); WITH OR WITHOUT HANDLES; WITH OR WITHOUT SPECIAL CLOSING FEATURES; NOT EXCEEDING ONE KILOGRAM IN WEIGHT. LAMINATED WOVEN SACKS ARE TYPICALLY USED FOR RETAIL PACKAGING OF CONSUMER GOODS SUCH AS PET FOODS AND BIRD SEED.

EFFECTIVE JULY 1, 2007, LAMINATED WOVEN SACKS ARE CLASSIFIABLE UNDER HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) SUBHEADINGS 6305.33.0050 AND 6305.33.0080. LAMINATED WOVEN SACKS WERE PREVIOUSLY CLASSIFIABLE UNDER HTSUS SUBHEADING 6305.33.0020. IF ENTERED WITH PLASTIC COATING ON BOTH SIDES OF THE FABRIC CONSISTING OF WOVEN POLYPROPYLENE STRIP AND/OR WOVEN POLYETHYLENE

STRIP, LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER HTSUS SUBHEADINGS 3923.21.0080, 3923.21.0095, AND 3923.29.0000. IF ENTERED NOT CLOSED ON ONE END OR IN ROLL FORM (INCLUDING SHEETS, LAY-FLAT TUBING, AND SLEEVES), LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 3917.39.0050, 3921.90.1100, 3921.90.1500, AND 5903.90.2500. IF THE POLYPROPYLENE STRIPS AND/OR POLYETHYLENE STRIPS MAKING UP THE FABRIC MEASURE MORE THAN 5 MILLIMETERS IN WIDTH, LAMINATED WOVEN SACKS MAY BE CLASSIFIABLE UNDER OTHER HTSUS SUBHEADINGS INCLUDING 4601.99.0500, 4601.99.9000, AND 4602.90.000. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-916.

4. THE DEPARTMENT OF COMMERCE NOW DETERMINES THAT CRITICAL CIRCUMSTANCES EXIST FOR IMPORTS OF LAMINATED WOVEN SACKS FROM THE

PRC FROM:

MFR/PRODUCER
EXPORTER

EXPORTED AND MANUFACTURED BY
ZIBO AIFUDI PLASTIC PACKAGING CO., LTD.
A-570-916-002

EXPORTED BY
POLYWELL INDUSTRIAL CO.,
A.K.A. FIRST WAY (H.K.) LIMITED
AND MANUFACTURED BY
POLYWELL PLASTIC PRODUCT FACTORY
A-570-916-003

EXPORTED AND MANUFACTURED BY
ZIBO LINZI WORUN PACKING PRODUCT CO., LTD.
A-570-916-004

EXPORTED AND MANUFACTURED BY
SHANDONG QIKAI PLASTICS PRODUCT CO., LTD.
A-570-916-005

EXPORTED AND MANUFACTURED BY
CHANGLE BAODU PLASTIC CO. LTD.
A-570-916-006

EXPORTED AND MANUFACTURED BY
ZIBO LINZI SHUAIQIANG PLASTICS CO. LTD.
A-570-916-007

EXPORTED AND MANUFACTURED BY
ZIBO LINZI QITIANLI PLASTIC FABRIC CO. LTD.
A-570-916-008

EXPORTED AND MANUFACTURED BY
SHANDONG YOULIAN CO. LTD.
A-570-916-009

EXPORTED AND MANUFACTURED BY
ZIBO LINZI LUITONG PLASTIC FABRIC CO. LTD.
A-570-916-010

EXPORTED AND MANUFACTURED BY
WENZHOU HOTSUN PLASTICS CO. LTD.
A-570-916-011

EXPORTED AND MANUFACTURED BY
JIANGSU HOTSUN PLASTICS CO. LTD.
A-570-916-012

EXPORTED AND MANUFACTURED BY
CANGNAN COLOR MAKE THE BAG
A-570-916-013

EXPORTED AND MANUFACTURED BY
ZIBO QIGAO PLASTIC CEMENT CO. LTD.
A-570-916-014

CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS THAT ARE ENTERED,
OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER
11/02/2007 (SEE MESSAGE 8099203, DATED 04/08/2008). EFFECTIVE
06/24/2008, FOR SUCH ENTRIES, CBP SHALL REQUIRE A CASH DEPOSIT OR
THE POSTING OF A BOND EQUAL TO THE MARGIN SHOWN BELOW IN

PARAGRAPH 6.

5. EFFECTIVE 6/24/2008 CBP SHALL REQUIRE, FOR ENTRIES OF LAMINATED WOVEN SACKS FROM THE PRC FROM THE EXPORTER/PRODUCER

COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY RATES SHOWN BELOW:

MFR/PRODUCER
EXPORTER

EXPORTED AND MANUFACTURED BY
SHANGDONG SHOUGUANG JIANYUANCHUN CO., LTD.
SHANDONG LONGXING PLASTIC PACK CO. LTD.
A-570-916-001
91.73%

EXPORTED AND MANUFACTURED BY
ZIBO AIFUDI PLASTIC PACKAGING CO., LTD.
A-570-916-002
64.28%

EXPORTED BY
POLYWELL INDUSTRIAL CO.,
A.K.A. FIRST WAY (H.K.) LIMITED
AND MANUFACTURED BY
POLYWELL PLASTIC PRODUCT FACTORY
A-570-916-003
64.28%

EXPORTED AND MANUFACTURED BY
ZIBO LINZI WORUN PACKING PRODUCT CO., LTD.
A-570-916-004
64.28%

EXPORTED AND MANUFACTURED BY
SHANDONG QIKAI PLASTICS PRODUCT CO., LTD.

A-570-916-005

64.28%

EXPORTED AND MANUFACTURED BY
CHANGLE BAODU PLASTIC CO. LTD.

A-570-916-006

64.28%

EXPORTED AND MANUFACTURED BY
ZIBO LINZI SHUAIQIANG PLASTICS CO. LTD.

A-570-916-007

64.28%

EXPORTED AND MANUFACTURED BY
ZIBO LINZI QITIANLI PLASTIC FABRIC CO. LTD.

A-570-916-008

64.28%

EXPORTED AND MANUFACTURED BY
SHANDONG YOU LIAN CO. LTD.

A-570-916-009

64.28%

EXPORTED AND MANUFACTURED BY
ZIBO LINZI LUITONG PLASTIC FABRIC CO. LTD.

A-570-916-010

64.28%

EXPORTED AND MANUFACTURED BY
WENZHOU HOTSUN PLASTICS CO. LTD.

A-570-916-011

64.28%

EXPORTED AND MANUFACTURED BY
JIANGSU HOTSUN PLASTICS CO. LTD.

A-570-916-012

64.28%

EXPORTED AND MANUFACTURED BY
CANGNAN COLOR MAKE THE BAG
A-570-916-013
64.28%

EXPORTED AND MANUFACTURED BY
ZIBO QIGAO PLASTIC CEMENT CO. LTD.
A-570-916-014
64.28%

PRC WIDE RATE
A-570-916-000
91.73%

6. FOR ALL OTHER ENTRIES OF LAMINATED WOVEN SACKS FROM THE PRC,
THE FOLLOWING CASH DEPOSIT/BONDING INSTRUCTIONS APPLY:

A. FOR ALL PRC EXPORTERS OF LAMINATED WOVEN SACKS FROM THE
PEOPLE'S REPUBLIC OF CHINA WHICH HAVE NOT RECEIVED THEIR OWN
RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE PRC-WIDE RATE.

B. FOR ALL NON-PRC EXPORTERS OF LAMINATED WOVEN SACKS FROM THE
PEOPLE'S REPUBLIC OF CHINA WHICH HAVE NOT RECEIVED THEIR OWN
RATE, THE CASH-DEPOSIT OR BONDING RATE WILL BE THE RATE
APPLICABLE TO THE PRODUCER/EXPORTER COMBINATIONS THAT SUPPLIED
THAT NON-PRC EXPORTER.

7. IN ACCORDANCE WITH T.D. 85-145, AT THE DISCRETION OF
CBP, CUSTOMS OFFICERS MAY ACCEPT EITHER A SINGLE-ENTRY BASIC
IMPORTATION AND ENTRY BOND OR A CONTINUOUS BASIC IMPORTATION AND
ENTRY BOND ONLY IF THE AMOUNT OF THE ESTIMATED ANTIDUMPING OR
COUNTERVAILING DUTY IS LESS THAN FIVE PERCENT AD VALOREM (OR THE
EQUIVALENT). OTHERWISE, WHERE THE IMPORTER HAS THE OPTION TO POST
A BOND FOR ESTIMATED ANTIDUMPING OR COUNTERVAILING DUTIES,
CUSTOMS OFFICERS MUST REQUIRE A SINGLE-ENTRY BASIC IMPORTATION
AND ENTRY BOND PURSUANT TO T.D. 85-145. YOU ARE INSTRUCTED TO
ADHERE TO THE REQUIREMENTS OF T.D. 85-145 WITH RESPECT TO THESE

BONDING REQUIREMENTS.

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 O9:JB).

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