

MESSAGE NO: 8205218 MESSAGE DATE: 07/23/2008  
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: 02/20/2004 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INST. FOR THE ANTIDUMPING SCOPE RULING ON POLYETHYLENE  
RETAIL PLASTIC BAGS FROM CHINA (A-570-886) (BEST BUY'S SEALABLE BAG IS NOT  
WITHIN THE SCOPE)

MESSAGE NO: 8205218

DATE: 07 23 2008

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 886

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PERIOD COVERED: 02 20 2004 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INST. FOR THE ANTIDUMPING SCOPE RULING ON  
POLYETHYLENE RETAIL PLASTIC BAGS FROM CHINA (A-570-886)  
(BEST BUY'S SEALABLE BAG IS NOT WITHIN THE SCOPE)

1. THE COMMERCE DEPARTMENT RECEIVED A SCOPE RULING REQUEST  
FROM BEST BUY PURCHASING, LLC. (BEST BUY). COMMERCE ISSUED A  
FINAL SCOPE RULING ON 7/03/2008 THAT A CERTAIN SEALABLE  
POLYETHYLENE BAG IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING  
DUTY ORDER COVERING POLYETHYLENE RETAIL PLASTIC BAGS FROM THE  
PEOPLE'S REPUBLIC OF CHINA (A-570-886).

2. COMMERCE DETERMINED THAT A CERTAIN SEALABLE POLYETHYLENE

BAG REFERRED TO AS BEST BUY BAG MODEL NUMBER BESTBUY12ADH AND IMPORTED BY BEST BUY IS NOT WITHIN THE SCOPE OF THE ORDER BECAUSE IT IS SEALABLE. ONCE SEALED, THE SUBJECT BAG DOES NOT ALLOW FOR REENTRY, I.E., ONCE SEALED, ADDITIONAL ITEMS CANNOT BE INSERTED INTO THE BAG WITHOUT BREAKING THE SEAL. THEREFORE, THESE SEALABLE POLYETHYLENE BAGS (BEST BUY BAG MODEL NUMBER BESTBUY12ADH) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL PLASTIC BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC).

3. EFFECTIVE 7/03/2008, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 2/20/2004 OF SEALABLE POLYETHYLENE BAGS IMPORTED BY BEST BUY AND LISTED BY THE IMPORTER AS BEST BUY MODEL NUMBER BESTBUY12ADH.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE SEALABLE POLYETHYLENE BAGS IDENTIFIED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF BEST BUY BAG MODEL NUMBER BESTBUY12ADH ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 02/20/2004.

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 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF POLYETHYLENE RETAIL PLASTIC BAGS SUBJECT TO THE ANTIDUMPING DUTY ORDER ON POLYETHYLENE RETAIL PLASTIC BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-886).

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 ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 4820984 OR (202) 4823577 RESPECTIVELY (GENERATED BY 05:DD).

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