

MESSAGE NO: 8254201 MESSAGE DATE: 09/10/2008  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: LIQ-Liquidation PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-917

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 09/04/2007 TO 12/03/2007

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INSTRUCTIONS AND COUNTERVAILING DUTY ORDER FOR  
LAMINATED WOVEN SACKS FROM PEOPLE'S REPUBLIC OF CHINA (C-570-917)

MESSAGE NO: 8254201 DATE: 09 10 2008

CATEGORY: CVD TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: C - 570 - 917 - -

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PERIOD COVERED: 09 04 2007 TO 12 03 2007

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS AND COUNTERVAILING DUTY ORDER  
FOR LAMINATED WOVEN SACKS FROM PEOPLE'S REPUBLIC OF  
CHINA (C-570-917)

1. ON AUGUST 7, 2008, THE DEPARTMENT OF COMMERCE PUBLISHED  
IN THE FEDERAL REGISTER ITS COUNTERVAILING DUTY ORDER IN THE  
INVESTIGATION OF LAMINATED WOVEN SACKS FROM THE PEOPLE'S  
REPUBLIC OF CHINA. SEE 73 FR 45955.

2. THE MERCHANDISE COVERED BY THIS ORDER IS LAMINATED WOVEN  
SACKS. LAMINATED WOVEN SACKS ARE BAGS OR SACKS CONSISTING OF  
ONE OR MORE PLYS 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 4602.90.0000. ALTHOUGH HTSUS SUBHEADINGS ARE PROVIDED FOR

CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THIS ORDER IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-917.

4. ON APRIL 18, 2008, IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT INSTRUCTED U.S CUSTOMS AND BORDER PROTECTION (CBP) TO DISCONTINUE SUSPENSION OF LIQUIDATION IN THIS INVESTIGATION EFFECTIVE 4/1/2008 WHICH IS 120 DAYS AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION (MESSAGE NUMBER 8109206, 4/18/2008). SUSPENSION OF LIQUIDATION CONTINUES FOR ALL ENTRIES MADE BETWEEN 12/3/2007 AND 4/1/2008.

5. ON AUGUST 5, 2008, THE U.S. INTERNATIONAL TRADE COMMISSION (ITC) PUBLISHED ITS FINAL AFFIRMATIVE INJURY DETERMINATION ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA. SEE 73 FR 45743. THE ITC ALSO DETERMINED THAT CRITICAL CIRCUMSTANCES DO NOT EXIST WITH RESPECT TO SUBJECT IMPORTS FROM THE PRC. AS A RESULT OF THE ITC'S NEGATIVE CRITICAL CIRCUMSTANCES DETERMINATION, U.S. CUSTOMS AND BORDER PROTECTION (CBP) IS DIRECTED TO TERMINATE THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER SEPTEMBER 4, 2007, AND BEFORE DECEMBER 3, 2007. FOR SUCH ENTRIES CBP WILL REFUND ALL CASH DEPOSITS AND RELEASE ALL BONDS COLLECTED ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA. INTEREST PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930 DO NOT APPLY.

6. RESUMPTION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY CASE ON LAMINATED WOVEN SACKS FROM THE PEOPLE'S REPUBLIC OF CHINA IS REQUIRED ON THE DATE OF PUBLICATION OF THE ITC FINAL DETERMINATION. THEREFORE, FOR IMPORTS OF THIS SUBJECT MERCHANDISE, CBP SHALL RESUME SUSPENSION OF LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR

WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER AUGUST 5, 2008. FOR SUCH ENTRIES, CBP SHALL REQUIRE A CASH DEPOSIT ON OR AFTER AUGUST 5, 2008 EQUAL TO THE SUBSIDY RATES SHOWN BELOW:

PRODUCER/ EXPORTER	CBP ID NUMBER	AD VALOREM SUBSIDY RATE
ALL OTHERS	C-570-917-000	226.85
SHANDONG SHOUGUANG JIANYUAN CHUN CO., LTD. AND/OR SHANDONG LONGXING PLASTIC PRODUCTS CO., LTD.	C-570-917-001	352.82
ZIBO AIFUDI PLASTIC PACKAGING CO., LTD.	C-570-917-002	29.54
HAN SHING CHEMICAL CO.,LTD.	C-570-917-003	223.74
NINGBO YONG FENG PACKAGING CO., LTD.	C-570-917-004	223.74
SHANDONG QILU PLASTIC FABRIC GROUP, LTD.	C-570-917-005	304.40

7. 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 06:PM.

8. 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