

MESSAGE NO: 9035201 MESSAGE DATE: 02/04/2009
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: 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 FOR
POLYETHYLENE RETAIL CARRIER BAGS FROM CHINA(A-570-886)(CERTAIN BEST BUY
BAG NOT WITHIN)

MESSAGE NO: 9035201

DATE: 02 04 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 886

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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 FOR POLYETHYLENE RETAIL CARRIER BAGS FROM
CHINA(A-570-886)(CERTAIN BEST BUY BAG NOT WITHIN)

1. THE COMMERCE DEPARTMENT RECEIVED A SCOPE RULING REQUEST FROM BEST BUY PURCHASING, LLC (BEST BUY). COMMERCE ISSUED A FINAL SCOPE RULING ON 01/09/2009 THAT A CERTAIN SEALABLE POLYETHYLENE BAG IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL CARRIER 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 BESTBUY24ADH 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 RENTRY, 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 BESTBUY24ADH) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 01/09/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 01/26/2004 OF SEALABLE POLYETHYLENE BAGS IMPORTED BY BEST BUY AND LISTED BY THE IMPORTER AS BEST BUY MODEL NUMBER BESTBUY24ADH.

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 BESTBUY24ADH, ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER 01/26/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP 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 WHICH IS 08/09/2004. 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 ON POLYETHYLENE RETAIL CARRIER 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 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 O5: HP).

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