

MESSAGE NO: 9287205 MESSAGE DATE: 10/14/2009
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: 08/01/2008 TO 07/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON-REVIEW LIQUIDATION INSTRUCTION FOR POLYETHYLENE RETAIL CARRIER BAGS FROMCHINA (A-570-886-001/003-029)

MESSAGE NO: 9287205 DATE: 10 14 2009

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 886 - -

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PERIOD COVERED: 08 01 2008 TO 07 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NON-REVIEW LIQUIDATION INSTRUCTION FOR POLYETHYLENE
RETAIL CARRIER BAGS FROMCHINA (A-570-886-001/003-029)

1. COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED PURSUANT TO SECTION 751(a)(1) OF THE TARIFF ACT OF 1930, AS AMENDED, AND IN ACCORDANCE WITH SECTION 351.213 OF COMMERCE'S REGULATIONS.

2. THE LIQUIDATION AND CASH DEPOSIT RATES FOR FIRMS WITH A NONMARKET ECONOMY SEPARATE RATE, FOR WHICH AN ANTIDUMPING ADMINISTRATIVE REVIEW WAS NOT REQUESTED, WILL NOT BE REVISED

FOR THIS PERIOD. THE FIRMS LISTED BELOW HAVE BOTH A NONMARKET ECONOMY SEPARATE RATE AND ARE NOT SUBJECT TO THE REVIEW FOR THE PERIOD 08/01/2008 THROUGH 07/31/2009.

THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'S REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION FOR THE

FIRMS LISTED BELOW AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

PRODUCT: POLYETHYLENE RETAIL CARRIER BAGS

COUNTRY: THE PEOPLE'S REPUBLIC OF CHINA

CASE NUMBER: A-570-886

PERIOD: 08/01/2008 THROUGH 07/31/2009

LIQUIDATE ALL ENTRIES FOR FIRMS LISTED BELOW:

COMPANY: HANG LUNG PLASTIC MANUFACTORY LIMITED

CASE NUMBER: A-570-886-001

COMPANY: NANTONG HUASHENG PLASTIC PRODUCTS CO., LTD.

CASE NUMBER: A-570-886-003

COMPANY: RALLY PLASTICS CO., LTD.

CASE NUMBER: A-570-886-004

COMPANY: SHANGHAI GLOPACK PACKING CO., LTD. (ALSO KNOWN AS
SEA LAKE POLYETHYLENE ENTERPRISE LIMITED, SEA LAKE
PLASTICS IMPORT MATERIAL PROCESSING FACTORY, AND
SEA LAKE PLASTICS CO., LTD.)

CASE NUMBER: A-570-886-005

COMPANY: XIAMEN MING PAK PLASTICS CO., LTD.

CASE NUMBER: A-570-886-006

COMPANY: ZHONGSHAN DONGFENG HUNG WAI PLASTIC BAG MANUFACTOR

CASE NUMBER: A-570-886-007

COMPANY: BEIJING LIANBIN PLASTICS AND PRINTING CO., LTD.
CASE NUMBER: A-570-886-008

COMPANY: DONGGUAN MARUMAN PLASTIC PACKAGING COMPANY, LTD.
(FORMERLY KNOWN AS DONGGUAN ZHONGQIAO COMBINE
PLASTIC BAGFACTORY)
CASE NUMBER: A-570-886-009

COMPANY: GOOD-IN HOLDINGS LTD.
CASE NUMBER: A-570-886-010

COMPANY: GUANGDONG ESQUEL PACKAGING CO., LTD.
CASE NUMBER: A-570-886-011

COMPANY: RAIN CONTINENT SHANGHAI CO., LTD.
CASE NUMBER: A-570-886-012

COMPANY: SHANGHAI DAZHI ENTERPRISE DEVELOPMENT CO., LTD.
CASE NUMBER: A-570-886-013

COMPANY: SHANGHAI FANGSHENG COLOURED PACKING CO., LTD.
CASE NUMBER: A-570-886-014

COMPANY: SHANGHAI JINGTAI PACKAGING MATERIAL CO., LTD.
CASE NUMBER: A-570-886-015

COMPANY: SHANGHAI LIGHT INDUSTRIAL PRODUCTS IMPORT & EXPORT
CASE NUMBER: A-570-886-016

COMPANY: SHANGHI MINMETALS DEVELOPMENT LTD.
CASE NUMBER: A-570-886-017

COMPANY: SHANGHAI NEW AI LIAN IMPORT AND EXPORT CO., LTD.
CASE NUMBER: A-570-886-018

COMPANY: SHANGHAI OVERSEAS INTERNATIONAL TRADING CO., LTD.
CASE NUMBER: A-570-886-019

COMPANY: SHANGHAI YAFU PLASTICS INDUSTRIES CO., LTD.

CASE NUMBER: A-570-886-020

COMPANY: WEIHAI WEIQUN PLASTIC AND RUBBER PRODUCTS CO. LTD

CASE NUMBER: A-570-886-021

COMPANY: XIAMEN XINGYATAI INDUSTRY CO., LTD.

CASE NUMBER: A-570-886-022

COMPANY: XINHUI HENGLONG (ALSO KNOWN AS JIANGMEN CITY XINHUI
HENGLONG PLASTIC LTD)

CASE NUMBER: A-570-886-023

COMPANY: NAN SING PLASTICS, LTD.

CASE NUMBER: A-570-886-024

COMPANY: NINGBO FANRONG PLASTIC PRODUCTS CO., LTD.

CASE NUMBER: A-570-886-025

COMPANY: NINGBO HUANSEN PLASTHETICS CO., LTD.

CASE NUMBER: A-570-886-026

COMPANY: CROWN POLYETHYLENE PRODUCTS (INTERNATIONAL) LTD.

CASE NUMBER: A-570-886-027

COMPANY: HIGH DEN ENTERPRISES, LTD.

CASE NUMBER: A-570-886-028

COMPANY: CHUN HING PLASTIC PACKAGING MFY LTD. (ALSO KNOWN AS
CHUN YIP PLASTIC BAG FACTORY)

CASE NUMBER: A-570-886-029

3. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED
BY THIS INSTRUCTION.

4. ENTRIES OF MERCHANDISE OF FIRMS NOT LISTED ABOVE SHOULD NOT
BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE

COMPLETION OF THE ANTIDUMPING ADMINISTRATIVE REVIEW FOR THE PERIOD 08/01/2008 THROUGH 07/31/2009.

CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE THAT WERE EXPORTED BY THE UNLISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

5. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE DURING THE PERIOD 08/01/2008 THROUGH 07/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 08/2009 ANNIVERSARY MONTH (74 FR 48224, 09/22/2009).

FOR ALL OTHER SHIPMENTS OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE PEOPLE'S REPUBLIC OF CHINA YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR 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 WAS 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. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S 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 THE 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:YJC).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party