

MESSAGE NO: 0012309 MESSAGE DATE: 01/12/2010  
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-351-841

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/06/2008 TO 10/31/2009

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE  
TEREPHTHALATE FILM, SHEET, AND STRIP FROM BRAZIL (A-351-841) LIQ ALL FIRMS  
EXCEPT TERPHANE INC.

MESSAGE NO: 0012309 DATE: 01 12 2010

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 351 - 841 - -

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PERIOD COVERED: 11 06 2008 TO 10 31 2009

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE  
TEREPHTHALATE FILM, SHEET, AND STRIP FROM BRAZIL  
(A-351-841) LIQ ALL FIRMS EXCEPT TERPHANE INC.

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. COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE  
REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE

MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED.  
THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF COMMERCE'  
REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON  
MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR  
CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON  
THE DATE OF ENTRY.

PRODUCT: POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP

COUNTRY: BRAZIL

CASE NUMBER: A-351-841

PERIOD: 11/06/2008 THROUGH 10/31/2009

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

TERPHANE INC.

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

4. ENTRIES OF MERCHANDISE OF THE EXCEPTED FIRMS SHOULD NOT BE  
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE  
COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND  
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED  
BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE,  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 11/06/2008  
THROUGH 10/31/2009 OCCURRED WITH THE PUBLICATION OF THE NOTICE  
OF INITIATION OF ADMINISTRATIVE REVIEW FOR THE 11/2009  
ANNIVERSARY MONTH (74 FR 68229, 12/23/2009). FOR ALL OTHER  
SHIPMENTS OF POLYETHYLENE TEREPHTHALATE FILM, SHEET, AND STRIP  
FROM BRAZIL 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. 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 O7:BW).

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

ALICE J. BUCHANAN



## Company Details

\*Party Indicator Value:

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