

analyze supplemental questionnaires regarding these issues. Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time period for completing the preliminary results of this administrative review until February 29, 2008, which is 305 days from the last day of the anniversary month of the date of publication of the order. The deadline for the final results of the review continues to be 120 days after the publication of the preliminary results.

This extension notice is issued and published in accordance with sections 751(a)(3)(A) and 777(i) of the Act.

Dated: December 4, 2007.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-405-803]

#### Purified Carboxymethylcellulose from Finland, Notice of Final Results of Antidumping Duty Administrative Review

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Final Results of Antidumping Duty Administrative Review.

**SUMMARY:** On August 7, 2007, the Department of Commerce (the Department) published the preliminary results of administrative review of the antidumping duty order covering purified carboxymethylcellulose from Finland. *See Purified Carboxymethylcellulose from Finland; Notice of Preliminary Determination of Antidumping Duty Administrative Review*, 72 FR 44106 (August 7, 2007) (*Preliminary Results*). The merchandise covered by this order is purified carboxymethylcellulose as described in the "Scope of the Order" section of this notice. The period of review (POR) is December 27, 2004, through June 30, 2006. In the *Preliminary Results*, we invited parties to provide comments. Based on our analysis of the comments received, we have made changes to the margin calculation. Therefore, the final results differ from the Preliminary Results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of the Review."

**EFFECTIVE DATE:** December 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Tyler Weinhold, or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1121, and (202) 482-0649, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 7, 2007, the Department published the Preliminary Results of administrative review of the antidumping order covering purified carboxymethylcellulose from Finland. *See Preliminary Results*. The parties subject to this review are Noviant Oy, CP Kelco Oy, Noviant Inc., and CP Kelco U.S., Inc. (collectively, CP Kelco). The petitioner in this proceeding is The Aqualon Company, a division of Hercules Incorporated.

On August 1, 2007, we sent a supplemental questionnaire to CP Kelco, requesting certain information about factoring expenses. CP Kelco responded to this questionnaire on August 15, 2007. *See Letter from CP Kelco*, dated August 15, 2007 (CP Kelco's August 15, 2007, Questionnaire Response). On August 22, 2007, the Department released a verification report describing the May 14 to May 18, 2007, verification of CP Kelco Oy's and Noviant Oy's Export Price (EP) and Home Market (HM) sales of subject merchandise. *See Memorandum to the File Regarding "Verification of Sections A-C Questionnaire Responses submitted by CP Kelco Oy, Noviant Oy, CP Kelco U.S., Inc., and Noviant Inc., in the Antidumping Review of Purified Carboxymethylcellulose (CMC) from Finland,"* dated August 22, 2007.

In the *Preliminary Results* we invited parties to provide comments. In response, the Department received a case brief on September 10, 2007, from CP Kelco. On September 10, 2007, the Department also received a letter from Petitioner alleging programming errors in the calculation of the Preliminary Results dumping margin. Also, on September 17, 2007, Petitioner submitted a rebuttal brief. At CP Kelco's request, the Department held a public hearing on September 26, 2007.

##### Scope of the Order

The merchandise covered by this order is all purified carboxymethylcellulose (CMC), sometimes also referred to as purified sodium CMC, polyanionic cellulose, or cellulose gum, which is a white to off-white, non-toxic, odorless, biodegradable powder, comprising

sodium CMC that has been refined and purified to a minimum assay of 90 percent. CMC does not include unpurified or crude CMC, CMC Fluidized Polymer Suspensions, and CMC that is cross-linked through heat treatment. CMC is CMC that has undergone one or more purification operations which, at a minimum, reduce the remaining salt and other by-product portion of the product to less than ten percent. The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States at subheading 3912.31.00. This tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

##### Analysis of Comments Received

All issues raised in CP Kelco's case brief and in Petitioner's rebuttal brief are addressed in the Memorandum to David M. Spooner, Assistant Secretary for Import Administration, dated December 5, 2007 (Issues and Decision Memorandum), which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an appendix. The Issues and Decision Memorandum is on file in room B-099 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Internet at <http://www.ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

In addition, Petitioner submitted a letter in which it alleged certain programming errors. *See Letter from Edward M. Lebow regarding "Purified Carboxymethylcellulose from Finland; Demonstration of Programming Errors in Lieu of Case Brief,"* dated September 10, 2007 (Petitioner's Allegation of Programming Errors).

##### Successor-In-Interest Determination

In the *Preliminary Results*, we preliminarily determined that CP Kelco Oy is the successor-in-interest to the former Noviant Oy for purposes of this proceeding and application of the antidumping law. We did not receive comments on this issue and have no reason to change our findings from the *Preliminary Results*. For a complete discussion of our successorship analysis, *see Preliminary Results* at 44107 to 44108. As a result of our review, we determine that CP Kelco Oy is the successor-in-interest to Noviant Oy.

### Changes Since the Preliminary Results

In the *Preliminary Results*, we made a direct adjustment to normal value and U.S. price for certain factoring expenses CP Kelco incurred in both the home market and in the United States.

However, as we had not asked CP Kelco to report these expenses, we relied upon a sample of these expenses gathered at the CEP and HM/EP sales verifications as facts otherwise available. See the *Preliminary Results*. Therefore, in a questionnaire dated August 1, 2007, we asked CP Kelco to submit new U.S. and HM sales databases containing this information for all of its sales. CP Kelco responded to this questionnaire on August 15, 2007. See CP Kelco's August 15, 2007, questionnaire response. As a result we relied upon the U.S. and HM sales databases submitted August 15, 2007, in the final results. These databases include additional fields for per-unit factoring expenses and factoring rates, but are otherwise identical to those databases relied upon in the *Preliminary Results*. Accordingly, the programming language used to calculate factoring expenses as facts available has been removed from the margin calculation program for these final results, and other programming language has been added to deduct the reported factoring expenses from U.S. price and normal value. See Memorandum to the File from Tyler Weinhold Regarding "Analysis of Data Submitted by Noviant Oy and CP Kelco Oy (Collectively, CP Kelco) in the Final Results of the 2004–2006 Administrative Review of the Antidumping Duty Order on Purified Carboxymethylcellulose (CMC) from Finland," dated December 5, 2007 (Final Analysis Memorandum).

CP Kelco was not able to report the importer of record for some of its U.S. sales during the POR. Therefore, in order to allow for importer-specific assessment, we set the importer field for such sales equal to the consolidated customer codes reported by CP Kelco. This change is explained in detail in the Final Analysis Memorandum.

In addition, we made certain changes to our calculation of comparison market net price and certain other changes related to foreign currency conversions as a result of our analysis of the issues raised in Petitioner's Allegation of Programming Errors. The issues raised and the changes made to the margin calculation program since the Preliminary Results as a result of our analysis of these issues are explained in the Final Analysis Memorandum.

### Final Results of the Review

We determine the following percentage weighted-average margin exists for the period December 27, 2004, through June 30, 2006:

Manufacturer/Exporter	Weighted Average Margin (percentage)
CP Kelco Oy .....	5.97
Noviant Oy .....	5.97

### Assessment

The Department shall determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), the Department calculates an assessment rate for each importer of the subject merchandise. CP Kelco has reported entered values for all of its sales of subject merchandise to the United States during the POR. Therefore, in accordance with 19 CFR 351.212(b)(1), we have calculated importer-specific duty assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales of that importer. These rates will be assessed uniformly on all entries the respective importers made during the POR. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise by that importer. The Department will issue appropriate liquidation instructions directly to CBP within fifteen days of publication of the final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by reviewed companies for which these companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003).

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of purified carboxymethylcellulose from Finland entered, or withdrawn from

warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Tariff Act of 1930, as amended (the Tariff Act):

1) The cash deposit rate for CP Kelco Oy and Noviant Oy will be the rate established in the final results of review; 2) if the exporter is not a firm covered in this review or the less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and 3) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be the all-others rate of 6.65 percent from the LTFV investigation. See *Notice of Antidumping Duty Orders: Purified Carboxymethylcellulose from Finland, Mexico, the Netherlands and Sweden*, 70 FR 39734 (July 11, 2005). These deposit requirements, when imposed, shall remain in effect until further notice.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

### Notification to Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping or countervailing duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping or countervailing duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i) of the Tariff Act.

Dated: December 3, 2007.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

## APPENDIX

Comments and Responses:

Issue 1: Amortization of Goodwill

Issue 2: Zeroing of Non-Dumping

Margins

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XE24

#### Fisheries of the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Program

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notification of standard prices and fee percentage.

**SUMMARY:** NMFS publishes IFQ standard prices for the individual fishing quota (IFQ) cost recovery program in the halibut and sablefish fisheries of the North Pacific. This action is intended to provide holders of halibut and sablefish IFQ permits with the 2007 standard prices and fee percentage to calculate the required payment for IFQ cost recovery fees due by January 31, 2008.

**DATES:** Effective December 12, 2007.

**FOR FURTHER INFORMATION CONTACT:** Troie Zuniga, Fee Coordinator, 907-586-7231.

#### SUPPLEMENTARY INFORMATION:

##### Background

NMFS Alaska Region administers the halibut and sablefish IFQ programs in the North Pacific. The IFQ programs are limited access systems authorized by section 303(b) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the Northern Pacific Halibut Act of 1982. Fishing under the IFQ programs began in March 1995. Regulations implementing the IFQ program are set forth at 50 CFR part 679.

In 1996, the Magnuson-Stevens Act was amended (by Public Law 104-297) to, among other things, require the Secretary of Commerce to “collect a fee to recover the actual costs directly related to the management and enforcement of any . . . individual quota program.” This requirement was further amended in 2006 (by Public Law 109-479) to include collection of the actual costs of data collection, and to replace the reference to individual quota program with a more general reference to “limited access privilege program” (section 304(d)(2)(A)). Section 304(d)(2) of the Magnuson-Stevens Act specifies an upper limit on these fees, when the fees must be collected, and where the fees must be deposited.

On March 20, 2000, NMFS published regulations implementing the IFQ cost recovery program (65 FR 14919), which are set forth at § 679.45. Under the regulations, an IFQ permit holder incurs a cost recovery fee liability for every pound of IFQ halibut and IFQ sablefish that is landed on his or her IFQ permit(s). The IFQ permit holder is responsible for self-collecting the fee liability for all IFQ halibut and IFQ sablefish landings on his or her permit(s). The IFQ permit holder is also responsible for submitting a fee liability payment to NMFS on or before the due date of January 31 following the year in which the IFQ landings were made. The dollar amount of the fee due is determined by multiplying the annual IFQ fee percentage (3 percent or less) by the ex-vessel value of each IFQ landing made on a permit and summing the totals of each permit (if more than one).

##### Standard Prices

The fee liability is based on the sum of all payments of monetary worth made to fishermen for the sale of the fish during the year. This includes any retro-payments (e.g., bonuses, delayed partial payments, post-season payments) made to the IFQ permit holder for previously landed IFQ halibut or sablefish.

For purposes of calculating IFQ cost recovery fees, NMFS distinguishes between two types of ex-vessel value: “actual” and “standard.” “Actual” ex-vessel value is the amount of all compensation, monetary or non-monetary, that an IFQ permit holder received as payment for his or her IFQ fish sold. “Standard” ex-vessel value is

the default value on which to base fee liability calculations. IFQ permit holders have the option of using actual ex-vessel value if they can satisfactorily document it, otherwise the “standard” ex-vessel value is used.

Regulations at § 679.45(c)(2)(i) require the Regional Administrator to publish IFQ standard prices during the last quarter of each calendar year. These standard prices are used, along with estimates of IFQ halibut and IFQ sablefish landings, to calculate standard values. The standard prices are described in U.S. dollars per IFQ equivalent pound for IFQ halibut and IFQ sablefish landings made during the year. IFQ equivalent pound(s) is the weight (in pounds) for an IFQ landing, calculated as the round weight for sablefish and headed and gutted net weight for halibut. NMFS calculates the standard prices to closely reflect the variations in the actual ex-vessel values of IFQ halibut and IFQ sablefish landings by month and port or port-group. The standard prices for IFQ halibut and IFQ sablefish are listed in the tables that follow the next section. Data from ports are combined as necessary to protect confidentiality.

##### Fee Percentage

Section 304(d)(2)(B) of the Magnuson-Stevens Act provides for a maximum fee of 3 percent of the ex-vessel value of fish harvested under an IFQ Program. NMFS annually sets a fee percentage for sablefish and halibut IFQ holders that is based on the actual annual costs associated with certain management and enforcement functions, as well as the standard ex-vessel value of the catch subject to the IFQ fee for the current year. The method used by NMFS to calculate the IFQ fee percentage is described at § 679.45(d)(2)(ii).

Regulations at § 679.45(d) require NMFS to publish the IFQ fee percentage for the halibut and sablefish IFQ fisheries in the **Federal Register** during or before the last quarter of each year. For the 2007 sablefish and halibut IFQ fishing season, an IFQ permit holder is to use a fee liability percentage of 1.2 percent to calculate his or her fee for landed IFQ in pounds. The IFQ permit holder is responsible for submitting the fee liability payment to NMFS on or before January 31, 2008.