

applicant and summarizing its proposed export conduct.

### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-X H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 08-00002." A summary of the application follows.

#### Summary of the Application:

**Applicant:** Wilco Machine & Fab, Inc. ("Wilco"), P.O. Box 48, 1326 S. Broadway, Marlow, Oklahoma 73055.

**Contact:** Mr. Anthony Chandler, Manager, Telephone: (580) 658-6993.

**Application No.:** 08-00002.

**Date Deemed Submitted:** February 11, 2008.

**Members (in addition to applicant):** None.

Wilco seeks a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

### Export Trade

#### Products

All Products manufactured by Wilco, including all fabricated, machined, or assembled pressure vessels, tanks, bulk transport trailers, bulk storage trailers, bulk plants, or any components of or tools for the aforementioned items (North American Industry Classification System codes: 333132; 332313; 33242; and 332439).

### Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the

District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

### Export Trade Activities and Methods of Operation

1. Wilco, on its own behalf may:

a. **Sales Price:** Establish sale process, minimum sales prices, target sale prices and/or minimum target sales prices, and other terms of sale in Export Markets.

b. **Marketing and Distribution:** Conduct marketing and distribution of Products in Export Markets.

c. **Promotion:** Conduct promotion of Products.

d. **Quantities:** Determine quantities of Products to be sold.

e. **Market and Customer Allocation:** Allocate geographic areas or countries in the Export Markets and/or customers in the Export Markets to agency representatives or export intermediaries.

f. **Refusals To Deal:** Refuse to quote prices for Products, or to market or sell Products, to or for any customers in the Export Markets, or any countries or geographical areas in the Export Markets.

g. **Exclusive and Nonexclusive Export Intermediaries:** Enter into exclusive and nonexclusive agreements appointing one or more export intermediaries for the sale of Products with price, quantity, territorial and/or customer restrictions as provided above.

2. Wilco may exchange and discuss the following information:

a. Information about sale and marketing efforts for the Export Markets, activities and opportunities for sales of Products in the Export Markets, selling strategies for the Export Markets, sales for the Export Markets, contract and pricing in the Export Markets, project demands in the Export Markets for Products, customary terms of sale in the Export Markets, price and availability of products from competitors for sale in Export Markets, and specifications for Products by customers in the Export Markets.

b. Information about price, quality, quantity, source, and delivery dates of Products.

c. Information about terms and conditions of contracts for sale in the Export Markets to be considered and/or bid on by Wilco.

d. Information about bidding, selling, or sales arrangements for the Export Markets.

e. Information about expenses specific to exporting to and within the Export Markets, including without limitation, transportation, shipments, insurance,

inland freight to port, port storage, commissions, export sales, documentation, financing, customs, duties, and taxes.

f. Information about U.S. and foreign legislation and regulations, including federal marketing order programs, affecting sales for the Export Markets.

g. Information about Wilco's export operations, including without limitation, sales and prior export sales information including export price information.

h. Information about export customer credit terms and credit history.

3. Wilco may meet with customers, agency representatives, or export intermediaries to discuss or engage in the activities described above.

#### Definition:

"Export Intermediary" means a person who acts as a distributor, sales representative, sales or marketing agent, import agent, broker, or who performs similar functions including providing or arranging for the provision of Export Trade Facilitation Services.

Dated: February 18, 2008.

**Jeffrey Anspacher,**

*Director, Export Trading Company Affairs.*

[FR Doc. E8-3426 Filed 2-22-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 07-00006.

**SUMMARY:** On February 19, 2008, the U.S. Department of Commerce issued an Export Trade Certificate of Review to Glokle, Inc. ("GINC"). This notice summarizes the conduct for which certification has been granted.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey C. Anspacher, Director, Export Trading Company Affairs, International Trade Administration, by telephone at (202) 482-5131 (this is not a toll-free number), or by E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. Sections 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (2006).

Export Trading Company Affairs ("ETCA") is issuing this notice pursuant

to 15 CFR 325.6(b), which requires the U.S. Department of Commerce to publish a summary of the certification in the **Federal Register**. Under Section 305(a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

### Description of Certified Conduct

#### Export Trade

##### 1. Products

All products.

##### 2. Services

All services.

##### 3. Technology Rights

Technology rights, including, but not limited to, patents, trademarks, copyrights, and trade secrets that relate to Products and Services.

##### 4. Export Trade Facilitation Services (as they relate to the export of Products, Services, and Technology Rights)

Export Trade Facilitation Services, including, but not limited to, professional services in the areas of government relations and assistance with state and federal programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping; export management; export licensing; advertising; documentation and services related to compliance with customs requirements; insurance and financing; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation services; and facilitating the formation of shippers' associations.

### Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

### Export Trade Activities and Methods of Operation

1. With respect to the sales of Products and Services, licensing of Technology Rights and provisions of Export Trade Facilitation Services,

GINC, subject to the terms and conditions listed below, may:

a. Provide and/or arrange for the provisions of Export Trade Facilitation Services;

b. Engage in promotional and marketing activities and collect information on trade opportunities in the Export Markets and distribute such information to clients;

c. Enter into exclusive and/or non-exclusive licensing and/or sales agreements with Suppliers for the export of Products, Services, and/or Technology Rights to Export Markets;

d. Enter into exclusive and/or non-exclusive agreements with distributors and/or sales representatives in Export Markets;

e. Allocate export sales or divide Export Markets among Suppliers for the sale and/or licensing of Products, Services, and/or Technology Rights;

f. Allocate export orders among Suppliers;

g. Establish the price of Products, Services, and/or Technology Rights for sales and/or licensing in Export Markets;

h. Negotiate, enter into, and/or manage licensing agreements for the export of Technology Rights; and

i. Enter into contracts for shipping of Products to Export Markets.

2. GINC may exchange information on a one-to-one basis with individual Suppliers regarding that Supplier's inventories and near-term production schedules for the purpose of determining the availability of Products for export and coordinating export with distributors.

### Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operations, GINC will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. GINC will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities and Methods of Operation of a person protected by this Certificate of

Review continue to comply with the standard of Section 303(a) of the Act.

### Definition

"Supplier" means a person who produces, provides, or sells Products, Services, and/or Technology Rights.

### Protection Provided by Certificate

This Certificate protects GINC and its directors, officers, and employees acting on its behalf, from private treble damage actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

### Effective Period of Certificate

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

### Other Conduct

Nothing in this Certificate prohibits GINC from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of the antitrust laws.

### Disclaimer

The issuance of this Certificate of Review to GINC by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion of the Secretary of Commerce or the Attorney General concerning either (a) the viability or quality of the business plans of GINC or (b) the legality of such business plans of GINC under the laws of the United States (other than as provided in the Act) or under the laws of any foreign country.

The application of this Certificate to conduct in Export Trade where the United States Government is the buyer or where the United States Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V.(D.) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)," 50 FR 1786 (January 11, 1985).

A copy of the certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility, Room 4100, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: February 19, 2008.

**Jeffrey Anspacher,**

Director, Export Trading Company Affairs.

[FR Doc. E8-3478 Filed 2-22-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-507-601]

#### Certain In-shell Roasted Pistachios from the Islamic Republic of Iran: Final Results of Countervailing Duty New Shipper Review

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

**SUMMARY:** On November 28, 2007, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results in the countervailing duty (CVD) new shipper review of certain in-shell roasted pistachios from Iran. See *Certain In-shell Roasted Pistachios from the Islamic Republic of Iran: Preliminary Results of Countervailing Duty New Shipper Review*, 72 FR 67276 (Preliminary Results). The Department has now completed this new shipper review in accordance with section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the Act).

Based on our analysis of the comments received, the Department has not revised the net subsidy rate for Ahmadi's Agricultural Productions, Processing and Trade Complex (Ahmadi), the respondent company in this proceeding. The final net subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** February 25, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Hargett, AD/CVD Operations, Office 3, Import Administration, U.S. Department of Commerce, Room 4225, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4161.

**SUPPLEMENTARY INFORMATION:**

#### Background

On November 28, 2007, the Department published in the **Federal Register** its *Preliminary Results*. We invited interested parties to comment on these results. Since the preliminary results, the following events have occurred:

On December 28, 2007, we received case briefs from petitioners.<sup>1</sup> In response to a request from the Department, CalPure submitted a revised case brief on January 15, 2008. A hearing was held in response to a request from CalPure on January 17, 2008.

In accordance with 19 CFR 351.214(b), this new shipper review covers only those producers or exporters for which a review was specifically requested. Accordingly, this new shipper review covers Ahmadi and ten programs for the period of review January 1, 2006, through December 31, 2006.

#### Scope of the Order

The product covered by this order is all roasted in-shell pistachio nuts, whether roasted in Iran or elsewhere, from which the hull has been removed, leaving the inner hard shells and the edible meat, as currently classifiable in the HTSUS under item number 0802.50.20.00. The written description of the scope of this proceeding is dispositive.

#### Analysis of Comments Received

For a discussion of the programs and the issues raised in the briefs by parties to this review, see the "Issues and Decision Memorandum" from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M. Spooner, Assistant Secretary for Import Administration, concerning the "Final Results of Countervailing Duty New Shipper Review: Certain In-shell Roasted Pistachios from the Islamic Republic of Iran" (Decision Memorandum), dated February 19, 2008, which is hereby adopted by this notice. A listing of the issues which parties raised and to which we have responded, which are in the Decision Memorandum, is attached to this notice as Appendix I. Parties can find a complete discussion of the issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit (CRU), room 1117 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Final Results of Review

In accordance with section 777A(e)(1) of the Act, 19 CFR 351.221(b)(5), and 19

<sup>1</sup> Petitioners include the Western Pistachio Association (WPA) and its members and a domestic interested party, Cal Pure Pistachios, Inc. (Cal Pure).

CFR 351.214(i), we calculated an ad valorem subsidy rate for Ahmadi for calendar year 2006.

Producer/Exporter	Net Subsidy Rate
Ahmadi's Agricultural Productions, Processing and Trade Complex (Ahmadi) .....	0.00 percent <i>ad valorem</i>

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of the final results of this new shipper review to liquidate shipments of subject merchandise by Ahmadi entered, or withdrawn from warehouse, for consumption on or after January 1, 2006, through December 31, 2006, without regard to countervailing duties because a zero percent subsidy rate was calculated.

The following cash deposit requirements will be effective upon publication of the final results of this new shipper review for all shipments of subject merchandise from Ahmadi entered or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) For subject merchandise produced and exported by Ahmadi, the cash deposit rate will be zero; (2) for subject merchandise produced by Ahmadi but not exported by Ahmadi, the cash deposit rate will continue to be the all-others rate (*i.e.*, 317.89 percent *ad valorem*); and (3) for subject merchandise exported by Ahmadi but not produced by Ahmadi, the cash deposit rate will continue to be the all-others rate (*i.e.*, 317.89 percent *ad valorem*). The cash deposit rate for all other producers and/or exporters is not effected by these final results.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are issued and published in accordance with sections 751(a)(2)(C), 751(a)(3) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).