

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-428-841, A-570-925]

**Sodium Nitrite from the Federal Republic of Germany and the People's Republic of China: Antidumping Duty Orders**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (the Commission), the Department is issuing antidumping duty orders on sodium nitrite from the Federal Republic of Germany (Germany) and the People's Republic of China (PRC). On August 20, 2008, the Commission notified the Department of its affirmative determination of material injury to a U.S. industry. See *Sodium Nitrite from China and Germany* (Investigation Nos. 701-TA-453 and 731-TA-1136-1137 (Final), USITC Publication 4029, August 2008).

**EFFECTIVE DATE:** August 27, 2008.

**FOR FURTHER INFORMATION CONTACT:** Brian C. Smith (Federal Republic of Germany) or Magd Zalok (People's Republic of China), AD/CVD Operations, Offices 2 and 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1766 or (202) 482-4162, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 8, 2008, the Department published its affirmative final determinations of sales at less-than-

fair-value in the antidumping duty investigations of sodium nitrite from Germany and the PRC. See *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany*, 73 FR 38986 (July 8, 2008); and *Notice of Final Determination of Sales at Less Than Fair Value: Sodium Nitrite from the People's Republic of China*, 73 FR 38984 (July 8, 2008).

On August 20, 2008, the Commission notified the Department of its final determination pursuant to section 735(d) of the Tariff Act of 1930, as amended (the Act), that an industry in the United States is materially injured by reason of less-than-fair-value imports of subject merchandise from Germany and the PRC. See section 735(b)(1)(A)(i) of the Act.

**Scope of the Orders**

The merchandise subject to these orders is sodium nitrite in any form, at any purity level. In addition, the sodium nitrite covered by these orders may or may not contain an anti-caking agent. Examples of names commonly used to reference sodium nitrite are nitrous acid, sodium salt, anti-rust, diazotizing salts, erinitrit, and filmerine. The chemical composition of sodium nitrite is NaNO<sub>2</sub> and it is generally classified under subheading 2834.10.1000 of the Harmonized Tariff Schedule of the United States (HTSUS). The American Chemical Society Chemical Abstract Service (CAS) has assigned the name "sodium nitrite" to sodium nitrite. The CAS registry number is 7632-00-0.

While the HTSUS subheading, CAS registry number, and CAS name are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

**Antidumping Duty Orders**

On August 20, 2008, in accordance with section 735(d) of the Act, the Commission notified the Department of its final determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of subject merchandise from Germany and the PRC.

In accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price or constructed export price of the merchandise for all relevant entries of sodium nitrite from Germany and the PRC. These antidumping duties will be assessed on all unliquidated entries of sodium nitrite entered, or withdrawn from warehouse, for consumption on or after April 23, 2008, the date on which the Department published its notices of preliminary determination in the **Federal Register**. See *Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite from the Federal Republic of Germany*, 73 FR 21909 (April 23, 2008); and *Notice of Preliminary Determination of Sales at Less Than Fair Value: Sodium Nitrite from the People's Republic of China*, 73 FR 21906 (April 23, 2008).

On or after the date of publication of the Commission's notice of final determination in the **Federal Register**, CBP must require, pursuant to section 735(c)(3) of the Act, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated dumping margins as noted below:

Country	Manufacturer/exporter	Weighted-Average Margin (percent)
Germany .....	BASF AG	237.00
.....	All-Others	150.82
PRC .....	PRC-Wide Rate	190.74

This notice constitutes the antidumping duty orders with respect to sodium nitrite from Germany and the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room 1117 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

These orders are issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: August 21, 2008.  
**David M. Spooner**,  
*Assistant Secretary for Import Administration.*  
 [FR Doc. E8-19895 Filed 8-26-08; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Establishment of the Civil Nuclear Trade Advisory Committee and Solicitation of Nominations for Membership**

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

**ACTION:** Notice of establishment of the Civil Nuclear Trade Advisory

Committee and solicitation of nominations for membership.

**SUMMARY:** Pursuant to provisions under the Federal Advisory Committee Act, 5 U.S.C. Appendix 2, the Under Secretary of Commerce for International Trade announces the establishment of the Civil Nuclear Trade Advisory Committee (CINTAC) by the Secretary of Commerce. The CINTAC shall advise the Secretary regarding the development and administration of programs to expand United States exports of civil nuclear goods and services in accordance with applicable United States regulations, for use by the Department of Commerce in its role as member of the Civil Nuclear Trade Working Group (CINTWG) of the Trade Promotion Coordinating Committee (TPCC). This notice also requests nominations for membership on the CINTAC.

**DATES:** Nominations for members must be received on or before September 30, 2008.

**ADDRESSES:** All nominations should be submitted to Sarah Lopp, Office of Energy & Environmental Industries, Room 4053, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Sarah Lopp, Office of Energy & Environmental Industries, Room 4407, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; phone 202-482-3851; fax 202-482-5665; e-mail [sarah.lope@mail.doc.gov](mailto:sarah.lope@mail.doc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background and Authority**

The CINTAC is being established under the discretionary authority of the Secretary, in response to an identified need for consensus advice from U.S. industry to the U.S. government on how U.S. foreign policies, programs, and activities will affect the U.S. civil nuclear industry's competitiveness and ability to participate in the international market. The Federal Advisory Committee Act (5 U.S.C. Appendix 2) governs the CINTAC, and sets forth standards for the formation and use of advisory committees.

CINTAC shall advise the Secretary of Commerce regarding the development and administration of programs and policies to expand United States exports of civil nuclear goods and services in accordance with applicable United States regulations, for use of the Department of Commerce in its role as member of the CINTWG of the TPCC. In connection with that function, the

Committee shall advise on matters including, but not limited to:

- (1) Trade policy development and negotiations relating to U.S. civil nuclear exports;
- (2) The effect of U.S. and foreign government policies, regulations, programs and practices on the export of U.S. civil nuclear goods and services;
- (3) The competitiveness of U.S. industry and its ability to respond to international opportunities for civil nuclear products and services, including specific exporting problems, and U.S. Government and public/private actions to assist civil nuclear companies in expanding their exports;
- (4) Priority civil nuclear products and services markets with high immediate returns for U.S. exports, as well as emerging markets with a longer-term potential for U.S. exports;
- (5) Strategies to increase private sector awareness and effective use of U.S. Government export promotion programs, and to make U.S. Government programs more efficiently designed and coordinated;
- (6) The development of complementary industry and trade association export promotion programs, and greater or more effective resource allocation for export promotion in the private sector; and
- (7) The development of U.S. Government programs to encourage producers of civil nuclear products and services to enter new foreign markets, in connection with which CINTAC may advise on how to gather, disseminate, and promote awareness of information on civil nuclear exports and related trade issues.

**II. Structure**

The CINTAC shall consist of not more than 20 members appointed by the Secretary of Commerce, in accordance with applicable Department of Commerce guidance and based on their ability to carry out the objectives of the CINTAC. Members shall represent U.S. exporters of civil nuclear products and services and reflect the diversity of this sector, including company size and geographic location, and shall be drawn from U.S. civil nuclear manufacturing and services companies, U.S. trade associations, and U.S. private sector organizations involved in the promotion of exports of civil nuclear products and services. The Secretary shall appoint to the Committee at least one individual representing each of the following groups:

- a. U.S. civil nuclear companies that are not majority owned or controlled by a foreign government entity;
- b. Small businesses;

- c. U.S. utilities;
- d. Trade associations in the civil nuclear sector; and
- e. Private sector organizations involved in the international trade of civil nuclear products and services.

Members shall serve in a representative capacity, expressing the views and interests of a U.S. entity or organization, as well as their particular sector. The members shall not serve as Special Government Employees. Each member of the Committee must be a U.S. citizen, and not registered as foreign agent under the Foreign Agents Registration Act. No member may represent a company that is majority owned or controlled by a foreign government entity. Appointments will be made without regard to political affiliation. Members shall serve at the pleasure of the Secretary from the date of appointment to the Committee to the date on which the CINTAC's charter terminates (normally a two-year term). The Secretary shall designate the CINTAC Chair and Vice Chair. The Chair and Vice Chair will serve in those positions at the pleasure of the Secretary. The Assistant Secretary of Commerce for Manufacturing and Services shall designate the CINTAC Executive Director. The Assistant Secretary of Commerce for Manufacturing and Services shall designate a Designated Federal Officer (DFO) from among the employees of the Office of Energy and Environmental Industries.

**III. Compensation**

Members of the CINTAC will not be compensated for their services or reimbursed for their travel expenses.

**IV. Nominations**

The Secretary of Commerce invites nominations to CINTAC of U.S. citizens who will represent U.S. civil nuclear goods and services companies that trade internationally, or trade associations whose members include U.S. companies that trade internationally. No member may represent a company that is majority owned or controlled by a foreign government entity. Nominees will be considered based upon their ability to carry out the goals of CINTAC as articulated in its charter. Self-nominations will be accepted. If you are interested in nominating someone to become a member of CINTAC, please provide the following information (2 pages maximum):

- (1) Name;
- (2) Title;
- (3) Work Phone; Fax; and, E-mail Address;

(4) Company or Trade Association Name and Address including Web site Address;

(5) Short Biography of nominee including credentials;

(6) Brief description of the company or trade association and its business activities; company size (number of employees and annual sales); and export markets served.

Please do not send company or trade association brochures or any other information.

This information may be e-mailed to [Sarah.Lopp@mail.doc.gov](mailto:Sarah.Lopp@mail.doc.gov) or faxed to the attention of Sarah Lopp at 202-482-5665, and must be received before the deadline. Nominees selected for appointment to CINTAC will be notified by return mail.

**Jamie Estrada,**

*Deputy Assistant Secretary for Manufacturing.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-570-926]

**Sodium Nitrite from the People's Republic of China: Countervailing Duty Order**

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

**SUMMARY:** Based on an affirmative final determination by the U.S. International Trade Commission (ITC), the Department of Commerce (the Department) is issuing a countervailing duty order on sodium nitrite from the People's Republic of China (PRC). On August 20, 2008, the ITC notified the Department of its affirmative determination of material injury to a U.S. industry. See Sodium Nitrite from the People's Republic of China, USITC Pub. 4029, Inv. No. 701-TA-453 (Final) (August 2008).

**EFFECTIVE DATE:** August 27, 2008.

**FOR FURTHER INFORMATION CONTACT:** Gene Calvert or Paul Matino, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-3586 or (202) 482-4146, respectively.

**SUPPLEMENTARY INFORMATION:**

**Scope of the Order**

The merchandise covered by this order is sodium nitrite in any form, at

any purity level. In addition, the sodium nitrite covered by this order may or may not contain an anti-caking agent.

Examples of names commonly used to reference sodium nitrite are nitrous acid, sodium salt, anti-rust, diazotizing salts, erinitrit, and filmerine. The chemical composition of sodium nitrite is NaNO<sub>2</sub> and it is generally classified under subheading 2834.10.1000 of the Harmonized Tariff Schedule of the United States (HTSUS). The American Chemical Society Chemical Abstract Service (CAS) has assigned the name "sodium nitrite" to sodium nitrite. The CAS registry number is 7632-00-0. For purposes of the scope of this order, the narrative description is dispositive, not the tariff heading, CAS registry number or CAS name, which are provided for convenience and customs purposes.

**Countervailing Duty Order**

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on July 8, 2008, the Department published its final determination in the countervailing duty investigation of sodium nitrite from the PRC. See *Sodium Nitrite from the People's Republic of China: Final Affirmative Countervailing Determination*, 73 FR 38981 (July 8, 2008). On August 9, 2008, the Department terminated suspension of liquidation in accordance with 703(d) of the Act. Section 703(d) states that the suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months.

On August 20, 2008, the ITC notified the Department of its final determination, pursuant to section 705(b)(1)(A)(i) of the Act, that an industry in the United States is materially injured as a result of subsidized imports of sodium nitrite from the PRC. As a result of the ITC's determination, in accordance with Section 706(a) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing duties on all unliquidated entries of sodium nitrite from the PRC entered, or withdrawn from warehouse, for consumption on or after April 11, 2008, the date on which the Department published its preliminary affirmative countervailing duty determination in the **Federal Register**, and before August 9, 2008, the date on which the Department instructed CBP to discontinue the suspension of liquidation in accordance with section 703(d) of the Act. Entries of sodium nitrite made on or after August 9, 2008, and prior to the date of publication of the ITC's final

determination in the **Federal Register** are not liable for the assessment of countervailing duties due to the Department's discontinuation, effective August 9, 2008, of the suspension of liquidation.

In accordance with section 706 of the Act, the Department will direct CBP to reinstitute the suspension of liquidation for sodium nitrite from the PRC, effective the date of publication of the ITC's notice of final determination in the **Federal Register**, and to assess, upon further advice by the Department pursuant to section 706(a)(1) of the Act, countervailing duties for each entry of the subject merchandise in an amount based on the net countervailable subsidy rates for the subject merchandise. On or after the date of publication of the ITC's final injury determination in the **Federal Register**, CBP must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the rates noted below:

Producer/Exporter	Subsidy Rate
Shanxi Jiaocheng Hongxing Chemical Co., Ltd. (Shanxi Jiaocheng) .....	169.01%
Tianjin Soda Plant Tianjin Port Free Trade Zone Pan Bohai International Trading Co., Ltd. (Tianjin Soda Plant) ..	169.01%
All Others .....	169.01%

This notice constitutes the countervailing duty order with respect to sodium nitrite from the PRC pursuant to section 706(a) of the Act. Interested parties may contact the Central Records Unit (CRU), Room 1117 of the main Commerce building, for copies of an updated list of countervailing duty orders currently in effect.

This countervailing duty order is issued and published in accordance with sections 705(c)(2) and 705(d) of the Act and 19 CFR 351.211.

Dated: August 22, 2008.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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