

the new determination shall apply with respect to unliquidated entries of the subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date on which the USTR directs the Department to implement the new determination. See 19 U.S.C. 3538(c). The new determination is subject to judicial review separate and apart from judicial review of the Department's original determination. See 19 U.S.C. 1516a(a)(2)(B)(vii).

Analysis of Comments Received

The issues raised in the case and rebuttal briefs submitted by interested

parties to this proceeding are addressed in the Final Results of Proceeding Under Section 129 of the URAA. See the January 12, 2009, "Issues and Decision Memorandum for the Final Results" from Gary Taverman, Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Import Administration, dated January 12, 2009 (Issues and Decision Memorandum), which is hereby adopted by this notice. The Issues and Decision Memorandum is on file in the Central Records Unit (CRU), room 1117 of the Department of

Commerce main building and can be accessed directly at <http://ia.ita.doc.gov/download/section129/full-129-index.html>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content. A list of the issues addressed in the Issues and Decision Memorandum is appended to this notice.

Final Antidumping Margins

The recalculated margins, unchanged from the preliminary results, are as follows:

| Manufacturer/Exporter | Amended final determination (percent) | Re-calculated margins (percent) |
|---|---------------------------------------|---------------------------------|
| The Rubicon Group (Andaman Seafood Co., Ltd., Chanthaburi Frozen Food Co., Ltd., Chanthaburi Seafoods Co., Ltd., Intersia Foods Co., Ltd., Phatthana Seafood Co., Ltd., S.C.C. Frozen Seafood Co., Ltd., Thailand Fishery Cold Storage Public Co., Ltd., Thai International Seafoods Co., Ltd., and Wales & Co. Universe Limited) | 5.91 | ¹ 1.94 |
| Thai I-Mei Frozen Foods Co., Ltd. | 5.29 | ¹ 1.81 |
| The Union Frozen Products Co., Ltd. | 6.82 | 5.34 |
| All Others | 5.95 | 5.34 |

¹ de minimis.

Implementation

On January 16, 2009, in accordance with sections 129(b)(4) and 129(c)(1)(B) of the URAA, the USTR directed the Department to implement this determination, effective January 16, 2009. Accordingly, we will instruct U.S. Customs and Border Protection (CBP) to terminate the suspension of liquidation for all shipments of frozen warmwater shrimp produced and exported by one or more of the members of the Rubicon Group (*i.e.*, Andaman Seafood Co., Ltd., Chanthaburi Frozen Food Co., Ltd., Chanthaburi Seafoods Co., Ltd., Intersia Foods Co., Ltd., Phatthana Seafood Co., Ltd., S.C.C. Frozen Seafood Co., Ltd., Thailand Fishery Cold Storage Public Co., Ltd., Thai International Seafoods Co., Ltd., and Wales & Co. Universe Limited), as well as shipments of frozen warmwater shrimp produced and exported by Thai I-Mei Frozen Foods, Co., Ltd., entered or withdrawn from warehouse, for consumption on or after the effective date of this determination. Further, the Department will instruct CBP to liquidate without regard to antidumping duties (release all bonds and refund all cash deposits) entries of frozen warmwater shrimp produced and exported by these entities, entered, or withdrawn from warehouse, for consumption on or after the effective date of this determination. Additionally, the Department will instruct CBP to change the "all-others" cash deposit rate

from 5.95 percent ad valorem to 5.34 percent ad valorem.

This notice serves as the only 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 determination is issued and published in accordance with section 129(c)(2)(A) of the URAA.

Dated: January 26, 2009.

Ronald K. Lorentzen,
Acting Assistant Secretary for Import Administration.

Appendix I

Issues Raised in the Issues and Decision Memorandum

- Comment 1: Whether the Department of Commerce (the Department) Has the Authority to Implement a Determination Pursuant to Section 129 of the URAA
- Comment 2: Whether the Preliminary Results are Consistent with U.S. Law
- Comment 3: Alternative Calculation Methodologies
- Comment 4: Effective Date of Implementation
- Comment 5: The Rubicon Group Companies

Subject to this Proceeding
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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-898]

Chlorinated Isocyanurates From the People's Republic of China: Initiation of New Shipper Review

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

DATES: *Effective Date:* January 30, 2009.

SUMMARY: The Department of Commerce (the "Department") has determined that a request for a new shipper review of the antidumping duty order on chlorinated isocyanurates from the People's Republic of China ("PRC"), received on December 22, 2008, meets the statutory and regulatory requirements for initiation. The period of review ("POR") of this new shipper review is June 1, 2008, through November 30, 2008.

FOR FURTHER INFORMATION CONTACT: Lilit Astvatsatrian or Charles Riggle AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230;

telephone: (202) 482-6412 and (202) 482-0650, respectively.

SUPPLEMENTARY INFORMATION:

Background

The notice announcing the antidumping duty order on chlorinated isocyanurates from the PRC was published on June 24, 2005. *See Notice of Antidumping Duty Order: Chlorinated Isocyanurates From the People's Republic of China*, 70 FR 36561 (June 24, 2005). On December 22, 2008, we received a timely request for a new shipper review from Juancheng Kangtai Chemical Co., Ltd. ("Kangtai") in accordance with 19 CFR 351.214(c) and 351.214(d)(2). Kangtai has certified that it produced all of the chlorinated isocyanurates it exported which is the basis for its request for a new shipper review.

Pursuant to the requirements set forth in 19 CFR 351.214(b)(2)(i), in its request for a new shipper review, Kangtai, as an exporter and producer, certified that (1) it did not export chlorinated isocyanurates to the United States during the period of investigation ("POI"); (2) since the initiation of the investigation, Kangtai has never been affiliated with any company that exported subject merchandise to the United States during the POI; and (3) its export activities were not controlled by the central government of the PRC.

In accordance with 19 CFR 351.214(b)(2)(iv), Kangtai submitted documentation establishing the following: (1) The date on which it first shipped chlorinated isocyanurates for export to the United States and the date on which the chlorinated isocyanurates were first entered, or withdrawn from warehouse, for consumption; (2) the volume of its first shipment; and (3) the date of its first sale to an unaffiliated customer in the United States.

Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the "Act") and 19 CFR 351.214(d)(1), we find that the request submitted by Kangtai meets the threshold requirements for initiation of a new shipper review for shipments of chlorinated isocyanurates from the PRC produced and exported by Kangtai. *See Memorandum to the File through Wendy Frankel, Office Director, New Shipper Initiation Checklist*, dated January 21, 2009. The POR is June 1, 2008, through November 30, 2008. *See* 19 CFR 351.214(g)(1)(i)(B). The Department will conduct this review according to the deadlines set forth in section 751(a)(2)(B)(iv) of the Act.

It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, we will issue questionnaires to Kangtai, which will include separate rate sections. The review will proceed if the response provides sufficient indication that Kangtai is not subject to either *de jure* or *de facto* government control with respect to its export of chlorinated isocyanurates.

On August 17, 2006, the Pension Protection Act of 2006, Public Law 109-280, ("H.R. 4"), was signed into law. Section 1632 of H.R. 4 temporarily suspends the authority of the Department to instruct U.S. Customs and Border Protection to collect a bond or other security in lieu of a cash deposit in new shipper reviews during the period April 1, 2006, through June 30, 2009. Therefore, the posting of a bond or other security under section 751(a)(2)(B)(iii) of the Act in lieu of a cash deposit is not available in this case. Importers of chlorinated isocyanurates exported and produced by Kangtai must continue to post a cash deposit of estimated antidumping duties on each entry of subject merchandise at the PRC-wide rate of 285.63 percent.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).

Dated: January 21, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; 2009 Coastal Resource Management Customer Survey

AGENCY: National Oceanic and Atmospheric Administration (NOAA).

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before March 31, 2009.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at dHynek@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Chris Ellis at NOAA Coastal Services Center, (843) 740-1195 or Chris.Ellis@noaa.gov.

SUPPLEMENTARY INFORMATION:

I. Abstract

In continuing compliance with Executive Order 12862, Setting Customer Service Standards, this survey will be used by the NOAA Coastal Services Center to obtain information from customers—state and territorial coastal resource managers—about their natural resource management issues, their needs for information, training, and technical assistance, and their technical capabilities in order to make quality improvements to the Center's products and services.

II. Method of Collection

Respondents have a choice of either electronic or paper forms. Methods of submittal include electronic forms, and mail and facsimile transmission of paper forms.

III. Data

OMB Control Number: 0648-0308.

Form Number: None.

Type of Review: Regular submission.

Affected Public: Non-profit institutions; State, local, or tribal government; business or other for-profit organizations.

Estimated Number of Respondents: 500.

Estimated Time per Response: 20 minutes.

Estimated Total Annual Burden Hours: 167.

Estimated Total Annual Cost to Public: \$0.