

and Urban Development and others rely on these data to provide the most current information on the financial status of state and local governments. These data are included in the quarterly estimates of National Income and Product Accounts developed by the Bureau of Economic Analysis, and the Department of Housing and Urban Development has used the property tax data as one of nine cost indicators for developing Section 8 rent adjustments. Legislators, policy makers, administrators, analysts, economists, and researchers use these data to monitor trends in public sector revenues. Journalists, teachers, and students use these data as well.

Tax collection data are used to measure economic activity for the Nation as a whole, as well as for comparison among the various states. These data are also useful in comparing the mix of taxes employed by individual states, and in determining the revenue raising capacity of different types of taxes in different state-areas.

*Affected Public:* State, local or tribal government.

*Frequency:* Quarterly.

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Title 13 U.S.C., Section 182.

*OMB Desk Officer:* Brian Harris-Kojetin, (202) 395-7314.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 7845, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dhynek@doc.gov](mailto:dhynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Brian Harris-Kojetin, OMB Desk Officer either by fax (202-395-7245) or e-mail ([bharrisk@omb.eop.gov](mailto:bharrisk@omb.eop.gov)).

Dated: February 20, 2009.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-831]**

**Fresh Garlic from the People's Republic of China: Extension of Time Limits for Final Results of the Antidumping Duty Administrative Review and New Shipper Reviews**

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

**EFFECTIVE DATE:** February 26, 2009.

**FOR FURTHER INFORMATION CONTACT:** Nicholas Czajkowski or Summer Avery, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1395 and (202) 482-4052, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 27, 2007, the Department of Commerce (Department) published the initiation of an administrative review of fresh garlic from the People's Republic of China. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 72 FR 73315 (December 27, 2007). On January 2, 2008, the Department published the initiation of new shipper reviews of fresh garlic from the People's Republic of China. *See Fresh Garlic from the People's Republic of China: Initiation of Antidumping Duty New Shipper Reviews*, 73 FR 161 (January 2, 2008). On July 23, 2008, the Department aligned the new shipper reviews with the administrative review, in accordance with 19 CFR 351.214(j). *See Memorandum to All Interested Parties from the Department Re: The Alignment of the New Shipper Reviews with the 13th Antidumping Duty Administrative Review of Fresh Garlic from the People's Republic of China* (July 23, 2008), which is on file in the Central Records Unit, room 1117 of the main Commerce building. As such, the time limits for the new shipper reviews were aligned with those for the administrative review. On December 8, 2008, the Department published the preliminary results of this antidumping duty administrative review and the new shipper reviews. *See Fresh Garlic from the People's Republic of China: Preliminary Results of the Antidumping Duty Administrative and New Shipper Reviews and Intent to Rescind, In Part, the Antidumping Duty Administrative and New Shipper Reviews*, 73 FR 74462

(December 8, 2008). The period of review for this administrative review and the new shipper reviews is November 1, 2006 through October 31, 2007. The final results are currently due on April 7, 2009.

**Extension of Time Limits for Final Results**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), provides that the Department will issue the final results in an administrative review of an antidumping duty order within 120 days after the date on which the preliminary results are published. However, the Department may extend the deadline for completion of the final results of an administrative review to 180 days if it determines it is not practicable to complete the review within the foregoing time period. *See* section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2). Section 751(a)(2)(B)(iv) of the Act and 19 CFR 351.214(i)(2) also provide that the Department may extend the deadlines in a new shipper review if we determine that the case is extraordinarily complicated.

The Department determines that it is not practicable to complete the final results of the aligned administrative review and new shipper reviews by the current deadline of April 7, 2009. Specifically, the Department requires additional time to conduct sales and factors of production verifications and to analyze issues it considers to be extraordinarily complicated, including, but not limited to, the *bona fides* nature of certain transactions and surrogate financial ratios. Thus, we are fully extending the time for completion of the final results of the administrative review and new shipper reviews to no later than June 6, 2009, a Saturday. Where a statutory deadline falls on a weekend, federal holiday, or any other day when the Department is closed, the Department will continue its longstanding practice of issuing a determination on the next business day. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005). Accordingly, in this instance, the due date for the final results will now be no later than June 8, 2009.

This notice is published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 20, 2009.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for  
Antidumping and Countervailing Duty  
Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-929

#### **Antidumping Duty Order: Small Diameter Graphite Electrodes from the People's Republic of China**

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

**EFFECTIVE DATE:** February 26, 2009.

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the "Department") and the International Trade Commission ("ITC"), the Department is issuing an antidumping duty order on small diameter graphite electrodes from the People's Republic of China ("PRC").

**FOR FURTHER INFORMATION CONTACT:**  
Magd Zalok or Drew Jackson, AD/CVD  
Operations, Office 4, Import  
Administration, International Trade  
Administration, U.S. Department of  
Commerce, 14th Street and Constitution  
Avenue, NW, Washington, DC, 20230;  
telephone: (202) 482-4162 and 482-  
4406, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the "Act"), on January 14, 2009, the Department published the *Final Determination of Sales at Less Than Fair Value and Affirmative Determination of Critical Circumstances: Small Diameter Graphite Electrodes from the People's Republic of China*, 74 FR 2049 (January 14, 2009) ("*Final Determination*").

On February 19, 2009, the ITC notified the Department of its affirmative final determination of material injury to a U.S. industry. See *Small Diameter Graphite Electrodes from China*, Investigation No. 731-TA-1143 (Final), USITC Publication 4062 (February 2009).

##### **Scope of the Order**

The merchandise covered by this order includes all small diameter graphite electrodes of any length, whether or not finished, of a kind used in furnaces, with a nominal or actual diameter of 400 millimeters (16 inches)

or less, and whether or not attached to a graphite pin joining system or any other type of joining system or hardware. The merchandise covered by this order also includes graphite pin joining systems for small diameter graphite electrodes, of any length, whether or not finished, of a kind used in furnaces, and whether or not the graphite pin joining system is attached to, sold with, or sold separately from, the small diameter graphite electrode. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes are most commonly used in primary melting, ladle metallurgy, and specialty furnace applications in industries including foundries, smelters, and steel refining operations. Small diameter graphite electrodes and graphite pin joining systems for small diameter graphite electrodes that are subject to this order are currently classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheading 8545.11.0000. The HTSUS number is provided for convenience and customs purposes, but the written description of the scope is dispositive.

##### **Provisional Measures**

Section 733(d) of the Act states that suspension of liquidation instructions issued pursuant to an affirmative preliminary determination may not remain in effect for more than four months except where exporters representing a significant proportion of exports of the subject merchandise request the Department to extend that four-month period to no more than six months. At the request of exporters that account for a significant proportion of small diameter graphite electrodes, we extended the four-month period to no more than six months. See *Small Diameter Graphite Electrodes From the People's Republic of China: Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Affirmative Preliminary Determination of Critical Circumstances, in Part*, 73 FR 49408 (August 21, 2008) ("*Preliminary Determination*"). In this investigation, the six-month period beginning on the date of the publication of the *Preliminary Determination* (i.e., August 21, 2008) ended on February 16, 2009. Furthermore, section 737 of the Act states that definitive duties are to begin on the date of publication of the ITC's final injury determination. Therefore, in accordance with section 733(d) of the Act, we have instructed U.S. Customs and Border Protection ("CBP") to terminate suspension of liquidation and to liquidate without regard to

antidumping duties (i.e., release all bonds and refund all cash deposits), unliquidated entries of small diameter graphite electrodes from the PRC entered, or withdrawn from warehouse, for consumption after February 16, 2009, and before the date of publication of the ITC's final injury determination in the **Federal Register**. Suspension of liquidation will continue on or after the date of publication of the ITC's final injury determination in the **Federal Register**.

##### **Antidumping Duty Order**

On February 19, 2009, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determination, pursuant to section 735(b)(1)(A)(i) of the Act, that an industry in the United States is materially injured by reason of less-than-fair-value imports of subject merchandise from the PRC. Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct CBP to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price of the merchandise for all relevant entries of small diameter graphite electrodes from the PRC. Except for the entries noted above,<sup>1</sup> these antidumping duties will be assessed on all unliquidated entries of small diameter graphite electrodes from the PRC entered, or withdrawn from the warehouse, for consumption on or after August 21, 2008, the date on which the Department published its *Preliminary Determination*. See *Preliminary Determination*.

The ITC also notified the Department that it made a negative critical circumstances determination in this investigation. Therefore, we will instruct CBP to lift suspension, release any bond or other security, and refund any cash deposit made to secure the payment of antidumping duties with respect to entries of the merchandise entered, or withdrawn from warehouse, for consumption prior to August 21, 2008 (i.e., during the 90 days prior to the date of publication of the *Preliminary Determination*).

Effective on the date of publication of the ITC's final affirmative injury determination, CBP will require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average

<sup>1</sup> Namely, entries of small diameter graphite electrodes from the PRC entered, or withdrawn from warehouse, for consumption after February 16, 2009, and before the date of publication of the ITC's final injury determination in the **Federal Register**.