

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-571-831]

**Fresh Garlic from The People's Republic of China: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review**

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

**FOR FURTHER INFORMATION CONTACT:**

Nicholas Czajkowski, Scott Lindsay, 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, (202) 482-0780, or (202) 482-4052, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On December 24, 2008, the Department of Commerce ("Department") published a notice of initiation of an administrative review of fresh garlic from the People's Republic of China covering the period November 1, 2007 through October 31, 2008. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, and Request for Revocation in Part*, 73 FR 79055 (December 24, 2008). The preliminary results of this administrative review are currently due no later than August 2, 2009.

**Extension of Time Limit for Preliminary Results**

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), the Department shall issue preliminary results in an administrative review of an antidumping duty order within 245 days after the last day of the anniversary month of the order for which the administrative review was requested. However, if the Department determines that it is not practicable to complete the review within the aforementioned specified time limits, section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2) allow the Department to extend the 245-day period to 365 days.

Pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), we determine that it is not practicable to complete the results of this review within the original time limit. The Department needs additional time to analyze a significant amount of information, which was recently submitted, and to determine whether any additional information is required.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department has decided to extend the time limit for the preliminary results from 245 days to 365 days. The preliminary results will now be due no later than November 30, 2009. Unless extended, the final results continue to be due 120 days after the publication of the preliminary results, pursuant to section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(1) of the Department's regulations.

This notice is issued and published in accordance with sections 751(a)(3)(A) and 777(i)(1) of the Act.

Dated: July 8, 2009.

**John M. Andersen,**

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

[FR Doc. E9-16653 Filed 7-13-09; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-351-825]

**Stainless Steel Bar From Brazil: Final Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** On March 9, 2009, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain stainless steel bar from Brazil. The period of review (POR) is February 1, 2007, through January 31, 2008. We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received and an examination of our calculations, we have made changes for the final results. The final weighted-average dumping margin is listed below in the "Final Results of the Review" section of this notice.

**EFFECTIVE DATE:** July 14, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Catherine Cartsos or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-5287 or (202) 482-1690, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On March 9, 2009, the Department published *Stainless Steel Bar From*

*Brazil: Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 10022 (March 9, 2009), in the **Federal Register** (*Preliminary Results*). The administrative review covers one producer/exporter of the subject merchandise, Villares Metals S.A. (VMSA).

We invited parties to comment on the *Preliminary Results*. On April 20, 2009, we received a case brief from the petitioners (Carpenter Technology Corporation, Valbruna Slater Stainless, Inc., Electralloy Corporation, a Division of G.O. Carlson, Inc., and Universal Stainless). On April 27, 2009, we received a rebuttal brief from the respondent, VMSA. We did not receive a request for a hearing.

The Department is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**

The scope of the order covers stainless steel bar (SSB). The term SSB with respect to the order means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons or other convex polygons. SSB includes cold-finished SSBs that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process. Except as specified above, the term does not include stainless steel semi-finished products, cut-length flat-rolled products (*i.e.*, cut-length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections. The SSB subject to the order is currently classifiable under subheadings 7222.10.0005, 7222.10.0050, 7222.20.0005, 7222.20.0045, 7222.20.0075, and 7222.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs

purposes, the written description of the scope of the order is dispositive.

#### Verification

As provided in section 782(i) of the Act, we verified sales information VMSA provided (see *Preliminary Results*). Since the publication of the *Preliminary Results*, we have verified cost information provided by VMSA using standard verification procedures, including on-site inspection of the manufacturer's facility, the examination of relevant cost and financial records, and the selection of original documentation containing relevant information. Our verification results are outlined in the public version of the verification report, dated April 7, 2009, which is on file in the Central Records Unit, room 1117 of the main Commerce building.

#### Analysis of Comments Received

The issues raised in the case and rebuttal briefs are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) from John M. Andersen, Acting Deputy Assistant Secretary, to Ronald K. Lorentzen, Acting Assistant Secretary, dated July 7, 2009, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded is in the Decision Memorandum and attached to this notice as an Appendix. The Decision Memorandum, which is a public document, is on file in the Central Records Unit, main Department building, Room 1117, and accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Changes Since the Preliminary Results

Based on our findings at the cost verification and analysis of the comments received, we have recalculated VMSA's cost of manufacture of the rolled products to include the additional depreciation expense on the new rolling mill for May through October 2007. Consistent with the *Preliminary Results*, we have calculated VMSA's financial-expense ratio using the consolidated audited financial statements of the highest consolidated entity, Voelstalpine A.G., for fiscal year 2008. We have recalculated the cost-of-sales denominator used in the financial-expense ratio to exclude the distribution-center operations costs and, thus, have revised the financial-expense ratio for the final results accordingly. We have also recalculated the ratio for VMSA's general and

administrative (G&A) expenses to exclude the revenue recognized from the reversal of contingencies which VMSA had claimed as an offset to G&A expense. See Final Cost Calculation Memorandum from Laurens Van Hauten to Neal Halper, dated, July 7, 2009, and Final Analysis Memorandum, dated July 7, 2009, for detailed information on these changes.

#### Final Results of Review

As a result of our review, we determine that the weighted-average dumping margin for VMSA is 4.96 percent for the period February 1, 2007, through January 31, 2008.

#### Assessment Rates

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), we have calculated importer/customer-specific assessment rates for these final results of review. We divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each reported importer or customer. We will instruct CBP to assess the importer/customer-specific rate uniformly, as appropriate, on all entries of subject merchandise made by the relevant importer or customer during the POR. See 19 CFR 351.212(b).

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment of Antidumping Duties*). This clarification will apply to entries of subject merchandise during the POR produced by VMSA for which VMSA did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of VMSA-produced merchandise 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 *Assessment of Antidumping Duties*.

The Department intends to issue liquidation instructions to CBP 15 days after the publication of these final results of review.

#### 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 SSB from Brazil entered, or withdrawn from warehouse, for consumption on or after the date of

publication, as provided by section 751(a)(2)(C) of the Act: (1) the cash-deposit rate for VMSA will be 4.96 percent; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value 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; (4) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be the all-others rate for this proceeding, 19.43 percent, as established in the investigation. See *Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar From Brazil*, 59 FR 66914 (December 28, 1994). These deposit requirements shall remain in effect until further notice.

#### Notification to Parties

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

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 notification of the 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.

These final results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 7, 2009.

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

#### Appendix

*List of Issues Addressed in the Issues and Decision Memorandum*

Comment 1 - Level of Trade  
Comment 2 - Depreciation Expenses of Expenses on New Rolling Mill

Comment 3 - Income Offsets to General and Administrative Expenses  
 Comment 4 - Financial-Expense Ratio  
 [FR Doc. E9-16655 Filed 7-13-09; 8:45 am]  
**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

RIN 0648-XF22

#### Marine Mammals; File No. 775-1875

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

**ACTION:** Notice; issuance of permit amendment.

**SUMMARY:** Notice is hereby given that NMFS Northeast Fisheries Science Center (NEFSC), Woods Hole, MA, has been issued a major amendment to Permit No. 775-1875 for research on marine mammals.

**ADDRESSES:** The permit amendment and related documents are available for review upon written request or by appointment in the following office(s): Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Northeast Region, NMFS, 55 Great Republic Drive, Gloucester, MA 01930; phone (978)281-9300; fax (978)281-9333.

**FOR FURTHER INFORMATION CONTACT:** Carrie Hubbard or Tammy Adams, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On April 14, 2009, notice was published in the *Federal Register* (74 FR 17165) that a request for an amendment to Permit No. 775-1875 to conduct research on harbor seals (*Phoca vitulina*) and gray seals (*Halichoerus grypus*) on rookeries and haulouts in the northeastern U.S. had been submitted by the above-named applicant. The requested permit amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*) and the regulations governing the taking and importing of marine mammals (50 CFR part 216).

The amended permit authorizes an increase in the number of harbor seals and gray seals that may be harassed incidental to scat collection from 5,000 and 2,000 respectively, to 20,000 per species annually. It also authorizes collection of an additional 30 harbor seal pup carcasses per year found during research activities.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an environmental assessment (EA) was prepared analyzing the effects of the permitted activities on the human environment. Based on the analyses in the EA, NMFS determined that issuance of the permit would not significantly impact the quality of the human environment and that preparation of an environmental impact statement was not required. That determination is documented in a Finding of No Significant Impact, signed on July 7, 2009.

Dated: July 8, 2009.

**Tammy C. Adams,**

*Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E9-16673 Filed 7-13-09; 8:45 am]

**BILLING CODE 3510-22-S**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Partially Closed Meeting of the Information Security and Privacy Advisory Board

**AGENCY:** National Institute of Standards and Technology, Department of Commerce.

**ACTION:** Notice of partially closed meeting.

**SUMMARY:** The Director of the National Institute of Standards and Technology announces that the Information Security and Privacy Advisory Board will meet Wednesday, July 29, 2009 from 8:30 a.m. until 5 p.m., Thursday, July 30, 2009, from 8:30 a.m. until 5 p.m., and Friday, July 31, 2009 from 8 a.m. until 4 p.m. The portion of the meeting held from 1 p.m. until 4 p.m. on Friday July 31, 2009 will be closed to the public.

**DATES:** The meeting will be held on July 29, 2009, from 8:30 a.m. until 5 p.m., July 30, 2009, from 8:30 a.m. until 5 p.m. and July 31, 2009, from 8 a.m. until 4 p.m. The portion of the meeting held from 1 p.m. until 4 p.m. on Friday July 31, 2009 will be closed to the public.

**ADDRESSES:** The meeting will take place at the George Washington University Cafritz Conference Center, 800 21st Street, NW., Room 403, Washington, DC on July 29, 30, & 31, 2009.

**FOR FURTHER INFORMATION CONTACT:** Ms. Pauline Bowen, ISPAB Secretariat, Information Technology Laboratory, National Institute of Standards and Technology, 100 Bureau Drive, Stop 8930, Gaithersburg, MD 20899-8930, telephone: (301) 975-2938.

**SUPPLEMENTARY INFORMATION:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the Information Security and Privacy Advisory Board (ISPAB) will meet Wednesday, July 29, 2009 from 8:30 a.m. until 5 p.m., Thursday, July 30, 2009, from 8:30 a.m. until 5 p.m., and Friday, July 31, 2009 from 8 a.m. until 4 p.m. The portion of the meeting held from 1 p.m. until 4 p.m. on Friday July 31, 2009 will be closed to the public.

The Assistant Secretary for Administration, with the concurrence of the Assistant General Counsel for Administration, formally determined on July 9, 2009, that a portion of the meeting of the Information Security and Privacy Advisory Board that involves discussions regarding classified information about the 60 Day Cybersecurity Report may be closed in accordance with 5 U.S.C. 552b(c)(1). All individuals attending the closed portion of the meeting must provide proof of clearance status before attending the meeting. All other portions of this meeting will be open to the public. The closed portion of the meeting is scheduled to begin at 1 p.m. and to end at 4 p.m. on Friday, July 31, 2009. All other portions of the meeting will be open to the public. The agenda may change to accommodate Board business. The final agenda will be posted on the Web site <http://csrc.nist.gov/groups/SMA/ispab/index.html/>.

The ISPAB was established by the Computer Security Act of 1987 (Pub. L. 100-235) and amended by the Federal Information Security Management Act of 2002 (Pub. L. 107-347) to advise the Secretary of Commerce and the Director of NIST on security and privacy issues pertaining to Federal computer systems. Details regarding the ISPAB's activities are available at <http://csrc.nist.gov/groups/SMA/ispab/index.html/>.

#### Agenda:

- Data.Gov Panel.
- Cloud/Social Media Panel.
- CNSS/DOD/NIST Collaborative work (SP 800-53 v3).
- TIC External Connections.
- Metrics.
- Software Assurance and Supply Chain.
- Privacy Report.
- National Protection and Programs Directorate Briefing.
- Information Assurance.
- Board Discussion and Work Plans.
- Discussion of 60 Day Report (closed session).

Note that agenda items may change without notice because of possible unexpected schedule conflicts of