

*Motorized watercraft* means any craft operated upon water that is self-propelled by a non-living power source, including electric power.

*Off-highway vehicle (OHV) or off-road vehicle (ORV)* means any motorized vehicle capable of, or designated for, travel on or immediately over land, water, or other natural terrain, excluding: (1) Any non-amphibious registered motorboat; (2) any military, fire, emergency, or law enforcement vehicle while being used for emergency purposes; (3) any vehicle whose use is expressly authorized by the authorized officer, or otherwise officially approved; (4) vehicles in official use; and (5) any combat or combat-support vehicle when used in times of national defense emergencies.

*Utility Terrain Vehicle (UTV)* means any multi-passenger off-highway vehicle most commonly known as UTVs (Utility Terrain Vehicle or just Utility Vehicle) or Side-by-Side Vehicles; they are also known as SxS, RUV (Recreational Utility Vehicle) or MUV (Multi-Use Vehicle). They are called Side-by-Side Vehicles because a driver and passenger(s) sit side-by-side in the vehicle.

*Penalties:* Any person who violates any of these supplementary rules may be tried before a United States Magistrate and fined no more than \$1,000 or imprisoned for no more than 12 months, or both. 43 U.S.C. 1733(a); 43 CFR 8360.0-7. Such violations may also be subject to the enhanced fines provided for by 18 U.S.C. 3571.

**Lynn E. Rust,**

*Acting State Director.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-458 and 731-TA-1154 (Final)]

### Certain Kitchen Appliance Shelving and Racks From China

#### Determinations

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines,<sup>2</sup> pursuant to sections 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and

1673d(b)) (the Act), that the refrigeration shelving industry in the United States is materially injured and the oven racks industry in the United States is threatened with material injury by reason of imports from China of certain kitchen appliance shelving and racks,<sup>3 4</sup> provided for in subheadings 7321.90.50, 7321.90.60, 8418.99.80, and 8516.90.80 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be subsidized by the Government of China and sold in the United States at less than fair value (LTFV). In addition, the Commission determines that it would not have found material injury with regard to imports of oven racks from China but for the suspension of liquidation.

#### Background

The Commission instituted these investigations effective July 31, 2008, following receipt of a petition filed with the Commission and Commerce by Nashville Wire Products Inc., Nashville, TN, SSW Holding Company, Inc., Elizabethtown, KY, the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union, and the International Association of Machinists and Aerospace Workers, District Lodge 6, Clinton, IA. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of certain kitchen appliance shelving and racks from China were being subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of April 21, 2009 (74 FR 18249). The hearing was held in Washington, DC, on July 16, 2009, and all persons who requested the opportunity were permitted to appear in person or by counsel.

<sup>3</sup> The Commission finds two domestic industries, one producing refrigeration shelving and one producing oven racks.

<sup>4</sup> Vice Chairman Daniel R. Pearson, dissenting with regard to imports of certain oven racks from China, finds that the oven racks industry in the United States is neither materially injured nor threatened with material injury by reason of imports from China.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on September 2, 2009. The views of the Commission are contained in USITC Publication 4098 (August 2009), entitled *Certain Kitchen Appliance Shelving and Racks From China: Investigation Nos. 701-TA-458 and 731-TA-1154 (Final)*.

Issued: September 2, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-21692 Filed 9-8-09; 8:45 am]

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## JOINT BOARD FOR THE ENROLLMENT OF ACTUARIES

### Meeting of the Advisory Committee; Meeting

**AGENCY:** Joint Board for the Enrollment of Actuaries.

**ACTION:** Notice of Federal Advisory Committee meeting.

**SUMMARY:** The Executive Director of the Joint Board for the Enrollment of Actuaries gives notice of a closed meeting of the Advisory Committee on Actuarial Examinations.

**DATES:** The meeting will be held on October 23, 2009, from 8:30 a.m. to 5 p.m.

**ADDRESSES:** The meeting will be held at Sonnenschein Nath & Rosenthal LLP, 4520 Main Street, Suite 1100, Kansas City, MO.

**FOR FURTHER INFORMATION CONTACT:** Patrick W. McDonough, Executive Director of the Joint Board for the Enrollment of Actuaries, 202-622-8225.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the Advisory Committee on Actuarial Examinations will meet at Sonnenschein Nath & Rosenthal LLP, 4520 Main Street, Suite 1100, Kansas City, MO on Friday, October 23, 2009, from 8:30 a.m. to 5 p.m.

The purpose of the meeting is to discuss questions that may be recommended for inclusion on future Joint Board examinations in actuarial mathematics, pension law and methodology referred to in 29 U.S.C. 1242(a)(1)(B).

A determination has been made as required by section 10(d) of the Federal Advisory Committee Act, 5 U.S.C. App., that the subject of the meeting falls within the exception to the open meeting requirement set forth in Title 5 U.S.C. 552b(c)(9)(B), and that the public interest requires that such meeting be closed to public participation.

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Deanna Tanner Okun recused herself to avoid any conflict of interest or appearance of a conflict.