

in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by this order are currently classified under the following HTSUS subheadings:

0306.13.00.03, 0306.13.00.06, 0306.13.00.09, 0306.13.00.12, 0306.13.00.15, 0306.13.00.18, 0306.13.00.21, 0306.13.00.24, 0306.13.00.27, 0306.13.00.40, 1605.20.10.10, and 1605.20.10.30. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this order is dispositive.

Final Results of Changed Circumstances Review

For the reasons stated in the preliminary results, the Department continues to find that the Rubicon Group in its current form, including PFF and Sea Wealth, is the successor-in-interest to the Rubicon Group as it existed during the POI of the LTFV investigation. Therefore, consistent with our preliminary results, we have revoked PFF and Sea Wealth from the *Thai Shrimp Order*, effective January 16, 2009 (the effective date of the *section 129 Implementation*). This revocation applies to merchandise produced by any Rubicon Group member and exported by PFF or Sea Wealth, as well as to merchandise produced by PFF or Sea Wealth and exported by any other Rubicon Group member.

Notification

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 PFF or Sea Wealth, either singly or in combination with any other Rubicon Group member. 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and refund all cash deposits) entries of frozen warmwater shrimp produced and exported by these entities, entered, or withdrawn from warehouse, for consumption on or after January 16, 2009.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations

and terms of an APO is a sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(b)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.216.

Dated: October 6, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

[FR Doc. E9-24536 Filed 10-9-09; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 39-2009]

Foreign-Trade Zone 138—Columbus, Ohio Application for Subzone Status, Abercrombie & Fitch, (Footwear and Apparel Distribution), New Albany, OH

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Columbus Regional Airport Authority, grantee of FTZ 138, requesting special-purpose subzone status for the footwear and apparel warehousing and distribution facility of Abercrombie & Fitch (A&F), located in New Albany, Ohio. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on September 25, 2009.

The A&F facility (453 acres, 2,631,585 sq. ft., 3,407 employees) is located at 6201/6301 Fitch Path & 7795 Smiths Mill Road, New Albany, Ohio. The facility is used for warehousing and distribution of foreign-origin apparel and footwear for the U.S. market and export. FTZ procedures would be utilized to support A&F's U.S.-based distribution activity. Foreign products to be admitted to the proposed subzone for distribution would include men's, boys', women's and girls' footwear, coats, suits, blazers, blouses, trousers, breeches, shorts, shirts, skirts, tops, ski jackets, underwear, petticoats, pajamas, swimwear, scarves, hats, shawls, mufflers, gloves and mittens. Certain textile fabrics (wool, cotton, silk; woven and knit) would also be distributed from the proposed subzone. Additional products that would be admitted to the proposed subzone for distribution are: articles of plastic; various vanity, attaché brief and suitcases; handtools; machinery; jewelry; leather goods; paintings, lamps; and, spotlights. The applicant is not seeking manufacturing

or processing authority with this request.

FTZ procedures could exempt A&F from customs duty payments on foreign products that are exported (about 2% of shipments). On its domestic sales, the company would be able to defer duty payments until the foreign merchandise is shipped from the facility and entered for consumption. FTZ designation would further allow A&F to realize logistical benefits through the use of weekly customs entry procedures. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Claudia Hausler of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 14, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to December 28, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via www.trade.gov/ftz. For further information, contact Claudia Hausler at Claudia_Hausler@ita.doc.gov, or (202) 482-1379.

Dated: September 25, 2009.

Pierre V. Duy,

Acting Executive Secretary.

[FR Doc. E9-24605 Filed 10-9-09; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 41-2009]

Foreign-Trade Zone 158—Vicksburg/Jackson, MS, Application for Subzone; Max Home, LLC (Upholstered Furniture); Fulton and Iuka, MS

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Greater Mississippi

Foreign-Trade Zone, Inc., FTZ 158, requesting special-purpose subzone status for the upholstered furniture manufacturing facilities of Max Home, LLC (Max Home), located in Fulton and Iuka, Mississippi. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 6, 2009.

The Max Home facilities (348 employees) consist of two sites on 35 acres: *Site 1* (26 acres) is located at 101 Max Place, Fulton, Mississippi; and *Site 2* (9 acres) is located at 1509 Paul Edmondson Drive, Iuka, Mississippi. The facilities are used to produce upholstered furniture (up to 170,000 sofas, sleep sofas, chairs, and sectionals combined annually) and cut-and-sewn upholstery covers for the U.S. market and export. The application proposes that Max Home utilize foreign-origin “micro-denier suede” fabric to be cut and sewn into furniture upholstery covers under FTZ procedures. The finished upholstery covers (HTSUS 9401.90; duty free) would then be assembled into finished chairs, seats, sofas, sleep sofas, and sectionals manufactured by Max Home at the facilities.

The proposed scope of authority under FTZ procedures would only involve duty savings on foreign-origin, micro-denier suede fabrics (classified under HTSUS Headings 5407, 5512, 5515, 5516, 5903, 5906, 6001, 6005, 6006; duty rate range: 2.7–17.2%) finished with a caustic soda wash process, which the applicant indicates are not produced by U.S. mills. The application indicates that Max Home does not seek FTZ benefits on any of the other foreign fabrics used in production at the facilities (*i.e.*, full duties would be paid on all such fabrics). All other material inputs used in production would be domestic-status.

FTZ procedures would exempt Max Home from customs duty payments on the foreign micro-denier suede fabric used in export production. On micro-denier suede fabric used in production for the U.S. market, Max Home could elect the finished upholstery cover (*i.e.*, furniture part) duty rate (free) after the fabric has been cut, sewn, and formed into upholstery covers, at which time they are entered for consumption from the zone. Max Home would also have the option to elect the finished furniture duty rate (free) for the subject fabric when the finished furniture is entered for domestic consumption. The application indicates that the savings from FTZ procedures would help

improve the facilities’ international competitiveness.

In accordance with the Board’s regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board’s Executive Secretary at the following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230–0002. The closing period for receipt of comments is December 14, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to December 28, 2009.

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board’s Executive Secretary at the address listed above and in the “Reading Room” section of the Board’s Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Pierre Duy at Pierre_Duy@ita.doc.gov or (202) 482–1378.

Dated: October 6, 2009.

Elizabeth Whiteman,

Acting Executive Secretary.

[FR Doc. E9–24601 Filed 10–9–09; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 42–2009]

Foreign-Trade Zone 41—Milwaukee, WI; Application for Subzone; CNH America, LLC (Agricultural Tractors and Component Parts Manufacturing) Racine, WI

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Foreign Trade Zone of Wisconsin, Ltd., grantee of FTZ 41, requesting special-purpose subzone status for the agricultural tractor and tractor components manufacturing facilities of CNH America, LLC (CNH), located in Racine, Wisconsin. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on October 6, 2009.

The CNH facilities (620 employees) consist of four sites in Racine, Wisconsin: *Site 1* (76.18 acres) main manufacturing plant, located at 7000 Durand Avenue; *Site 2* (300,750 enclosed square feet) warehouse space, located at 7100 Durand Avenue; *Site 3* (38,400 enclosed square feet) warehouse space, located at 7505 Durand Avenue; and; *Site 4* (150,000 sq. ft. enclosed square feet) warehouse space, located at 3535 S. Oakes Road. The facilities are used for the manufacturing, warehousing and distribution of agricultural tractors and tractor components, with the capacity to produce up to some 10,600 tractors, 600 cabs, 560 transmissions, 5,280 axles, and 11,250 valves annually. Components and materials sourced from abroad (representing 10% of the value of the finished products) include: Glues; adhesives; anti-knock preparations; articles of plastic—tubes, tape, boxes, bags, stoppers, bottles, buckets, and handles; articles of rubber, incl. those reinforced with textile materials—tubes, conveyor belts, transmission belts, belting tires, floor coverings and mats, hoses, and hose assemblies; gaskets; washers; seals; safety glass; mirrors; pipe fittings; chain; fasteners; hand tools; vises; locks; hinges; pneumatic cylinders; steel tubing; engines; cast iron parts; fuel pumps; pump parts; air compressors; fans; air conditioners; filters; agricultural machinery parts; starter motors; generators; ignition components; horns; windshield wipers; heater parts; loudspeakers; microphones; radios; video displays; switches; circuit breakers; fuses; lighting; lamps; electrical machinery; valves; ball bearings; transmission components; gear boxes; gears; flywheels; pulleys; clutches; gaskets; electric motors; ballasts; power supplies; couplings; spark plugs; distributors; copper wire; ignition wiring; conductors; cabs for tractors; bumpers; seat belts; drive axles; wheels; radiators; mufflers; steering wheels; optical lenses; thermometers; speedometers; voltage testers; and lighters. Duty rates range between free and 8.6%.

FTZ procedures could exempt CNH from customs duty payments on the foreign components used in export production. CNH anticipates that some 30 percent of the plant’s shipments will be exported. On its domestic sales, CNH would be able to choose the duty rates during customs entry procedures that apply to the finished products—tractors, cabs, transmissions, axles, and valves (duty rate ranges from free to 4%)—for the foreign inputs noted above. FTZ