

*Estimated Total Annual Burden Hours:* 100.

*Estimated Total Annual Cost to Public:* \$31,680.

**IV. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 9, 2010.

**Glenna Mickelsson,**

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

[FR Doc. 2010-8516 Filed 4-13-10; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-863]

**Honey From the People's Republic of China: Notice of Amended Final Results Pursuant to Final Court Decision**

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

**SUMMARY:** On November 18, 2008, the Court of International Trade ("CIT") affirmed the Department's remand determination and entered judgment in *Shanghai Eswell Enterprise Co., Ltd., Jinfu Trading Co., Ltd., and Zhejiang Native Produce and Animal By-Products Import & Export Group Corp. v. United States*, Court 2008 Ct. Intl. Trade LEXIS 123 (November 18, 2008) ("*Shanghai Eswell I*"), which challenged certain aspects of the Department of Commerce's ("the Department") findings in *Honey from the People's Republic of China: Final Results and Final Rescission, In Part, of Antidumping Duty Administrative Review*, 70 FR 38873 (July 6, 2005) ("*Final Results*")

and the accompanying Issues and Decision Memorandum. Additionally, on appeal, on November 5, 2009, the Court of Appeals for the Federal Circuit ("CAFC") affirmed the CIT's ruling in *Eswell II*. See *Shanghai Eswell Enterprise Co., Ltd., Jinfu Trading Co., Ltd., and Zhejiang Native Produce and Animal By-Products Import & Export Group Corp. v. United States*, 2009 U.S. App. LEXIS 24374 (Fed. Cir. Nov. 5, 2009) ("*Shanghai Eswell III*"). As explained below, in accordance with the order contained in the CIT's November 18, 2008 judgement, *Shanghai Eswell II*, the Department is amending the *Final Results* of the review to apply the recalculated surrogate financial ratios in the Department's normal value calculation.

**DATES:** *Effective Date:* April 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Julia Hancock or Scot T. Fullerton, AD/CVD Operations, Office 9, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Room 4003, Washington, DC 20230; telephone: (202) 482-1394 or (202) 482-1386, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 6, 2005, the Department completed its *Final Results* of the second administrative review of honey from the People's Republic of China ("PRC"). On September 13, 2007, the CIT remanded the following issues to the Department for further explanation consistent with its opinion and Order: (1) The surrogate value for raw honey and the evidence indicating a decline in honey prices; (2) the denial of a circumstance of sale adjustment for sales commissions; (3) the failure to include MHPC's expenses for jars, corks and honey machines in the financial ratio calculation; and (4) the finding Jinfu PRC was unaffiliated with Jinfu USA. See *Shanghai Eswell Enterprise, Co., Ltd., et al. v. United States*, 31 C.I.T. 1570, (Ct. Int'l Trade 2007). Pursuant to the CIT's remand instructions, the Department: (1) Addressed record evidence which indicated a decline in export prices during the second half of the POR and explained why we have refrained from considering these data in calculating a surrogate value for raw honey; (2) explained that there was insufficient evidence of an exact correlation between respondents' and the surrogate producer's expenses and continued to deny circumstances of sale adjustment for sales commissions; (3) revised our financial ratio calculations to include reported expenses for jars and corks as direct materials used for

producing finished honey and provided further explanation regarding our finding that honey machine purchases do not constitute direct expenses; and (4) examined the record evidence and continued to find that Jinfu PRC and Jinfu USA were not affiliated prior to October 25, 2003, because Jinfu PRC's CEO did not exercise control over Jinfu USA prior to this date.

On February 11, 2008, the Department filed its final results of redetermination pursuant to *Eswell I* with the CIT. See *Final Results of Redetermination Pursuant to Court Remand: Shanghai Eswell Enterprise Co., Ltd. v. United States*, Court No. 06-00430 (February 11, 2008) ("*Eswell I*"). As noted above, both the CIT and the Federal Circuit affirmed the agency's remand determination. See *Shanghai Eswell II, Shanghai Eswell III*. Because the Department, in its remand determination, revised its financial ratio calculations to include expenses for jars and corks as direct materials used to produce finished honey, we must revise the surrogate financial ratios and margin calculations for *Eswell Enterprise Co., Ltd., Jinfu and Zhejiang Native Produce and Animal By-Products Import & Export Group Corp.*

**Amendment to the Final Determination**

Because there is now a final and conclusive court decision, effective as of the publication date of this notice, we are amending the *Final Results* and revising the weighted average dumping margins for the following companies:

**HONEY FROM THE PRC**

Manufacturer/exporter	Weighted-average margin (percent)
Shanghai Eswell Enterprise Co., Ltd .....	27.64
Jinfu Trading Co., Ltd .....	58.44
Zhejiang Native Produce and Animal By-Products Import & Export Group Corp .....	34.81

We have calculated: (1) Shanghai Eswell Enterprise Co., Ltd.'s ("Shanghai Eswell") company-specific antidumping margin as 27.64 percent; (2) Jinfu Trading Co., Ltd.'s ("Jinfu Trading") company-specific antidumping margin as 58.44 percent; and (3) Zhejiang Native Produce and Animal By-Products Import & Export Group Corp.'s ("Zhejiang Native") company-specific antidumping margin as 34.81 percent. See the Memorandum to the File from Michael Quigley, "Analysis Memorandum for the Final Results of the Redetermination of the

Redetermination of the Financial Ratios Remand for Antidumping Duty Administrative Review of Honey from the People's Republic of China for Shanghai Eswell Enterprise Co., Ltd.,” dated February 11, 2008 (“Eswell Final Analysis Memo”); Memorandum to the File from Michael Quiqley, “Analysis Memorandum for the Final Results of the Redetermination of the Financial Ratios Remand for Antidumping Duty Administrative Review of Honey from the People's Republic of China for Jinfu Trading Co., Ltd.,” dated February 11, 2008 (“Jinfu Trading Final Analysis Memo”); the Memorandum to the File from Michael Quiqley, “Analysis Memorandum for the Final Results of the Redetermination of the Financial Ratios Remand for Antidumping Duty Administrative Review of Honey from the People's Republic of China for Zhejiang Native Produce and Animal By-Products Import & Export Group Corp.,” dated February 11, 2008 (“Zhejiang Native Final Analysis Memo”).

There have been no other changes to this analysis, except for the revised financial ratio calculations to include expenses for jars and corks as direct materials used to producing finished honey, for these amended final results. In accordance with the Department's practice of issuing importer-specific assessment rates, we will instruct the United States Customs and Border Protection (“CBP”) to apply the importer specific assessment rate for Shanghai Eswell's, Jinfu Trading's, and Zhejiang Native's respective exports to the United States. See Eswell Final Analysis Memo at Attachment 3; Jinfu Trading Final Analysis Memo at Attachment 3; and Zhejiang Native Final Analysis Memo at Attachment 3. The Department will issue appropriate assessment instructions directly to CBP within 15 days of publication of the amended final results of this review.

This notice is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: April 5, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-8559 Filed 4-13-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket No. 0907081109-0180-06]

RIN 0648-ZC10

#### Availability of Grant Funds for FY 2010

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice of availability of grant funds for FY 2010.

**SUMMARY:** NOAA publishes this notice to solicit proposals for grant funding for three NOAA Sea Grant Programs: (1) Sea Grant Aquaculture Research Program 2010; (2) NOAA Sea Grant Aquaculture Extension and Technology Transfer 2010; and (3) NOAA Sea Grant Aquatic Invasive Species 2010. This notice supplements the agency's solicitation for applications published on January 19, 2010 entitled “Availability of Grant Funds for Fiscal Year 2010” (75 FR 3209).

**DATES:** Proposals must be received by the date and time specified under each program listed in the **SUPPLEMENTARY INFORMATION** section of this document.

**ADDRESSES:** Proposals must be submitted to the program address listed in the **SUPPLEMENTARY INFORMATION** section of this document. NOAA's discretionary grant fund notices may be found on the Internet at Grants.gov. The URL for Grants.gov is <http://www.grants.gov>.

**FOR FURTHER INFORMATION CONTACT:** For those applicants without Internet access, you may request a copy of the full funding opportunity announcement and/or application kit from the person listed as the information contact under each program.

**SUPPLEMENTARY INFORMATION:** Applicants must comply with all requirements contained in the Federal Funding Opportunity announcement for each of the programs listed in this notice. The Federal Funding Opportunity announcements are available at <http://www.grants.gov>.

The list of grant opportunities under NOAA Project Competitions (below) describes the basic information and requirements for the competitive grant/cooperative agreement programs offered by NOAA. These programs are open to anyone who meets the eligibility criteria specified under each entry. To be considered for an award under one of the described competitive grant/cooperative agreement programs, eligible applicants must submit a

complete and responsive application to the appropriate address by the deadline specified in this notice. An award is made upon conclusion of the evaluation and selection process for the respective program.

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#### I. Background

In this notice, NOAA announces that three programs are making funds available for financial assistance awards. Each entry for the following grant opportunities provides: A description of the program, funding availability, statutory authority, Catalog of Federal Domestic Assistance (CFDA) number, application deadline, address for submitting proposals, selection criteria, evaluation criteria, information contacts, eligibility requirements, cost sharing requirements, and intergovernmental review under Executive Order 12372. Interested applicants should consult the January 19, 2010 **Federal Register** Notice entitled “Availability of Grant Funds for Fiscal Year 2010” (75 FR 3209) for additional information about submitting an application to NOAA.

#### II. NOAA Project Competitions

##### *Oceanic and Atmospheric Research (OAR)*

##### 1. NOAA Sea Grant Aquaculture Research Program 2010

*Summary Description:* NOAA Sea Grant will make available up to \$6,000,000 for a national competition to fund aquaculture research projects for FY 2010 to FY 2011, as part of the overall plan to support the development of environmentally and economically sustainable ocean, coastal or Great Lakes aquaculture. The Federal Funding Opportunity (FFO) announcement for this competition is available on <http://www.grants.gov> under FFO number NOAA-OAR-SG-2010-2002488.

*Funding Availability:* Depending on FY 2011 Congressional appropriations and the quality of proposals, Sea Grant expects to have available up to \$6,000,000 for aquaculture research projects for FY 2010 to FY 2011, with individual research projects funded at a total of \$50,000 to \$400,000 in federal