The Department’s regulations state, in 19 CFR 351.214(g)(2), that the POR for a CVD new shipper review will be the same period as that specified in 19 CFR 351.213(e)(2), which states that the Department normally will cover entries of subject merchandise during the most recently completed calendar year. However, the Department noted in the Preamble to its Final Regulations that the regulations continue to “provide the Department with sufficient flexibility to resolve any problems that may arise by modifying the standard review period.” See Antidumping Duties; Countervailing Duties; Final Rule, 62 FR 27320 (May 19, 1997) (Preamble). The Department’s regulations permit a party to file a request for a new shipper review during the six month period preceding the anniversary month and the six month period preceding the semiannual anniversary month. If a calendar year standard is utilized, as noted in the Department’s regulations, Jingzhou Meihou’s entry would not be covered in the review. Therefore, the review period for this new shipper review will be January 1, 2009, through February 28, 2010.

Pursuant to 19 CFR 351.221(c)(1)(i), the Department will publish the notice of initiation of a new shipper review no later than the last day of the month following the anniversary month or semiannual anniversary month of the order. Thus, the deadline for publishing this notice of initiation is April 30, 2010.

The Department intends to issue the preliminary results of this review no later than 180 days after the date of initiation, and the final results of this review no later than 90 days after the date on which the preliminary results are issued. See 19 CFR 351.214(i).

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for certain entries of the subject merchandise from Jingzhou Meihou in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Jingzhou Meihou certified that it both produces and exports the subject merchandise, the sales of which form the basis for its new shipper review request, we will instruct CBP to permit the use of a bond only for entries of subject merchandise which the respondent both produced and exported.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).


Edward C. Yang,
Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

EXTENSION OF DEADLINE TO file a request for review with respect to OGF.

We are extending the deadline to file a request for review with respect to OGF. See Antidumping Duties; Countervailing Duties; Final Rule, 63 FR 67176 (November 18, 1998) (Preamble).

The Department notes that certain parties made a request to extend the deadline for filing a request for review of OGF. Accordingly, we propose to extend the deadline for filing a request for review with respect to OGF from January 26, 2009, to February 20, 2009.

FOR FURTHER INFORMATION CONTACT: Charles Riggle, AD/CVD Operations, Office 8, Import Administration, United States International Trade Commission, Washington, DC 20230; telephone: (202) 482–2336 and (202) 482–0650, respectively.

SUPPLEMENTARY INFORMATION:

Background

On September 1, 2009, the Department published in the Federal Register a new shipper review request from OGF. We requested comments from interested parties. OGF timely submitted a request for review with respect to OGF. See Antidumping Duties; Countervailing Duties; Final Rule, 74 FR 47268 (September 9, 2009).

The Department’s regulations state, in 19 CFR 351.214(g)(2), that the POR for a CVD new shipper review will be the same period as that specified in 19 CFR 351.213(e)(2), which states that the Department normally will cover entries of subject merchandise during the most recently completed calendar year. However, the Department noted in the Preamble to its Final Regulations that the regulations continue to “provide the Department with sufficient flexibility to resolve any problems that may arise by modifying the standard review period.” See Antidumping Duties; Countervailing Duties; Final Rule, 62 FR 27320 (May 19, 1997) (Preamble). The Department’s regulations permit a party to file a request for a new shipper review during the six month period preceding the anniversary month and the six month period preceding the semiannual anniversary month. If a calendar year standard is utilized, as noted in the Department’s regulations, Jingzhou Meihou’s entry would not be covered in the review. Therefore, the review period for this new shipper review will be January 1, 2009, through February 28, 2010.

Pursuant to 19 CFR 351.221(c)(1)(i), the Department will publish the notice of initiation of a new shipper review no later than the last day of the month following the anniversary month or semiannual anniversary month of the order. Thus, the deadline for publishing this notice of initiation is April 30, 2010.

The Department intends to issue the preliminary results of this review no later than 180 days after the date of initiation, and the final results of this review no later than 90 days after the date on which the preliminary results are issued. See 19 CFR 351.214(i).

We will instruct CBP to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for certain entries of the subject merchandise from Jingzhou Meihou in accordance with section 751(a)(2)(B)(iii) of the Act and 19 CFR 351.214(e). Because Jingzhou Meihou certified that it both produces and exports the subject merchandise, the sales of which form the basis for its new shipper review request, we will instruct CBP to permit the use of a bond only for entries of subject merchandise which the respondent both produced and exported.

Interested parties requiring access to proprietary information in this new shipper review should submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are published in accordance with section 751(a)(2)(B) of the Act and 19 CFR 351.214 and 351.221(c)(1)(i).
initiated an antidumping duty new shipper review. See New Pneumatic Off-the-Road Tires from the People’s Republic of China: Initiation of New Shipper Review, 74 FR 56575 (“Initiation Notice”). On March 22, 2009, OGF withdrew its request for a new shipper review. On April 12, 2010, we placed on the record and served to parties a memo stating that the Department intended to rescind the above-referenced new shipper review. We allowed parties to comment on the intended rescission by no later than April 19, 2010. See Memorandum to the File regarding: Withdrawal of Request for NSR from OGF, dated April 12, 2010. On April 14, 2010, the Department received a letter from Titan Tire Corporation ("Titan") stating that Titan had no objection to the Department’s intended rescission of the new shipper review. See Letter from Titan regarding: Comments on Proposed Rescission of New Shipper Review, dated April 14, 2010.

**Rescission of New Shipper Review**

19 CFR 351.214(f)(1) provides that the Department may rescind a new shipper review if the party that requested the review withdraws its request for review within 60 days of the date of publication of the notice of initiation of the requested review. Although OGF withdrew its request after the 60-day deadline, we find it reasonable to extend the deadline because we have not yet committed significant resources to the OGF new shipper review (e.g., we have not issued our preliminary results). Further, in this instance, no other company would be affected by a rescission, and we have received no objections from any party to OGF’s withdrawal of its request for this new shipper review. Based upon the above, we are rescinding the new shipper review of the antidumping duty order on OTR tires from the PRC with respect to OGF. See Hand Trucks and Certain Parts Thereof from the People’s Republic of China: Notice of Rescission of Antidumping Duty New Shipper Review, 74 FR 31911 (July 6, 2009) (rescinding new shipper review after 60-day deadline on same grounds). As the Department is rescinding this new shipper review, we are not calculating a company-specific rate for OGF, and OGF will remain part of the PRC entity.

**Notifications**

Because OGF remains part of the PRC entity, its entries may be under review in the ongoing administrative review. Accordingly, the Department will not order liquidation of entries for OGF. The Department intends to issue liquidation instructions for the PRC entity, which will cover any entries by OGF. 15 days after publication of the final results of the ongoing administrative review.

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 Secretary’s presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a). 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 violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with section 777(i) of the Act and 19 CFR 351.214(f)(3).


Edward C. Yang,
Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Subsidy Programs Provided by Countries Exporting Softwood Lumber and Softwood Lumber Products to the United States; Request for Comment**

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

**SUMMARY:** The Department of Commerce (Department) seeks public comment on any subsidies, including stumpage subsidies, provided by certain countries exporting softwood lumber or softwood lumber products to the United States during the period July 1 through December 31, 2009.

**DATES:** Comments must be submitted within thirty days after publication of this notice.

**ADDRESSES:** Written comments (original and six copies) should be sent to the Secretary of Commerce, Attn: James Terpstra, Import Administration, APO/Dockets Unit, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Ave., NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:**

James Terpstra, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–3965.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 18, 2008, Section 805 of Title VIII of the Tariff Act of 1930 (the Softwood Lumber Act of 2008) was enacted into law. Under this provision, the Secretary of Commerce is mandated to submit to the appropriate Congressional committees a report every 180 days on any subsidies provided by countries exporting softwood lumber or softwood lumber products to the United States, including stumpage subsidies.

The Department submitted its last subsidy report on December 15, 2009. As part of its newest report, the Department intends to include a list of subsidy programs identified with sufficient clarity by the public in response to this notice.

**Request for Comment**

Given the large number of countries that export softwood lumber and softwood lumber products to the United States, we are soliciting public comment only on subsidies provided by countries whose exports accounted for at least one percent of total U.S. imports of softwood lumber by quantity, as classified under Harmonized Tariff Schedule code 4407.1001 (which accounts for the vast majority of imports), during the period July 1 through December 31, 2009. Official U.S. import data published by the United States International Trade Commission Tariff and Trade DataWeb indicate that exports of softwood lumber from Canada and Chile each account for at least one percent of U.S. imports of softwood lumber products during that time period. We intend to rely on similar previous six-month periods to identify the countries subject to future reports on softwood lumber subsidies. For example, we will rely on U.S. imports of softwood lumber and softwood lumber products during the period January 1 through June 30, 2010, to select the countries subject to the next report.

Under U.S. trade law, a subsidy exists where a government authority: (i) provides any form of income or price