

on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures “gap” period, of the order, if such a gap period is applicable to the period of review.

This notice is not required by statute but is published as a service to the international trading community.

Dated: June 25, 2010.

**John M. Andersen,**

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

[FR Doc. 2010-16079 Filed 6-30-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews

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

**FOR FURTHER INFORMATION CONTACT:** Dana Mermelstein, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-1391.

#### SUPPLEMENTARY INFORMATION:

##### Background

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”), the Department of Commerce (“the Department”) and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 of the Act would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

##### Upcoming Sunset Reviews for August 2010

There are no Sunset Reviews scheduled for initiation in August 2010.

For information on the Department’s procedures for the conduct of sunset reviews, *See* 19 CFR 351.218. This notice is not required by statute but is published as a service to the international trading community. Guidance on methodological or analytical issues relevant to the Department’s conduct of Sunset Reviews is set forth in the Department’s

Policy Bulletin 98.3, *Policies Regarding the Conduct of Five-year (“Sunset”) Reviews of Antidumping and Countervailing Duty Orders*; *Policy Bulletin*, 63 FR 18871 (April 16, 1998). The Notice of Initiation of Five-year (“Sunset”) Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Dated: June 23, 2010.

**John M. Andersen,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-838]

#### Carbazole Violet Pigment 23 from India: Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On December 22, 2009, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on carbazole violet pigment 23 (CVP 23) from India. The review covers exports of this merchandise to the United States by Alpanil Industries (Alpanil) for the period December 1, 2007, through November 30, 2008. We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received from interested parties, we have modified the margin calculation. The final weighted-average margin is listed below in the *Final Results of Review* section of this notice.

**DATES:** *Effective Date:* July 1, 2010.

**FOR FURTHER INFORMATION CONTACT:** Jerrold Freeman at (202) 482-0180 or Richard Rimlinger at (202) 482-4477, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 22, 2009, the Department of Commerce (the Department) published the preliminary results of review on CVP 23 from India and invited interested parties to comment. *See Carbazole Violet Pigment 23 from India: Preliminary Results of*

*Antidumping Duty Administrative Review*, 74 FR 68038 (December 22, 2009). On January 21, 2010, Alpanil, the sole respondent, filed a case brief in which the company raised two issues. On January 26, 2010, the petitioners<sup>1</sup> filed a rebuttal brief. We did not receive a request for a hearing.

The period of review is December 1, 2007, through November 30, 2008. We have conducted this review in accordance with section 751(a) of the Tariff Act of 1930 (the Act).

#### Scope of the Order

The merchandise subject to the antidumping duty order is CVP 23 identified as Color Index No. 51319 and Chemical Abstract No. 6358-30-1, with the chemical name of diindolo [3,2-b:3',2'-m]<sup>2</sup> triphenodioxazine, 8,18-dichloro-5, 15-diethyl-5, 15-dihydro-, and molecular formula of C<sub>34</sub>H<sub>22</sub>Cl<sub>2</sub>N<sub>4</sub>O<sub>2</sub>. The subject merchandise includes the crude pigment in any form (*e.g.*, dry powder, paste, wet cake) and finished pigment in the form of presscake and dry color. Pigment dispersions in any form (*e.g.*, pigment dispersed in oleoresins, flammable solvents, water) are not included within the scope of the order. The merchandise subject to the antidumping duty order is classifiable under subheading 3204.17.90.40 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

#### Analysis of the Comments Received

All issues raised in the case and rebuttal briefs by interested parties to this review are addressed in the Issues and Decision Memorandum (Decision Memo) from Acting Deputy Assistant Secretary John M. Andersen to Acting Deputy Assistant Secretary Paul Piquado dated concurrently with this notice, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded in the Decision Memo is attached to this notice as an Appendix. The Decision Memo, which is a public document, is on file in the Central Records Unit, main Department of

<sup>1</sup> Nation Ford Chemical Company and Sun Chemical Corporation.

<sup>2</sup> The bracketed section of the product description, [3,2-b:3',2'-m], is not business-proprietary information. In this case, the brackets are simply part of the chemical nomenclature. *See Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Carbazole Violet Pigment 23 From India*, 69 FR 77988 (December 29, 2004) (*Antidumping Duty Order*).

Commerce building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn/index.html>. The paper copy and electronic version of the Decision Memo are identical in content.

#### Changes Since the Preliminary Results

As a result of our analysis of the comments, we have adjusted U.S. price by the export-subsidy countervailing-duty rate of 7.79 percent in accordance with section 772(c)(1)(C) of the Act. For more information, see the Decision Memo at Comment 1.

#### Final Results of Review

As a result of our review, we determine that a margin of 58.90 percent exists for Alpanil for the period December 1, 2007, through November 30, 2008.

#### Assessment Rates

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries of merchandise produced and/or exported by Alpanil. In accordance with 19 CFR 351.212(b)(1), we will issue importer-specific assessment instructions for entries of subject merchandise during the period of review.

We divided the total dumping margins for each importer by the total number of units Alpanil sold to that importer. We will direct CBP to assess the resulting per-unit dollar amount against each unit of merchandise on each of that importer's entries during the period of review.

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

The Department intends to issue appropriate assessment instructions directly to CBP 15 days after 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 CVP 23 entered, or withdrawn from warehouse, for consumption on or after

the publication date of the final results, as provided by section 751(a)(1) and (a)(2)(C) of the Act: (1) The cash-deposit rate for Alpanil will be 58.90 percent; (2) if the exporter is not a firm covered in this review, a previous 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; (3) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be 27.48 percent, the all-others rate published in the *Antidumping Duty Order*, 69 FR at 77989. These deposit requirements shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a final 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 period of review. 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. See 19 CFR 351.402(f)(3).

#### Notification Regarding APOs

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 as explained in the APO itself. See 19 CFR 351.305(a)(3). Timely written notification of the 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 publishing these final results of administrative review and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 25, 2010.

**Paul Piquado,**

*Acting Deputy Assistant Secretary for Import Administration.*

#### Appendix

1. Countervailing-Duty Offset.

2. Model-Match Methodology.

[FR Doc. 2010-16091 Filed 6-30-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1687]

#### Grant of Authority for Subzone Status; Abercrombie & Fitch (Footwear and Apparel Distribution); New Albany, OH

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for " \* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs and Border Protection ports of entry;

*Whereas*, the Board's regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Columbus Regional Airport Authority, grantee of Foreign-Trade Zone 138, has made application to the Board for authority to establish a special-purpose subzone at the warehouse and distribution facility of Abercrombie & Fitch, located in New Albany, Ohio, (FTZ Docket 39-2009, filed 9/25/09);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (74 FR 52454, 10/13/09) and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

*Whereas*, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status for activity related to footwear and apparel warehousing and distribution at the facility of Abercrombie & Fitch, located in New Albany, Ohio (Subzone 138G), as described in the application and **Federal Register** notice, subject to the FTZ Act and the Board's regulations, including Section 400.28.