INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–1096]

Certain Microperforated Packaging Containing Fresh Produce; Commission Determination Not To Review an Initial Determination Granting a Motion To Terminate the Investigation as to Respondent Apio, Inc. Based On A Settlement and License Agreement; Termination of the Investigation in Its Entirety


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 19) of the presiding administrative law judge ("ALJ") granting complainant’s motion to terminate the investigation as to respondent Apio, Inc. ("Apio") of Guadalupe, California, based on a settlement and license agreement. As Apio is the last respondent, the investigation is terminated in its entirety.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2392. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at https://www.usitc.gov. The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at https://edis.usitc.gov. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810.


Respondents B&G Foods, Taylor Farms, Alpine Fresh, and Glory Foods have been terminated from the investigation under Commission Rule 210.21(a)(1). See Order No. 9 (Feb. 21, 2018); Comm’n Notice (Mar. 15, 2018); Order No. 16 (Mar. 13, 2018); Comm’n Notice (Mar. 26, 2018); Order No. 17 (Mar. 27, 2018); Comm’n Notice (Apr. 25, 2018).

On April 9, 2018, Windham filed a motion to terminate the investigation as to the last remaining respondent Apio based on a settlement and license agreement. Order No. 19 at 1 (Apr. 20, 2018). On April 20, 2018, the ALJ issued the subject ID granting the motion. Id. at 2. The ALJ found that the motion complies with the Commission Rules, and that no public interest factors prohibit the termination of this investigation. Id. No petitions for review were filed.

The Commission has determined not to review the ID. The investigation is terminated in its entirety. The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).


Lisa Barton,
Secretary to the Commission.


INTERNATIONAL TRADE COMMISSION

[Inv. Nos. 701–TA–573–574 and 731–TA–1350, 1351, 1354, 1355, and 1358 (Final)]

Carbon and Certain Alloy Steel Wire Rod From Italy, Korea, Spain, Turkey, and the United Kingdom; Determinations

On the basis of the record developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of carbon and certain alloy steel wire rod from Italy, Korea, Spain, Turkey, and the United Kingdom, provided for in subheadings 7213.91.30, 7213.91.45, 7213.91.60, 7213.99.00, 7227.20.00, and 7227.90.60 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV") and imports of such wire rod found by Commerce to be subsidized by the governments of Italy and Turkey.5

Background

The Commission, pursuant to sections 705(b) and 735(b) of the Act (19 U.S.C. 1675b(b) and 19 U.S.C. 1673d(b)), instituted these investigations effective March 28, 2017, following receipt of a petition filed with the Commission and Commerce by Charter Steel, Saukville, Wisconsin; Gerdau Ameristeel US Inc., Tampa, Florida; Keystone Consolidated Industries, Inc., Peoria, Illinois; and Nucor Corporation, Charlotte, North Carolina. Effective September 5, 2017, the Commission established a general schedule for the conduct of the final phase of its investigations on carbon and certain alloy steel wire rod, following preliminary determinations by Commerce that imports of the subject wire rod were subsidized by the governments of Italy and Turkey. 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

1 The record is defined in sec. 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

2 Chairman Schmidtlein, Vice Chairman Johanson, and Commissioners Williamson and Broadbent voted in the affirmative. Commissioner Kears was not participate in these investigations.

3 The Commission also finds that imports of wire rod subject to Commerce’s affirmative critical circumstances determinations are not likely to undermine seriously the remedial effect of the antidumping duty orders on imports from Spain and the United Kingdom and the countervailing duty order on imports from Turkey.
SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

1. Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
2. Evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
3. Enhance the quality, utility, and clarity of the information to be collected; and
4. Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of this information collection:

1. Type of Information Collection: Extension of a currently approved collection.
2. The Title of the Form/Collection: Claim for Damage, Injury, or Death.
3. The agency form number, if any, and the applicable component of the Department sponsoring the collection: The form number is CIV SF 95. The applicable component within the Department of Justice is the Civil Division.
4. Affected public who will be asked or required to respond, as well as a brief abstract: Primary: Individuals or households. Other: Businesses or other for-profit, Not-for-profit institutions, and State, Local, or Tribal Governments. Abstract: This form is used by those persons making a claim against the United States Government under the Federal Tort Claims Act.
5. An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond: It is estimated that there will be 100,000 respondents who will each require 6 hours to respond.
6. An estimate of the total public burden (in hours) associated with the collection: The total estimated annual burden hours to complete the certification form is 600,000 hours.

Additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE, 3E.405A, Washington, DC 20530.


Melody Braswell,
Department Clearance Officer for PRA, U.S. Department of Justice.

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