

*Ottawa National Forest, Michigan*

## Forest Supervisor Decisions:

*The Ironwood Daily Globe*, published in Ironwood, Gogebic County, Michigan and for those on the Iron River District, *The Reporter*, published in Iron River, Iron County, Michigan

## District Ranger Decisions:

Bergland, Bessemer, Kenton, Ontonagon and Watersmeet Districts: *The Ironwood Daily Globe*, published in Ironwood, Gogebic County, Michigan

Iron River District: *The Reporter*, published in Iron River, Michigan, Iron County, Michigan

*Shawnee National Forest, Illinois*

## Forest Supervisor Decisions:

*Southern Illinoisan*, published daily in Carbondale, Jackson County, Illinois

## District Ranger Decisions:

Hidden Springs, Mississippi Bluffs Districts: *Southern Illinoisan*, published daily in Carbondale, Jackson County, Illinois

*Superior National Forest, Minnesota*

## Forest Supervisor Decisions:

*Duluth News-Tribune*, published daily in Duluth, St. Louis County, Minnesota

## District Ranger Decisions:

Gunflint District: *Cook County News-Herald*, published weekly in Grand Marais, Cook County, Minnesota

Kawishiwi District: *Ely Echo*, published weekly in Ely, St. Louis County, Minnesota

LaCroix District: *Mesabi Daily News*, published daily in Virginia, St. Louis County, Minnesota

Laurentian District: *Mesabi Daily News*, published daily in Virginia, St. Louis County, Minnesota

Torte District: *Duluth News-Tribune*, published daily in Duluth, St. Louis County, Minnesota

*Wayne National Forest, Ohio*

## Forest Supervisor Decisions:

*Athens Messenger*, published daily in Athens, Athens County, Ohio

## District Ranger Decisions:

Athens District: *Athens Messenger*, (same for Marietta Unit), published daily in Athens, Athens County, Ohio

Ironton District: *The Ironton Tribune*, published daily in Ironton, Lawrence County, Ohio

*White Mountain National Forest, New Hampshire and Maine*

## Forest Supervisor Decisions:

*The New Hampshire Union Leader*, published daily in Manchester,

County of Hillsborough, New Hampshire. If project will occur in Maine, also the *Lewiston Sun-Journal*, published daily in Lewiston, County of Androscoggin, Maine

Androscoggin District: *The New Hampshire Union Leader*, published daily in Manchester, County of Hillsborough, New Hampshire if project is in New Hampshire and the *Lewiston Sun-Journal*, published daily in Lewiston, County of Androscoggin, Maine if the project is in Maine.

Pemigewasset District: *The New Hampshire Union Leader*, published daily in Manchester, County of Hillsborough, New Hampshire

Saco District: *The New Hampshire Union Leader*, published daily in Manchester, County of Hillsborough, New Hampshire if project is in New Hampshire and the *Lewiston Sun-Journal*, published daily in Lewiston, County of Androscoggin, Maine if the project is in Maine.

**FOR FURTHER INFORMATION CONTACT:**  
Patricia Rowell, 414-297-3439.

Dated: September 26, 2012.

**Gene Blankenbaker**,  
*Deputy Regional Forester*.

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the Board's regulations, including Section 400.13 and further subject to FTZ 12's 873.5-acre activation limit.

Dated: September 27, 2012.

**Andrew McGilvray**,  
*Executive Secretary*.

[FR Doc. 2012-24215 Filed 10-1-12; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

**[A-201-820]**

**Fresh Tomatoes From Mexico: Notice of Preliminary Results of Changed Circumstances Review and Intent To Terminate the Suspended Antidumping Investigation**

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

**SUMMARY:** On January 22, 2008, the Department of Commerce (the Department) signed the current suspension agreement on fresh tomatoes with growers/exporters of Mexican tomatoes accounting for substantially all (i.e., not less than 85 percent) of Mexico's tomato exports to the United States. The agreement covers all fresh or chilled tomatoes of Mexican origin, except tomatoes that are for processing. On June 22, 2012, the U.S. petitioners in the suspended antidumping duty investigation filed a request for withdrawal of the petition and termination of the investigation and the suspension agreement. On August 21, 2012, the Department published a notice of initiation of changed circumstances review to examine the petitioners' request to terminate the suspended investigation. See *Fresh Tomatoes from Mexico: Notice of Initiation of Changed Circumstances Review*, 77 FR 50554 (August 21, 2012) and *Correction: Fresh Tomatoes From Mexico: Notice of Initiation of Changed Circumstances Review and Consideration of Termination of Suspended Investigation*, 77 FR 50556 (August 21, 2012) (collectively, *Initiation Notice*). In the *Initiation Notice* we invited interested parties to submit comments for the Department's consideration by September 4, 2012. We have considered the comments received by September 4, 2012, and, for the reasons stated in this notice and in the accompanying decision memorandum, the Department is notifying the public of our preliminary intent to terminate the suspended investigation. If the suspended investigation is terminated in the final results of this review, the

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board**

**[S-90-2012]**

**Approval of Subzone Status; TST NA TRIM, LLC; Hidalgo, TX**

On August 3, 2012, the Executive Secretary of the Foreign-Trade Zones (FTZ) Board docketed an application submitted by the McAllen Foreign Trade Zone, Inc., grantee of FTZ 12, requesting subzone status subject to the existing activation limit of FTZ 12, on behalf of TST NA TRIM, LLC, in Hidalgo, Texas.

The application was processed in accordance with the FTZ Act and Regulations, including notice in the **Federal Register** inviting public comment (77 FR 47816, 08/10/2012). The FTZ staff examiner reviewed the application and determined that it meets the criteria for approval. Pursuant to the authority delegated to the FTZ Board Executive Secretary (15 CFR 400.36(f)), the application for the requested subzone (Subzone 12A) is approved, subject to the FTZ Act and

suspension agreement will also terminate, effective on the date of publication of the notice of final results of the changed circumstances review in the **Federal Register**. Interested parties are invited to comment on these preliminary results.

**DATES:** Effective October 2, 2012.

**FOR FURTHER INFORMATION CONTACT:**

Judith Wey Rudman, Julie Santoboni, or Anne D'Alauro, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-0192, (202) 482-3063, or (202) 482-4830, respectively.

**SUPPLEMENTAL INFORMATION:**

**Background**

On August 21, 2012, the Department published a notice of initiation of changed circumstances review to examine the petitioners' request to terminate the suspended investigation. *See Initiation Notice*. In the *Initiation Notice* we invited interested parties to submit comments for the Department's consideration by September 4, 2012. Interested parties were requested to address the issue of industry support in their comments.

On September 4, 2012, we received comments from the Florida Tomato Exchange (FTE) and the Florida Tomato Growers Exchange (FTGE), Village Farms, Windset Farms and Houwelings Nurseries Oxnard Inc. (collectively, "domestic producers"); CAADES Sinaloa, A.C., Consejo Agricola de Baja California, A.C., Asociacion Mexicana de Horticultura Protegida, A.C., Union Agricola Regional de Sonora Productores de Hortalizas Frutas y Legumbres, and Confederacion Nacional de Productores de Hortalizas, (collectively, "Mexican tomato growers/exporters"); San Vincente Camalu S.P.R. de R.I.; NatureSweet Ltd.; McEntire Produce; the Fresh Produce Association of the Americas; Wal-Mart; Grant County Foods, LLC; the Government of Mexico; and the Texas International Produce Association. For additional background information, please see "Decision Memorandum: Preliminary Results of Changed Circumstances Review and Intent to Terminate the Suspended Investigation" (Preliminary Decision Memorandum) from Lynn Fischer Fox, Deputy Assistant Secretary for Policy and Negotiations, to Paul Piquado, Assistant Secretary for Import Administration, dated concurrently with these results and hereby adopted by this notice.

**Scope of the Suspended Investigation**

The merchandise subject to the suspended investigation is all fresh or chilled tomatoes (fresh tomatoes) which have Mexico as their origin, except for those tomatoes which are for processing. The merchandise subject to the suspended investigation is currently classified under the following subheadings of the Harmonized Tariff Schedules of the United States (HTSUS), according to the season of importation: 0702 and 9906.07.01 through 9906.07.09. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of the suspended investigation, available at *Suspension of Antidumping Investigation: Fresh Tomatoes from Mexico*, 73 FR 4832 (January 28, 2008), is dispositive.

**Preliminary Results of Changed Circumstances Review and Intent to Terminate the Suspended Investigation**

When examining the domestic industry's interest in an order or suspended investigation, both the Tariff Act of 1930, as amended (the Act), and the Department's regulations require that "substantially all" domestic producers express a lack of interest in the order or suspension agreement for revocation of an order or termination of a suspended investigation. *See* 782(h) of the Act and 19 CFR 222(g). The Department has interpreted "substantially all" to represent producers accounting for at least 85 percent of U.S. production of the domestic like product. *Certain Orange Juice from Brazil: Preliminary Results of Antidumping Duty Changed Circumstances Review and Intent Not to Revoke, In Part*, 73 FR 60241, 60242 (October 10, 2008), unchanged in *Certain Orange Juice From Brazil: Final Results of Antidumping Duty Changed Circumstances Review*, 74 FR 4733 (January 27, 2009).

On September 4, 2012, the domestic producers expressing a lack of interest in continuing the suspended investigation provided information regarding the percentage of domestic production that they represent. The domestic producers submitted signed declarations from 80 U.S. tomato producers accounting for slightly over 90 percent of U.S. production in 2011, based on information from the U.S. Department of Agriculture's Economic Research Service "Vegetables and Pulses Yearbook Data" (Yearbook). In their September 4, 2012, comments, the Mexican tomato growers/exporters argued that the USDA data historically

used by the petitioners does not capture total U.S. fresh tomato production. We have considered the arguments raised by interested parties and find that the USDA Yearbook is an objective and reliable source for 2011 U.S. tomato production for purposes of determining industry support in these preliminary results. While we recognize that there are limitations with the USDA data, as discussed in the Preliminary Decision Memorandum, we do not find that these limitations are sufficiently significant as to preclude us from using it to calculate industry support in this instance.

We have considered the information provided by the domestic producers and the September 4, 2012, comments of interested parties and find that, for purposes of these preliminary results, the domestic producers expressing a lack of interest in the suspended investigation account for substantially all, *i.e.*, not less than 85 percent, of the production of fresh tomatoes in the United States, based on the best publicly available production data. For a detailed discussion of this issue and the comments received from interested parties, see the Preliminary Decision Memorandum.

In light of the above, the Department is preliminarily notifying the public of its intent to terminate the suspended investigation on fresh tomatoes from Mexico.

The Department will consider new factual information from interested parties submitted on the record within 15 days of publication of this notice in the **Federal Register**. The Department will consider factual information from interested parties to rebut, clarify, or correct information placed on the record that is submitted not later than five days after the time limit for filing new factual information. For each piece of factual information submitted, the interested party must provide a written explanation of what information that is already on the record of the ongoing proceeding that the factual information is rebutting, clarifying, or correcting.

**Public Comment**

Interested parties are invited to comment on the preliminary results of this review. The Department will consider case briefs filed by interested parties within 30 days after the date of publication of this notice in the **Federal Register**.<sup>1</sup> Interested parties may file rebuttal briefs, limited to issues raised in the case briefs.<sup>2</sup> The Department will consider rebuttal briefs filed not later than ten days after the time limit for

<sup>1</sup> See 19 CFR 351.309(c)(1)(ii).

<sup>2</sup> See 19 CFR 351.309(d).

filing case briefs. Parties who submit arguments are requested to submit with each argument a statement of the issue, a brief summary of the argument, and a table of authorities cited.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, filed electronically using Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS). An electronically filed document requesting a hearing must be received successfully in its entirety by the Department's electronic records system, IA ACCESS, by 5 p.m. Eastern Time within 30 days after the date of publication of this notice.<sup>3</sup> Requests should contain the party's name, address, and telephone number, the number of participants, and a list of the issues to be discussed. If a request for a hearing is made, the Department will inform parties of the scheduled date for the hearing which will be held at the U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing.

The Department will issue the final results of this changed circumstances review, which will include the results of its analysis raised in any such written comments, as soon as is practicable, but not later than 270 days after the date on which this review was initiated. See 19 CFR 351.216(e).

If the suspended investigation is terminated in the final results of this review, the suspension agreement will also terminate, effective on the date of publication of the notice of final results of the changed circumstances review in the **Federal Register**.

These preliminary results of review and notice are in accordance with sections 751(b) of the Act and 19 CFR 351.216, 351.221(c)(3), and 351.222.

Dated: September 27, 2012.

**Paul Piquado,**

Assistant Secretary for Import Administration.

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## DEPARTMENT OF COMMERCE

### International Trade Administration [A-357-812, C-357-813]

#### Honey From Argentina: Notice of Initiation of Antidumping and Countervailing Duty Changed Circumstances Reviews and Consideration of Revocation of Antidumping and Countervailing Duty Orders

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

**DATES: Effective Date:** October 2, 2012.

#### FOR FURTHER INFORMATION CONTACT:

Patrick Edwards or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, at (202) 482-8029 or (202) 482-3019, respectively.

**SUMMARY:** In response to a request by the American Honey Producers Association (AHPA) and the Sioux Honey Association (SHA), the petitioning parties in the original less-than-fair-value investigation (collectively, petitioners), the Department of Commerce (the Department) is initiating changed circumstances reviews of the antidumping (AD) and countervailing (CVD) duty orders on honey from Argentina. The domestic producers have expressed no further interest in the relief provided by the AD and CVD orders. Interested parties are invited to comment on this notice of initiation.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 10, 2001, the Department published the antidumping and countervailing duty orders on honey from Argentina.<sup>1</sup> On July 24, 2012, petitioners requested that the Department revoke the *Orders*, effective December 1, 2010, based on the domestic U.S. industry's lack of further interest.<sup>2</sup> We received submissions indicating support for revocation of the *Orders* from respondent parties participating in the ongoing administrative review of the *AD Order*

<sup>1</sup> See *Notice of Antidumping Duty Order: Honey from Argentina*, 66 FR 63672 (December 10, 2001) (*AD Order*). See also *Notice of Countervailing Duty Order: Honey from Argentina*, 66 FR 63673 (December 10, 2001) (*CVD Order*), (collectively, *Orders*).

<sup>2</sup> See Letter from Petitioners, entitled "Request for 'No Interest' Changed Circumstances Review of the Antidumping and Countervailing Duty Orders on Honey from Argentina," dated July 24, 2012 (CCR Request).

for the period December 1, 2010, through November 30, 2011.<sup>3</sup> Additionally, from July 24, 2012, through July 25, 2012, we received notifications of withdrawal from the administrative review of the *AD Order* from petitioners as well as the selected mandatory respondents.<sup>4</sup>

Based on a review of petitioners' July 24, 2012, CCR Request, we requested that petitioners resubmit its filing to provide supplemental information and data regarding domestic U.S. honey production. Accordingly, petitioners provided the requested information on August 22, 2012.<sup>5</sup> Also in their Supplemental CCR Request, petitioners clarified that the intended date of revocation for the *CVD Order* is December 1, 2011, not December 1, 2010, as they had previously stated, as there is no ongoing review of the *CVD Order* for the 2010 through 2011 period. For further discussion of the information provided in these submissions, see the "Initiation of Changed Circumstances Reviews" section below.

#### Scope of the Orders

The merchandise covered by the orders is honey from Argentina. The products covered are natural honey, artificial honey containing more than 50 percent natural honey by weight, preparations of natural honey containing more than 50 percent natural honey by weight, and flavored honey. The subject merchandise includes all grades and colors of honey whether in liquid, creamed, comb, cut comb, or chunk form, and whether packaged for retail or in bulk form. The merchandise is currently classifiable under subheadings 0409.00.00, 1702.90.90, and 2106.90.99 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are

<sup>3</sup> See, e.g., Letter from Villamora S.A. and Apicola Danagie to the Secretary of Commerce, dated July 30, 2012 and Letter from Algodonera Avellaneda, S.A., dated August 3, 2012.

<sup>4</sup> See Letter from Compañía Inversora Platense S.A. to the Secretary of Commerce, re: "Honey From Argentina: Withdrawal of Antidumping Administrative Review Request of Compañía Inversora Platense S.A.," dated July 24, 2012; see also Letter from NEXCO S.A. to the Secretary of Commerce, re: "Honey from Argentina, 10th Administrative Review (12/1/10-11/30/11); Withdrawal of Review Request," dated July 24, 2012; see also Letter from Petitioners to the Secretary of Commerce, re: "Tenth Administrative Review of the Antidumping Duty Order on Honey from Argentina—Petitioners' Withdrawal of Request for Administrative Review," dated July 25, 2012.

<sup>5</sup> See Letter from Petitioners, entitled "Supplement to Petitioners' Request for a 'No-Interest' Changed Circumstances Review of the Antidumping and Countervailing Duty Orders on Honey from Argentina," dated August 22, 2012 (Supplemental CCR Request).

<sup>3</sup> See 19 CFR 351.310(c).