documents were either returned or destroyed without being reviewed.

In one investigation, an employee of a law firm directed another employee to fax a document containing the business proprietary information of a party to the proceeding to the law firm's client, who was not subject to the APO. Upon receiving the faxed document, the client recognized the error, called the law firm, and destroyed the document before reviewing it.

In two investigations involving the same set of facts, a law firm withdrew from representing a party, and transferred its files from that proceeding to another law firm. When the second law firm opened the files, it found two proprietary documents from two unrelated proceedings. The second law firm was not subject to the APO of either of those two proceedings, and returned the documents without copying them or further disseminating them.

In one investigation, one law firm inadvertently attached two pages containing proprietary information to a public letter, and served that letter on another law firm. The first law firm discovered its mistake, and informed ITA before the letter could be placed in the public files. The second law firm returned the letter without copying it or further disseminating it.

One investigation involved a law firm that had access to a document due to its involvement in ongoing litigation concerning an administrative review completed several years earlier. The terms of the APO in that review permitted an authorized applicant to use information submitted in that review in two successive segments of the same proceeding. An administrative review of the same proceeding was currently pending before ITA; however, it was beyond the two successive segments as specified in the APO. An attorney from that law firm called the attention of ITA officials to the document from the earlier review, and urged those officials to place the document on the record of the current administrative review. ITA concluded that although the attorney did not place the document on the record of the current review, by calling the attention of ITA officials to this document, the attorney had improperly used the document, in violation of the terms of the APO.

In the final investigation, an authorized applicant had access to the financial statement of a company due to its involvement in an administrative review in one proceeding. Due to a request by the submitting company, ITA conferred on this document business proprietary treatment. The authorized applicant, however, urged ITA officials to place this financial statement on the record of an administrative review of a second, separate proceeding involving the same company. Although the financial statement itself was a public document, because ITA agreed to treat it as business proprietary information, all authorized applicants were obligated likewise to treat it as business proprietary information until ITA had decided proprietary treatment was unwarranted. ITA concluded that referring to a document in one proceeding to which the authorized applicant had access due to its involvement in another proceeding was a violation of the APO because ITA was treating that document as proprietary in the second proceeding.

In all of the cases, ITA found that the APO violations were inadvertent and that no significant harm was caused to the submitter of the information.

In each of these cases, the individuals involved were cautioned to observe the terms of the APO and the Department's regulations, and warned that any future violations could be treated more severely.

ITA has also determined in two investigations that reasonable cause did not exist to believe that the terms of an APO had been violated. In one case, a law firm alleged that another law firm had released business proprietary information when the second law firm submitted a document making a legal argument. ITA has concluded that based on the facts of this case, the second law firm did not disclose any business proprietary information in making its legal argument.

In the second investigation, an attorney filed an application for APO access in both an antidumping duty and a countervailing duty investigation involving the same product from the same country. On the APO applications, the attorney represented that the client was an interested party because it was an importer of subject merchandise. It was later discovered that the importer did import subject merchandise, but not from the country subject to the two investigations. The attorney then withdrew, and certified to the destruction of all APO materials received in the two investigations.

A party to the two investigations alleged that making a false statement on the APO application was a violation of the APO. ITA investigated this allegation, and concluded that while the attorney confirmed that the client imported subject merchandise, the attorney did not think to confirm that the client imported that merchandise from the particular country in question, as the attorney represented the same client in three other investigations involving the same merchandise, but from different countries. Although the statements in the two APO applications at issue that the client was an interested party were false, the attorney made these statement out of mere inadvertence, and not due to a reckless disregard for the truth, or an intention to deceive. Based on the facts of this case the required mental state did not exist to justify sanctions. ITA further concluded that the investigation did not reveal any evidence that any of the information obtained by the attorney under the APOs had been improperly disclosed.

Serious harm can result from inadvertent or other disclosure of proprietary information obtained under APO. ITA will continue to investigate vigorously allegations that the provisions of APOs have not faithfully been observed, and is prepared to impose sanctions commensurate with the nature of the violations, including letters of reprimand, denial of access to proprietary information, or debarment from practice before the ITA.

This notice is published pursuant to 19 CFR 354.18 (2004).

Dated: August 7, 2006.

John D. McInerney,

Chief Counsel, Import Administration.

[FR Doc. E6–15552 Filed 9–18–06; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People's Republic of China: Extension of Time Limits for the Preliminary Results of the 11th Administrative Review and New Shipper Reviews

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

DATES: *Effective Date:* September 19, 2006.

FOR FURTHER INFORMATION CONTACT: Alex Villanueva, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone: (202) 482–3208.

Background

On December 22, 2005, the Department published a notice of initiation of a review of fresh garlic from

the People's Republic of China (''PRC''), covering the period November 1, 2004, through October 31, 2005. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part,* 70 FR 76024 (December 22, 2005). On December 28, 2005, the Department published a notice of initiation of new shipper reviews of fresh garlic from the PRC covering the period November 1, 2004, through October 31, 2005. *See Fresh Garlic from the People's Republic of China: Initiation of New Shipper Reviews,* 70 FR 76765 (December 28, 2005).

On April 28, 2006, the Department aligned the statutory time lines of the 11th administrative review and all but one of the new shipper reviews.[1] On June 14, 2006, the Department published a notice of an extension of time limits for the 11th administrative review and new shipper reviews. *See Fresh Garlic from the People's Republic of China: Extension of Time Limits for the Preliminary Results of the 11th Administrative Review and New Shipper Reviews,* 70 FR 34304 (June 14, 2006), which extended the deadline for the preliminary determination to October 2, 2006. On August 14, 2006, Qingdao Xintianfeng Foods Company Ltd. (''QXF''), whose new shipper review had not been aligned with the administrative review, agreed to waive the new shipper time limits.[2] On August 23, 2006, QXF submitted a letter stating that it agreed to the alignment of the new shipper review with the 11th administrative review and thus waiving the new shipper time limits. On August 14, 2006, the Department aligned the statutory time lines of the 11th administrative review with QXF's new shipper review.[3]

Extension of Time Limit of Preliminary Results

The Department determines that completion of the preliminary results of these reviews within the statutory time period is not practicable. The 11th administrative review covers nine companies, and to conduct the sales and factor analyses for each requires the Department to gather and analyze a significant amount of information pertaining to each company's sales practices and manufacturing methods. The five new shipper reviews, including that of QXF, involve extraordinarily complicated methodological issues such as the use of intermediate input methodology, potential affiliation issues and the examination of importer information. The Department requires additional time to analyze these issues.

Therefore, given the number and complexity of issues in this case, and in accordance with section 751(a)(3)(A) of the Act and section 351.214(j)(3) of the Department's regulations, we are extending the time period for issuing the preliminary results of the instant review by 45 days until November 16, 2006. The final results continue to be due 120 days after the publication of the preliminary results. This notice is published in accordance with section 751(a)(3)(A) of the Act.

Dated: September 11, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6–15551 Filed 9–18–06; 8:45 am]

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[1] *See* the Department's letter to All Interested Parties, dated April 28, 2006.

[2] See the Department's letter to All Interested Parties, dated August 14, 2006, where the Department notes that QXF agreed to waive the new shipper time limits.

[3] Id.

DEPARTMENT OF COMMERCE

International Trade Administration

[A–331–802]

Certain Frozen Warmwater Shrimp From Ecuador; Notice of Amended Initiation and Amended Partial Rescission of Antidumping Duty Administrative Review

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

EFFECTIVE DATE: September 19, 2006.

FOR FURTHER INFORMATION CONTACT: David Goldberger or Gemal Brangman, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482–4136 and (202) 482–3773, respectively.

Background

On April 7, 2006, the Department of Commerce (the Department) published in the **Federal Register** its initiation of the antidumping duty administrative review of certain frozen warmwater shrimp from Ecuador for the period August 4, 2004, through January 31, 2006. *See Notice of Initiation of Administrative Reviews of the Antidumping Duty Orders on Certain Frozen Warmwater Shrimp from Brazil, Ecuador, India and Thailand,* 71 FR 17819 (April 7, 2006) (*Initiation Notice*). We initiated a review for Exporklore Exports & Representacion, based on a request for review from the petitioners, the Ad Hoc Shrimp Trade Action Committee. Exporklore, S.A. (Exporklore) also requested a review of its sales, but this company name was inadvertently omitted from the *Initiation Notice.* The Department subsequently confirmed that the correct name for Exporklore Exports & Representacion is Exporklore, S.A. To correct the omission of the company name Exporklore, S.A. from the *Initiation Notice,* we are now issuing this notice of amended initiation of the 2004–2006 antidumping duty administrative review of certain frozen warmwater shrimp from Ecuador as noted above. As a result of this correction, we are initiating the 2004–2006 administrative review with respect to Exporklore, S.A.

Although we are now amending our initiation notice to include Exporklore, S.A., the Department is not conducting a review of Exporklore's sales in this administrative review because on June 30, 2006, Exporklore filed a timely request for the withdrawal of its requested review. Because of this withdrawal request, on July 20, 2006, the Department published in the **Federal Register** its notice of partial rescission. *See Certain Frozen Warmwater Shrimp from Ecuador; Partial Rescission of Antidumping Duty Administrative Review,* 71 FR 41198 (July 20, 2006) (*Partial Rescission*). Our amended initiation notice does not supercede the prior rescission of Exporklore in the *Partial Rescission* notice issued on July 20, 2006.

On June 30, 2006, the petitioners withdrew their administrative review request with respect to Exporklore Exports & Representacion. However, we inadvertently omitted this company name from the *Partial Rescission.* Therefore, we are now issuing this notice of amended partial rescission of the 2004–2006 antidumping duty administrative review of certain frozen warmwater shrimp from Ecuador to rescind the 2004–2006 administrative review for Exporklore Exports & Representacion.

This amended initiation and partial rescission is issued and published in accordance with section 751 of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: September 13, 2006.

Stephen J. Claeys,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E6–15545 Filed 9–18–06; 8:45 am]

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