

### Return or Destruction of Proprietary Information

In the event that the ITC issues a final negative injury determination, this notice will serve as the only reminder to parties subject to an administrative protective order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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.

This determination is published pursuant to sections 705(d) and 777(i) of the Act.

Dated: October 17, 2007.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

### Appendix

List of Comments and Issues in the Decision Memorandum

- Comment 1: Applicability of the CVD Law to China
- Comment 2: The Administrative Procedures Act (APA) Claim
- Comment 3: The Department's Justification for its Change in Practice from *Sulfanilic Acid from Hungary*
- Comment 4: China's WTO Accession Protocol
- Comment 5: Retroactive Application of the CVD Law to China
- Comment 6: Comparison of the Department's Findings in the *Georgetown Memo* and the *August 30 Market Economy Status Memo*
- Comment 7: Application of Adverse Facts Available to the GOC
- Comment 8: Policy Lending
- Comment 9: Countervailability of Foreign-denominated Loans
- Comment 10: Benchmark for Policy Lending
- Comment 11: Adjustment for Long-term Interest Rate Benchmark
- Comment 12: Creditworthiness of GE and its Cross-owned Companies
- Comment 13: Application of a Risk Premium to the Short-term Loan Benchmark
- Comment 14: Specificity of Programs for FIEs
- Comment 15: Over-calculation of the Two Free/Three Half Benefit
- Comment 16: Specificity of VAT Programs
- Comment 17: Attribution of GHS' Subsidies to GE

- Comment 18: Attribution of Subsidies Bestowed on Input Suppliers
- Comment 19: Whether the Department's Cross-ownership Regulations Provide for the Attribution of Upstream Subsidies to Cross-owned Companies
- Comment 20: Attribution of Subsidies Bestowed on the Forestry Companies to CFS
- Comment 21: Rate Adjustment for GE's *Ad Valorem* Subsidy Rate
- Comment 22: Subsidies to Forestry Companies Discovered After the Preliminary Determination
- Comment 23: Correction to GE's Domestic Sales Value
- Comment 24: Application of Adverse Facts Available to Chenming
- Comment 25: Certification of Non-Reimbursement of Duties

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[Application No. 85-14A18]

#### Export Trade Certificate of Review

**ACTION:** Notice of Application (#85-14A18) to Amend the Export Trade Certificate of Review Issued to U.S. Shippers Association.

**SUMMARY:** Export Trading Company Affairs, International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review. This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or E-mail at: [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the

**Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-X H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 85-14A18."

The U.S. Shippers Association's original Certificate was issued on June 3, 1986 (51 FR 20873, June 9, 1986), and last amended on April 6, 2006 (71 FR 18721, April 12, 2006).

A summary of the current application for an amendment follows.

#### *Summary of the Application:*

*Applicant:* U.S. Shippers Association ("USSA"), 344 Canford Park East, Canton, Michigan 48187.

*Contact:* John S. Chinn, Project Director, Telephone: (734) 927-4328.

*Application No.:* 85-14A18.

*Date Deemed Submitted:* October 18, 2007.

*Proposed Amendment:* USSA seeks to amend its Certificate to add the following company as a new "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)): Cook Composites and Polymers Co., North Kansas City, Missouri (controlling entity: TOTAL Holdings USA, Inc., Houston Texas).

Dated: October 19, 2007.

**Jeffrey C. Anspacher,**

*Director, Export Trading Company Affairs.*

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