

a reasonable indication that an industry in the United States is materially injured or threatened with material injury by reason of imports from the PRC of subject merchandise. *See Raw Flexible Magnets from China and Taiwan*, Investigation Nos. 701-TA-452 and 731-TA-1129 and 1130 (Preliminary), 72 FR 63629 (November 9, 2007).

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this investigation are addressed in the Decision Memorandum. Attached to this notice as an Appendix is a list of the issues that parties raised and to which we have responded in the Decision Memorandum. Parties can find a complete discussion of all issues raised in this investigation and the corresponding recommendations in this public memorandum, which is on file in the Department's Central Records Unit (CRU). In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://ia.ita.doc.gov/frn/>. The paper copy and electronic version of the Decision Memorandum are identical in content.

#### Application of Facts Available, Including the Application of Adverse Inferences

For purposes of this final determination, we have relied on facts available and have used adverse inferences to determine the countervailable subsidy rates for the two mandatory respondents: China Ningbo Cixi Import Export Corporation (Cixi) and Polyflex Magnets Ltd. (Polyflex), in accordance with sections 776(a) and (b) of the Act. A full discussion of our decision to apply adverse facts available (AFA) is presented in the Decision Memorandum in the section "Application of Facts Available and Use of Adverse Inferences" and in "Analysis of Comments" at Comment 6.

#### Suspension of Liquidation

In accordance with section 705(c)(1)(B)(i)(I) of the Act, we have calculated an individual rate for the companies under investigation, Cixi and Polyflex. With respect to the all-others rate, section 705(c)(5)(A)(ii) of the Act provides that if the countervailable subsidy rates established for all exporters and producers individually investigated are determined entirely under section 776 of the Act, the Department may use any reasonable method to establish an all-others rate for exporters and producers not individually investigated. In this case,

the rate calculated for the two investigated companies is based entirely on facts available under section 776 of the Act. There is no other information on the record upon which we could determine an all-others rate. As a result, we have used the AFA rate calculated for Cixi and Polyflex as the all-others rate. This method is consistent with the Department's past practice. *See Final Affirmative Countervailing Duty Determination: Certain Hot-Rolled Carbon Steel Flat Products From Argentina*, 66 FR 37007, 37008 (July 16, 2001); *see also Final Affirmative Countervailing Duty Determination: Prestressed Concrete Steel Wire Strand From India*, 68 FR 68356, 68357 (December 8, 2003).

Producer/Exporter	Subsidy Rate
China Ningbo Cixi Import Export Corporation .....	109.95 percent <i>ad valorem</i>
Polyflex Magnets Ltd. ....	109.95 percent <i>ad valorem</i>
All Others .....	109.95 percent <i>ad valorem</i>

As a result of our *RFM Preliminary Determination* and pursuant to section 703(d) of the Act, we instructed the U.S. Customs and Border Protection (CBP) to suspend liquidation of all entries of RFM from the PRC which were entered or withdrawn from warehouse, for consumption on or after February 25, 2008, the date of the publication of the *RFM Preliminary Determination* in the **Federal Register**. In accordance with section 703(d) of the Act, we instructed CBP to discontinue the suspension of liquidation for CVD purposes for subject merchandise entered on or after June 24, 2008, but to continue the suspension of liquidation of entries made from February 25, 2008, through June 24, 2008.

We will issue a CVD order and reinstate the suspension of liquidation under section 706(a) of the Act if the ITC issues a final affirmative injury determination, and will require a cash deposit of estimated countervailing duties for such entries of merchandise in the amounts indicated above. If the ITC determines that material injury, or threat of material injury, does not exist, this proceeding will be terminated and all estimated duties deposited or securities posted as a result of the suspension of liquidation will be refunded or canceled.

#### ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination. In addition, we are making available to the ITC all non-

privileged and non-proprietary information related to this investigation. We will allow the ITC access to all privileged and business proprietary information in our files, provided the ITC confirms that it will not disclose such information, either publicly or under an APO, without the written consent of the Assistant Secretary for Import Administration.

#### 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: July 2, 2008.

**David M. Spooner**,  
Assistant Secretary for Import Administration.

#### Appendix

*List of Comments and Issues in the Decision Memorandum*

*Comment 1: Application of CVD Law to China*

*Comment 2: Imposition of CVD Law on China and Administrative Procedures Act*

*Comment 3: Specificity of Tax Programs to Foreign-Invested Enterprises*

*Comment 4: Countervailability of Value Added Tax (VAT) Export Rebates*

*Comment 5: VAT and Import Duty Exemptions on Imported Equipment Are One Program*

*Comment 6: AFA Rates for Provincial Programs*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Exporters' Textile Advisory Committee; Solicitation for Members

The Secretary of Commerce initially established the Exporters' Textile Advisory Committee ("Committee") on March 24, 1966. The Committee's

Charter was last extended for two years on October 30, 2006 and will expire on October 30, 2008. It is anticipated that the Committee will be renewed for another term, from October 31, 2008 through October 30, 2010. Therefore, the Committee is seeking additional new members.

The Committee shall consist of approximately 35 members appointed by the Secretary of Commerce to ensure a balanced representation of textile and apparel products. Representatives of small, medium and large firms with broad geographical distribution in exporting shall be included on the Committee. Members shall represent the views of their companies, trade associations and other entities on matters that affect their business interest in exporting.

The Committee shall function solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act.

Persons interested in becoming members are invited to submit a letter to R. Matthew Priest, Deputy Assistant Secretary for Textiles and Apparel, U.S. Department of Commerce, Washington, DC 20230, telephone: (202) 482-3737. Letters must include the applicant's social security number, date of birth, place of birth and home address. This information is required to process a records check to determine suitability for membership.

Announcement closing date is August 5, 2008.

Dated: July 2, 2008.

**R. Matthew Priest,**

*Deputy Assistant Secretary for Textiles and Apparel.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Import Administration

[A-552-801]

#### Certain Frozen Fish Fillets From Vietnam: Extension of Time Limit for Final Results of Changed Circumstances Review

**DATES:** *Effective Date:* July 10, 2008.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos, 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) 482-2243.

**SUPPLEMENTARY INFORMATION:** On August 10, 2007, the Department of Commerce (the Department) issued its preliminary results for the changed circumstances review of the antidumping duty order of certain frozen fish fillets from Vietnam. *See Certain Frozen Fish Fillets from Vietnam: Notice of Initiation and Preliminary Results of Changed Circumstances Review*, 72 FR 46604 (August 21, 2007) (*Preliminary Results*). On May 6, 2008, the Department published a notice extending the time limits for the changed circumstances review of the antidumping duty order of certain frozen fish fillets from Vietnam. *See Certain Frozen Fish Fillets from Vietnam: Extension of Time Limit for Final Results of Changed Circumstances Review*, 73 FR 28100 (May 15, 2008) (*"First Extension"*). The current deadline for the final results of this review is July 7, 2008.

#### Extension of Time Limits for Final Results

In our *Preliminary Results*, we indicated we would issue the final results in the instant review within 270 days after the date on which the changed circumstances review is initiated. In the *First Extension*, we stated that it was not practicable to complete the review within this time period. Accordingly, pursuant to 19 CFR 351.302(b), we extended the time limit by 60 days.

The Department finds that it is not practicable to complete this review by the current deadline. Subsequent to the *Preliminary Results*, and receipt of Vinh Hoan Co., Ltd./Corp.'s and Petitioners' (the Catfish Farmers of America and individual U.S. catfish processors) case briefs, the Department requested and received new information from Vinh Hoan on which the Department provided interested parties an opportunity to comment. Based on Vinh Hoan's submission and parties' additional comments, the Department intends to request additional information from Vinh Hoan. Consequently, in accordance with 19 CFR 351.302(b), the Department is extending the time period for issuing the final results in the instant review by 90 days. Therefore, the final results will be due no later than October 5, 2008. As October 5, 2008, falls on a Sunday, our final results will be issued no later than Monday, October 6, 2008.

This notice is published in accordance with section 771(i) of the Tariff Act of 1930, as amended.

Dated: July 2, 2008.

**Gary S. Taverman,**

*Acting Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

A-570-922

#### Final Determination of Sales at Less Than Fair Value: Raw Flexible Magnets from the People's Republic of China

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

**EFFECTIVE DATE:** July 10, 2008.

**SUMMARY:** The Department of Commerce (the "Department") has determined that raw flexible magnets from the People's Republic of China ("PRC") are being, or are likely to be, sold in the United States at less than fair value ("LTFV"), as provided in section 733 of the Tariff Act of 1930, as amended (the "Act"). The final dumping margins for this investigation are listed in the "Final Determination Margins" section of this notice.

#### FOR FURTHER INFORMATION CONTACT:

Melissa Blackledge or Shawn Higgins; Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3518 and (202) 482-0679, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Case History

On April 25, 2008, the Department published in the **Federal Register** its preliminary determination that raw flexible magnets from the PRC are being, or are likely to be, sold in the United States at LTFV, as provided in the Act. *See Preliminary Determination of Sales at Less Than Fair Value: Raw Flexible Magnets from the People's Republic of China*, 73 FR 22327 (April 25, 2008) (*"Preliminary Determination"*). For the *Preliminary Determination*, the Department assigned a 185.28 percent dumping margin to the PRC-wide entity – including Polyflex Magnets Ltd. ("Polyflex") – and a 105.00 percent dumping margin to Guangzhou Newlife Magnet Co., Ltd. ("Newlife"), a separate rate applicant. In May and June 2008, Magnum Magnetics Corporation ("Petitioner"), Target Corporation ("Target"), A-L-L Magnetics LLP ("A-L-L"), and SH Industries, LLC ("SH Industries") filed comments regarding