

duty investigation of LWTP from the PRC to reflect these changes.

### Countervailing Duty Order

In accordance with section 706(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing duties equal to the amount of the net countervailable subsidy for all relevant entries of LWTP from the PRC.

According to section 706(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination if that determination is based upon the threat of material injury. Section 706(b)(1) of the Act states, "If the Commission, in its final determination under section 705(b), finds material injury or threat of material injury which, but for the suspension of liquidation under section 703(d)(2), would have led to a finding of material injury, then entries of the merchandise subject to the countervailing duty order, the liquidation of which has been suspended under section 703(d)(2), shall be subject to the imposition of countervailing duties under section 701(a)." In addition, section 706(b)(2) of the Act requires CBP to refund any cash deposits or bonds of estimated countervailing duties posted since the Department's preliminary countervailing duty determination, if the ITC's final determination is threat-based. Because the ITC's final determination in this case is based on the threat of material injury and is not accompanied by a finding that injury would have resulted but for the imposition of suspension of liquidation of entries since the Department's preliminary determination was published in the **Federal Register**,<sup>8</sup> section 706(b)(2) of the Act is applicable.

Therefore, the Department will direct CBP to reinstitute suspension of liquidation,<sup>9</sup> and to assess, upon further instruction from the Department, countervailing duties on all unliquidated entries of LWTP from the

PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's notice of final determination of threat of material injury in the **Federal Register**.

### Cash Deposit Requirements

Effective on the date of publication of the ITC's notice of final determination in the **Federal Register**, CBP will require, at the same time as importers would normally deposit estimated duties, cash deposits for the subject merchandise equal to the net subsidy rates listed below. See section 706(a)(3) of the Act. The all-others rate applies to all producers and exporters of subject merchandise not specifically listed.

Exporter/Manufacturer	Net Subsidy Rate
Guangdong Guanhao High-Tech Co., Ltd. ....	13.63
Shanghai Hanhong Paper Co., Ltd. ....	0.57 ( <i>de minimis</i> )
Shenzhen Yuanming Industrial Development Co., Ltd. ....	138.53
MDCN Technology Co., Ltd. ....	124.93
Xiamen Anne Paper Co., Ltd. ..	124.93
All Others .....	13.63

### Termination of the Suspension of Liquidation

The Department will also instruct CBP to terminate the suspension of liquidation for entries of LWTP from the PRC entered, or withdrawn from warehouse, for consumption prior to the publication of the ITC's notice of final determination, and refund any cash deposits made and release any bonds posted between the publication of the Department's preliminary determination on March 14, 2008, and the publication of the ITC's final determination in the **Federal Register**.

This notice constitutes the countervailing duty order with respect to LWTP from the PRC, pursuant to section 706(a) of the Act. Interested parties may contact the Department's Central Records Unit, Room 1117 of the Main Commerce Building, for copies of an updated list of countervailing duty orders currently in effect.

This order is issued and published in accordance with section 706(a) of Act, 19 CFR 351.224(e), and 19 CFR 351.211(b).

Dated: November 19, 2008.

**Steven J. Claeys,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-428-840, A-570-920]

### Antidumping Duty Orders: Lightweight Thermal Paper From Germany and the People's Republic of China

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce ("the Department") and the International Trade Commission ("ITC"), the Department is issuing antidumping duty orders on lightweight thermal paper ("LWTP") from Germany and the People's Republic of China ("PRC").

**DATES:** *Effective Date:* November 24, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Cindy Robinson or George McMahon (Germany), or Frances Veith (PRC), AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-3797, (202) 482-1167, (202) 482-4295, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On October 2, 2008, the Department published the final determinations of sales at less than fair value of LWTP from Germany and the PRC. See *Lightweight Thermal Paper from Germany: Notice of Final Determination of Sales at Less Than Fair Value*, 73 FR 57326 (October 2, 2008); and *Lightweight Thermal Paper from the People's Republic of China: Final Determination of Sales at Less Than Fair Value*, 73 FR 57329 (October 2, 2008).

On November 17, 2008, the ITC notified the Department of its final determination pursuant to section 735(d) of the Tariff Act of 1930, as amended ("the Act"), that an industry in the United States is threatened with material injury within the meaning of section 735(b)(1)(A)(ii) of the Act by reason of less-than-fair-value imports of LWTP from Germany and the PRC. See Letter from the ITC to the Secretary of Commerce regarding, "Notification of Final Affirmative Threat Determination of Lightweight Thermal Paper from Germany and from the People's Republic of China," Investigation Nos. 701-TA-451 and 731-TA-1126-1127 (Final) (November 17, 2008). Pursuant to section 736(a) of the Act, the

<sup>8</sup> See *Lightweight Thermal Paper from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination*, 73 FR 13850 (March 14, 2008) (*Preliminary Determination*).

<sup>9</sup> The Department instructed CBP to discontinue the suspension of liquidation on July 12, 2008, in accordance with section 703(a) of the Act. Section 703(d) states that the suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months.

Department is publishing antidumping duty orders on LWTP from Germany and the PRC.

**Scope of the Orders**

The merchandise covered by these orders includes certain lightweight thermal paper, which is thermal paper with a basis weight of 70 grams per square meter (g/m<sup>2</sup>) (with a tolerance of ±4.0 g/m<sup>2</sup>) or less; irrespective of dimensions;<sup>1</sup> with or without a base coat<sup>2</sup> on one or both sides; with thermal active coating(s)<sup>3</sup> on one or both sides that is a mixture of the dye and the developer that react and form an image when heat is applied; with or without a top coat;<sup>4</sup> and without an adhesive backing. Certain lightweight thermal paper is typically (but not exclusively) used in point-of-sale applications such as ATM receipts, credit card receipts, gas pump receipts, and retail store receipts. The merchandise subject to these orders may be classified in the Harmonized Tariff Schedule of the United States (“HTSUS”) under subheadings 3703.10.60, 4811.59.20, 4811.90.8040, 4811.90.9090, 4820.10.20, and 4823.40.00.<sup>5</sup> Although HTSUS

subheadings are provided for convenience and customs purposes, the written description of the scope of these orders is dispositive.

**Antidumping Duty Orders**

In accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (“CBP”) to assess, upon further information from the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or the constructed export price) of the merchandise for all relevant entries of LWTP from Germany and the PRC.

Pursuant to section 736(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC’s notice of final determination if that determination is based on the threat of material injury and is not accompanied by a finding that injury would have resulted without the imposition of suspension of liquidation of entries since the Department’s preliminary determination.

Additionally, section 736(b)(2) of the Act requires CBP to refund any cash deposits or bonds of estimated antidumping duties posted since the preliminary antidumping determination if the ITC’s final determination is threat-based.

Because the ITC’s final determination is based on the threat of material injury and is not accompanied by a finding that injury would have resulted but for the imposition of suspension of liquidation of entries since the *Preliminary Determination and Postponement of Final Determination*<sup>6</sup> section 736(b)(2) of the Act is applicable. Therefore, the Department will instruct CBP to assess, upon further advice, antidumping duties on all appropriate entries of lightweight thermal paper from Germany and the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC’s notice of final determination of threat of material injury in the **Federal Register**, in accordance with the following dumping margins:

LWTP from Germany:

Exporter/producer	Weighted-average margin (percent)
Papierfabrik August Koehler AG and Koehler America, Inc .....	6.50
All Others .....	6.50

LWTP from the PRC:

Exporter/producer combination	Weighted-average margin (percent)
Exporter: Shanghai Hanhong Paper Co., Ltd, also known as Hanhong International Limited .....	115.29
Producer: Shanghai Hanhong Paper Co., Ltd.	
Exporter: Guangdong Guanbao High-Tech Co., Ltd .....	19.77
Producer: Guangdong Guanbao High-Tech Co., Ltd.	
PRC-Wide Entity* .....	115.29

\* Includes Anne Paper Co., Ltd. and Yalong Paper Product (Kunshan) Co., Ltd.

This notice constitutes the antidumping duty orders with respect to LWTP from Germany and the PRC, pursuant to section 736(a) of the Act. Interested parties may contact the

Department’s Central Records Unit, Room 1117 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is issued and published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

<sup>1</sup> LWTP is typically produced in jumbo rolls that are slit to the specifications of the converting equipment and then converted into finished slit rolls. Both jumbo and converted rolls (as well as LWTP in any other form, presentation, or dimension) are covered by the scope of these orders.

<sup>2</sup> A base coat, when applied, is typically made of clay and/or latex and like materials and is intended to cover the rough surface of the paper substrate and to provide insulating value.

<sup>3</sup> A thermal active coating is typically made of sensitizer, dye, and co-reactant.

<sup>4</sup> A top coat, when applied, is typically made of polyvinyl acetone, polyvinyl alcohol, and/or like materials and is intended to provide environmental protection, an improved surface for press printing, and/or wear protection for the thermal print head.

<sup>5</sup> HTSUS subheading 4811.90.8000 was a classification used for LWTP until January 1, 2007. Effective that date, subheading 4811.90.8000 was replaced with 4811.90.8020 (for gift wrap, a non-subject product) and 4811.90.8040 (for “other” including LWTP). HTSUS subheading 4811.90.9000 was a classification for LWTP until July 1, 2005. Effective that date, subheading 4811.90.9000 was

replaced with 4811.90.9010 (for tissue paper, a non-subject product) and 4811.90.9090 (for “other,” including LWTP).

<sup>6</sup> See *Lightweight Thermal Paper from Germany: Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 73 FR 27498 (May 13, 2008); and *Lightweight Thermal Paper From the People’s Republic of China: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 73 FR 27504 (May 13, 2008) (collectively, “*Preliminary Determination and Postponement of Final Determination*”).

Dated: November 19, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Applications for Duty-Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Public Law 106-36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before December 15, 2008. Address written comments to Statutory Import Programs Staff, Room 2104, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5:30 p.m. at the U.S. Department of Commerce in Room 2104.

*Docket Number: 08-057. Applicant:* Louisiana State University, Department of Chemistry, 232 Choppin Hall, Baton Rouge, LA 70803. *Instrument:* Electron Microscope, Model FEI Quanta 3D FEG DualBeam. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* The instrument is intended to be used for large area cross-sectioning and analytical work, automated 3D tomography, nanolithography, and TEM specimen preparation. This type of work necessitates a high performance Dualbeam system with Environmental SEM capabilities. Application accepted by *Commissioner of Customs:* October 21, 2008.

*Docket Number: 08-058. Applicant:* University of New Mexico, Center for Micro-Engineered Materials, MSC01 1120 Farris Eng. CTR 203, 1 University of New Mexico, Albuquerque, NM 87131. *Instrument:* Electron Microscope, Model FEI Quanta 3D FEG Focused Ion Beam. *Manufacturer:* FEI Company, the Netherlands. *Intended Use:* The instrument is intended to be used to study nanoscale materials. Specifically, it will be used for the study of heterogeneous catalysts, heteroepitaxial semiconductors, quantum dots, lasers, microfluidic devices, ion channels, free-standing thin

films, biosensors and for the study of interplanetary materials and meteorites. *Application accepted by Commissioner of Customs:* October 21, 2008.

Dated: November 18, 2008.

**Christopher Cassel,**

*Acting Director, Subsidies Enforcement Office, Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of Puerto Rico, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 2104, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

*Docket Number: 08-048. Applicant:* University of Puerto Rico, San Juan, PR 00931-3334. *Instrument:* Electron Microscope, Model JEM 2100-F. *Manufacturer:* JEOL Ltd., Japan. *Intended Use:* See notice at 73 FR 63434, October 24, 2008.

*Docket Number: 08-049. Applicant:* University of Puerto Rico, San Juan, PR 00931-3334. *Instrument:* Electron Microscope, Model JEM 2200-FS. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* See notice at 73 FR 63434, October 24, 2008.

*Docket Number: 08-053. Applicant:* Purdue University, West Lafayette, IN 47907. *Instrument:* Electron Microscope, Model Tecnai G2 F20 TEM. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* See notice at 73 FR 63434, October 24, 2008.

*Comments: None received. Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. *Reasons:* Each foreign instrument is an electron microscope and is intended for research or scientific educational uses requiring an electron microscope. We know of no electron microscope, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of each instrument.

Dated: November 18, 2008.

**Christopher Cassel,**

*Acting Director, Subsidies Enforcement Office, Import Administration.*

[FR Doc. E8-27887 Filed 11-21-08; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-936]

#### Circular Welded Carbon Quality Steel Line Pipe from the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (the Department) determines that countervailable subsidies are being provided to producers and exporters of circular welded carbon quality steel line pipe (line pipe) from the People's Republic of China (the PRC). For information on the estimated subsidy rates, see the "Suspension of Liquidation" section of this notice.

**DATES:** *Effective Date:* November 24, 2008.

**FOR FURTHER INFORMATION CONTACT:** Kristen Johnson or John Conniff, AD/CVD Operations, Office 3, Operations, Import Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4793 and (202) 482-1009, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

This investigation covers 30 programs and the following producers/exporters: Huludao Seven-Star Steel Pipe Group Co., Ltd. (Huludao Seven Star Group), Huludao Steel Pipe Industrial Co. Ltd. (Huludao Steel Pipe), and Huludao Bohai Oil Pipe Industrial Co. Ltd. (Huludao Bohai Oil Pipe) (collectively, the Huludao Companies), and Liaoning Northern Steel Pipe Co., Ltd. (Northern Steel).

The petitioners in this investigation are United States Steel Corporation, Maverick Tube Corporation, Tex-Tube Company, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO-CLC (collectively, the petitioners).

##### Period of Investigation

The period of investigation (the POI) for which we are measuring subsidies is