

Use: This instrument will be used in biomass characterization. The instrument will be capable of doing Fluorescence Lifetime Imaging, measuring Fluorescence resonance Energy Transfer and Fluorescence Correlation Spectroscopy for single fluorescent molecules. Justification for Duty-Free Entry: There are no instruments of the same general category being manufactured within the United States. Application accepted by Commissioner of Customs: June 17, 2009.

Docket Number: 09-034. Applicant: University of Georgia, 1151 East Whitehall Rd., Athens, GA 30605. Instrument: Gasification Unit. Manufacturer: Termoquip Energia Alternativa LTDA, Brazil. Intended Use: This instrument will be used to turn biomass into syngas, which is composed of hydrogen and carbon monoxide that can be catalytically upgraded to liquid fuel, chemicals and energy. Justification for Duty-Free Entry: There are no instruments of the same general category being manufactured within the United States. Application accepted by Commissioner of Customs: June 2, 2009.

Dated: July 1, 2009.

Christopher Cassel,

Acting Director, IA Subsidies Enforcement Office.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-552-801]

Continuation of Antidumping Duty Order on Certain Frozen Fish Fillets From the Socialist Republic of Vietnam

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

DATES: *Effective Date:* July 10, 2009.

SUMMARY: As a result of the determinations by the Department of Commerce ("Department") and the International Trade Commission ("ITC") that revocation of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, the Department is publishing a notice of continuation of the antidumping duty order.

FOR FURTHER INFORMATION CONTACT: Matthew Renkey, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department

of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-2312.

SUPPLEMENTARY INFORMATION: On July 1, 2008, the Department published the notice of initiation of the sunset review of the antidumping duty order on certain frozen fish fillets from Vietnam pursuant to section 751(c) of the Tariff Act of 1930, as amended ("Act"). See *Initiation of Five-year ("Sunset") Review*, 73 FR 37411 (July 1, 2008).

As a result of its review, the Department determined that revocation of the antidumping duty order on certain frozen fish fillets from Vietnam would likely lead to a continuation or recurrence of dumping and, therefore, notified the ITC of the magnitude of the margins likely to prevail should the order be revoked. See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Notice of Final Results of Expedited Sunset Review of Antidumping Duty Order*, 74 FR 5819 (February 2, 2009).

On July 6, 2009, the ITC determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on certain frozen fish fillets from Vietnam would likely lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable future. See *Certain Frozen Fish Fillets from Vietnam; Determination*, 74 FR 31975 (July 6, 2009), and USITC Publication 4083 (June 2009).

Scope of the Order

The product covered by this Order is frozen fish fillets, including regular, shank, and strip fillets and portions thereof, whether or not breaded or marinated, of the species *Pangasius Bocourti*, *Pangasius Hypophthalmus* (also known as *Pangasius Pangasius*), and *Pangasius Micronemus*. Frozen fish fillets are lengthwise cuts of whole fish. The fillet products covered by the scope include boneless fillets with the belly flap intact ("regular" fillets), boneless fillets with the belly flap removed ("shank" fillets), boneless shank fillets cut into strips ("fillet strips/finger"), which include fillets cut into strips, chunks, blocks, skewers, or any other shape. Specifically excluded from the scope are frozen whole fish (whether or not dressed), frozen steaks, and frozen belly-flap nuggets. Frozen whole dressed fish are deheaded, skinned, and eviscerated. Steaks are bone-in, cross-section cuts of dressed fish. Nuggets are the belly-flaps. The subject merchandise will be hereinafter referred to as frozen "basa" and "tra" fillets, which are the Vietnamese common names for these species of fish. These products are

classifiable under tariff article codes 1604.19.4000, 1604.19.5000, 0305.59.4000, 0304.29.6033 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the Harmonized Tariff Schedule of the United States ("HTSUS").¹ This Order covers all frozen fish fillets meeting the above specification, regardless of tariff classification. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of the Order is dispositive.

Continuation of the Order

As a result of these determinations by the Department and the ITC that revocation of the antidumping duty order would likely lead to a continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping order on certain frozen fish fillets from Vietnam. United States Customs and Border Protection will continue to collect antidumping duty cash deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation of the order will be the date of publication in the **Federal Register** of this notice of continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of the order not later than 30 days prior to the fifth anniversary of the effective date of continuation.

This five-year (sunset) review and this notice are in accordance with section 751(c) of the Act and published pursuant to section 777(i)(1) of the Act.

Dated: July 7, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

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¹ Until July 1, 2004, these products were classifiable under tariff article codes 0304.20.60.30 (Frozen Catfish Fillets), 0304.20.60.96 (Frozen Fish Fillets, NESOI), 0304.20.60.43 (Frozen Freshwater Fish Fillets) and 0304.20.60.57 (Frozen Sole Fillets) of the HTSUS. Until February 1, 2007, these products were classifiable under tariff article code 0304.20.60.33 (Frozen Fish Fillets of the species *Pangasius* including basa and tra) of the HTSUS.