

*Comment 6:* Calculation of Yield Loss Factor

*Comment 7:* Financial Ratios

*Comment 8:* Whether to Calculate Separate Financial Ratios for Whole Garlic and Peeled Garlic

[FR Doc. E9-23834 Filed 10-1-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-855]

#### Non-Frozen Apple Juice Concentrate from the People's Republic of China: Final Results for the Administrative Review

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

**SUMMARY:** The Department is conducting an administrative review of this *Order*, covering the period of review ("POR") of June 1, 2007, - May 31, 2008. The Department preliminarily found that Itochu Corporation and its wholly-owned subsidiaries, Yitian Juice (Shaanxi) Co., Ltd. and Laiyang Yitian Juice Co., Ltd., (collectively known as "Itochu") did not sell the subject merchandise at less than normal value ("NV") and thus assigned a zero margin for the POR. See *Non-Frozen Apple Juice Concentrate from the People's Republic of China: Preliminary Results for the Administrative Review*, 74 FR 31238 (June 30, 2009) ("*Preliminary Results*"). Based upon our analysis of comments received, the Department made no changes to the margin calculations in the final results. Therefore, we will instruct the U.S. Customs and Border Protection ("CBP") to assess antidumping duties on entries of subject merchandise during the POR for which the importer-specific assessment rates are above *de minimis*.

**EFFECTIVE DATE:** October 2, 2009.

**FOR FURTHER INFORMATION CONTACT:** Alexis Polovina, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington DC 20230; telephone (202) 482-3927.

#### SUPPLEMENTARY INFORMATION:

#### CASE HISTORY

On June 5, 2000, the Department of Commerce ("Department") published in the **Federal Register** the antidumping duty order on certain non-frozen apple juice concentrate from the People's Republic of China ("PRC"). See *Notice*

*of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Non-Frozen Apple Juice Concentrate from the People's Republic of China*, 65 FR 35606 (June 5, 2000) ("*Order*"). On June 30, 2009, the Department published in the **Federal Register** the *Preliminary Results* of this administrative review. On July 17, 2009, Itochu filed comments regarding the Department's *Preliminary Results*. On July 22, 2009, The Department subsequently rejected these comments as they contained an untimely submission of new factual information. See Memorandum to the File, from Alexis Polovina, Case Analyst, Office 9, through Alex Villanueva, Program Manager, Office 9, regarding "Administrative Review of Apple Juice Concentrate from the People's Republic of China: Rejection of New Information" dated July 22, 2009 ("Rejection of New Information"). As the deadline to submit case briefs was July 30, 2009, the Department allowed Itochu to resubmit their case brief. Itochu submitted a revised case brief on July 30, 2009. No other party filed comments and no party requested a public hearing.

#### SCOPE OF THE ORDER

The product covered by this order is certain non-frozen apple juice concentrate. Apple juice concentrate is defined as all non-frozen concentrated apple juice with a brix scale of 40 or greater, whether or not containing added sugar or other sweetening matter, and whether or not fortified with vitamins or minerals. Excluded from the scope of this order are: frozen concentrated apple juice; non-frozen concentrated apple juice that has been fermented; and non-frozen apple juice to which spirits have been added.

The merchandise subject to this order is classified in the *Harmonized Tariff Schedule of the United States* ("HTSUS") at subheadings 2106.90.52.00, and 2009.70.00.20 before January 1, 2002, and 2009.79.00.20 after January 1, 2002. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

#### ANALYSIS OF COMMENTS RECEIVED

All issues raised in the comments by Itochu are addressed in the concurrent Issues and Decision Memorandum ("Issues and Decision Memo"), which is hereby adopted by this notice. A list of the issues which Itochu raised and to which we respond in the Issues and Decision Memo is attached to this notice as an Appendix. The Issues and

Decision Memo is a public document and is on file in the Central Records Unit ("CRU"), Main Commerce Building, Room 1117, and is accessible on the Web at <http://www.trade.gov/ia>. The paper copy and the electronic version of the memorandum are identical in content.

#### FINAL RESULTS OF THE REVIEW

The Department has determined that the final dumping margin for the POR is:

#### NON-FROZEN APPLE JUICE CONCENTRATE FROM THE PRC

Exporter	Weighted-Average Margin (Percent)
Itochu Corporation .....	0.00

#### ASSESSMENT RATES

Upon issuance of the final results, the Department will determine, and the CBP shall assess, antidumping duties on all appropriate entries on an ad valorem basis. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of review. Pursuant to 19 CFR 351.212(b)(1), we will calculate importer-specific (or customer) duty assessment rates based on the ratio of the total amount of dumping margins calculated for the examined sales to the total entered value of those same sales. We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review if any importer-specific assessment rate calculated in the final results of this review is above *de minimis*, i.e., less than 0.50 percent.

#### CASH-DEPOSIT REQUIREMENTS

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of subject merchandise from Itochu entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Tariff Act of 1930, as amended ("Act"): (1) For subject merchandise exported by Itochu, no deposit will be required; (2) for companies previously found to be entitled to a separate rate in prior segments of the proceeding, and for which no review has been requested, the cash deposit rate will continue to be the rate established in the most recent review of that company; (3) for all other PRC exporters, the cash deposit rate will be 51.74 percent, the PRC country-wide *ad-valorem* rate; and (4) for non-PRC exporters of subject merchandise from

the PRC to the United States, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

#### REIMBURSEMENT OF DUTIES

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### ADMINISTRATIVE PROTECTIVE ORDERS

This notice also serves as a reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. 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.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i) of the Act, and 351.221(b)(5).

Dated: September 25, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix—Issues and Decision Memorandum

*Comment 1:* Calculation of the Denominator

*Comment 2:* Rejection of New Information

[FR Doc. E9-23836 Filed 10-1-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-918]

#### Steel Wire Garment Hangers From the People's Republic of China: Final Results of Changed Circumstances Review, and Revocation in Part of Antidumping Duty Order

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

**DATES:** *Effective Date:* October 2, 2009.

**SUMMARY:** On March 19, 2009, the Department of Commerce ("Department") published a notice of initiation and preliminary results of antidumping duty changed circumstances review with intent to revoke, in part, the antidumping duty order<sup>1</sup> on steel wire garment hangers from the People's Republic of China ("PRC") in the **Federal Register**. See *Steel Wire Garment Hangers from the People's Republic of China: Initiation and Preliminary Results of Changed Circumstances Review, and Intent to Revoke Order in Part*, 74 FR 11713 (March 19, 2009) ("*Initiation and Preliminary Results*"). The Department is now revoking the *Order*, in part, with regard to the following product: chrome-plated steel wire garment hangers with a diameter of 3.4 mm or greater.

**FOR FURTHER INFORMATION CONTACT:** Blaine Wiltse, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-6345.

#### Background<sup>2</sup>

On February 3, 2009, the Department received a request on behalf of M&B Metal Products Company, Inc. ("Petitioner"), for revocation, in part, of the *Order*, pursuant to sections 751(b)(1) and 782(h) of the Tariff Act of 1930, as amended ("Act"), with respect to chrome-plated steel wire garment

<sup>1</sup> See *Notice of Antidumping Duty Order: Steel Wire Garment Hangers from the People's Republic of China*, 73 FR 58111 (Oct. 6, 2008) ("*Order*").

<sup>2</sup> The Department received requests from American Hanger and Fixture Corporation on December 1, 2008, and from Econoco Corporation on December 3, 2008, for a scope ruling on whether its imports of chrome-plated hangers with a diameter of 4.0 mm and 3.4 mm, respectively, are covered by the *Order*. However, because the Department is, herein, revoking the *Order*, in part, as it applies to imports of chrome-plated steel wire garment hangers with a diameter of 3.4 mm or greater, we find that it is unnecessary to individually examine these scope requests as the products in question have been excluded from the scope of the *Order* through the final results of this changed circumstances review.

hangers with a diameter of 3.4 mm or greater. In its submission, Petitioner stated that it no longer had any interest in seeking antidumping relief from imports of such chrome-plated steel wire garment hangers, as defined in the "Scope of the Amended Order" section below. Petitioner further stated that domestic producers Shanti Industries Inc. ("Shanti") and Metro Supply Company ("Metro") (collectively, "Supporters") support the request for a changed circumstances review that it filed on February 3, 2009. Additionally, Petitioner stated in its request that together it and the Supporters account for substantially all of the steel wire garment hangers production in the United States.

On March 19, 2009, the Department published a notice of *Initiation and Preliminary Results* of changed circumstances review with intent to revoke, in part, the *Order* with regard to chrome-plated steel wire garment hangers with a diameter of 3.4 mm or greater. We invited parties to comment on the preliminary results.

On April 1, 2009, the Department received comments from Merrick Engineering, Inc. ("Merrick") in opposition to the changed circumstances review, challenging Petitioner and Supporters' claim that they represent substantially all production of the domestic like product. The Department received surrebuttal comments from Econoco Corporation on April 8, 2009, and from both Petitioner and Target Corporation on April 13, 2009.

On May 29, 2009, the Department requested domestic production data for the period April 1, 2008, through March 31, 2009, from Merrick and Petitioner. On June 5, 2009, and June 8, 2009, Petitioner and Merrick submitted responses to the Department's request for additional production information, respectively. On July 8, 2009, the Department requested that Petitioner and Merrick each submit their domestic production data, for the period April 1, 2008, through March 31, 2009, in the form of individual monthly production totals. On July 15, 2009, Merrick submitted its monthly production data to the Department. On July 15, 2009, Petitioner submitted monthly production data for itself and the companies Shanti, and Ganchos N.V. ("Ganchos"). On July 17, 2009, Petitioner resubmitted its, Shanti's, and Ganchos' monthly production data and included monthly production data for Metro. On August 19, 2009, Merrick