

## CERTAIN TISSUE PAPER PRODUCTS FROM THE PRC

Individually reviewed exporter 2007–2008 administrative review	Weighted-average percent margin (percent)
Max Fortune Industrial Limited .....	14.25
PRC-wide rate	Margin (percent)
PRC-wide rate (including Guilin Qifeng Paper Co., Ltd. and Vietnam Quijiang Paper Co., Ltd.) .....	112.64

**Assessment**

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b), the Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review. In accordance with 19 CFR 351.212(b)(1), for Max Fortune, we calculated importer (or customer)-specific assessment rates for the merchandise subject to this review. Because we do not have entered values on the record for Max Fortune's sales, we calculated a per-unit assessment rate by aggregating the antidumping duties due for all U.S. sales to each importer (or customer) and dividing this amount by the total quantity sold to that importer (or customer). See 19 CFR 351.212(b)(1). To determine whether the duty assessment rates are *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated importer (or customer)-specific *ad valorem* ratios based on the estimated entered value. Where an importer (or customer)-specific *ad valorem* rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties. See 19 CFR 351.106(c)(2).

With respect to the PRC-wide entity (including Vietnam Quijiang and Guilin Qifeng), we will instruct CBP to liquidate appropriate entries at the PRC-wide rate of 112.64 percent.<sup>3</sup>

<sup>3</sup>In the final determination of the circumvention inquiry involving Vietnam Quijiang (see *Certain Tissue Paper Products from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order*, 73 FR 57591 (October 3, 2008)), the Department stated that if Vietnam Quijiang did not participate in this administrative review, we would immediately revoke the certification program relevant to its entries of certain tissue paper products from Vietnam, thereby presuming all of its entries to be of PRC origin regardless of whether they are declared to be Vietnamese or PRC origin. See October 24, 2008, Memorandum entitled "Discontinuation of Certification Program."

**Cash Deposit Requirements**

The following cash deposit requirements will be effective upon publication of the notice of final results of the administrative review for all shipments of certain tissue paper products from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) A cash deposit rate of 14.25 percent will be required for certain tissue paper products from the PRC exported by Max Fortune; (2) for previously reviewed or investigated companies not listed above that have separate rates, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other PRC exporters of subject merchandise, which have not been found to be entitled to a separate rate, the cash-deposit rate will be PRC-wide rate of 112.64 percent; and (4) for all non-PRC exporters of subject merchandise, 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.

**Notification to Importers**

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

**Notification to Interested Parties**

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely

written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing these final results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: October 5, 2009.

**Ronald K. Lorentzen,**  
Acting Assistant Secretary for Import Administration.

**Appendix—List of Issues**

- Comment 1: Max Fortune's Request for Revocation from the Antidumping Duty Order
- Comment 2: Incorporating Negative Dumping Margins in the Calculation of the Overall Antidumping Margin
- Comment 3: Selection of Plastic Bag Surrogate Value
- Comment 4: Valuing Containerization Expenses Separately From Brokerage and Handling Expenses
- Comment 5: Selection of Financial Statements for Surrogate Financial Ratio Calculations
- Comment 6: Reclassifications and Adjustments to Surrogate Financial Ratio Calculations
- Comment 7: Appropriate Labor Rate
- Comment 8: Excluding Indian Imports From Hong Kong in WTA-Sourced Surrogate Value Calculations
- Comment 9: Revisions to Plastic Bag Consumption

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-201-834]

**Purified Carboxymethylcellulose From Mexico: Final Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** On April 10, 2009, the Department of Commerce (the Department) published the preliminary

results of the administrative review of the antidumping duty order on purified carboxymethylcellulose (CMC) from Mexico. See *Purified Carboxymethylcellulose From Mexico: Notice of Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 16359 (April 10, 2009) (Preliminary Results). The review covers one producer/exporter, Quimica Amtex, S.A. de C.V. (Amtex). The period of review (POR) is July 1, 2007, through June 30, 2008. We invited interested parties to comment on our *Preliminary Results*. The Department received comments concerning our *Preliminary Results* from respondents only. Based on our analysis of the comments received, we have made certain changes in the margin calculations. Therefore, the final results differ from the *Preliminary Results*. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of Review."

**DATES:** *Effective Date:* October 9, 2009.

**FOR FURTHER INFORMATION CONTACT:** Mark Flessner or Robert James, AD/CVD Operations Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-6312 or (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On April 10, 2009, the Department published the preliminary results of this review in the *Federal Register*. See *Preliminary Results*. We invited parties to comment on the *Preliminary Results*.

Since the *Preliminary Results*, we received a case brief from respondent Amtex on May 11, 2009. No brief was received from petitioner, Aqualon Company (a division of Hercules Incorporated).

Amtex originally reported as many as three entered values for some of its constructed export price (CEP) sales; these particular sales quantities had been blended from various lots of CMC held in Amtex USA's U.S. inventory. In order for the Department to calculate importer-specific *ad valorem* assessment rates, we directed Amtex to report a single weighted entered value for each reported CEP sale in a supplemental questionnaire. See "Purified Carboxymethylcellulose from Mexico: Supplemental Section C Questionnaire," dated July 17, 2009. Amtex fully complied with this request in its "Quimica Amtex, S.A. de C.V. Supplemental Section C Questionnaire

Response," dated August 5, 2009. At our instruction, Amtex allocated its entered value to report a single weighted-average entered value for each CEP transaction.

On August 5, 2009, the Department published in the *Federal Register* an extension of the time limit for the final results until October 7, 2009. See *Purified Carboxymethylcellulose from Mexico: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review*, 74 FR 39054 (August 5, 2009).

**Scope of the Order**

The merchandise covered by the order is all purified carboxymethylcellulose (CMC), sometimes also referred to as purified sodium CMC, polyanionic cellulose, or cellulose gum, which is a white to off-white, non-toxic, odorless, biodegradable powder, comprising sodium CMC that has been refined and purified to a minimum assay of 90 percent. Purified CMC does not include unpurified or crude CMC, CMC Fluidized Polymer Suspensions, and CMC that is cross-linked through heat treatment. Purified CMC is CMC that has undergone one or more purification operations which, at a minimum, reduce the remaining salt and other by-product portion of the product to less than ten percent. The merchandise subject to this order is classified in the Harmonized Tariff Schedule of the United States at subheading 3912.31.00. This tariff classification is provided for convenience and customs purposes; however, the written description of the scope of the order is dispositive.

**Changes Since the Preliminary Results**

Based on our analysis of the comments received, we have made certain changes to the margin calculations. In its case brief, Amtex alleged that the Department had failed to make several conversions from pounds to kilograms for those sales originally invoiced in pounds. See "Purified Carboxymethylcellulose from Mexico (A-201-834): Case Brief for the Final Results," dated May 11, 2009, at pages 1-5. The comparison market database fields affected were inland freight charges (INLFTCH) and variable cost of manufacture (VCOMH). *Id.*, at 1-4. The U.S. market database fields affected were variable cost of manufacture (VCOMU), total cost of manufacture (TCOMU), and packing (PACKU and PACK1U). *Id.*, at 1-5.

After analyzing the databases and the programming used in the *Preliminary Results*, we agreed with Amtex. Therefore, we added two lines of programming to the comparison market

program stipulating that if the quantity unit reporting was in pounds, then the following adjustments to the comparison market program were appropriate: "INLFTCH = INLFTCH \* 2.204" and "VCOMH = VCOMH \* 2.204." We also added three lines of programming to the U.S. market program stipulating that if the quantity unit reporting was in pounds, then the following adjustments to the U.S. market program were appropriate: "VCOMU = VCOMU \* 2.204" and "TCOMU = TCOMU \* 2.204" and "PACKU = PACK1U" (PACK1U reported the PACKU value as converted into kilograms).

**Final Results of Review**

The final weighted-average dumping margin for the period July 1, 2007, through June 30, 2008, is as follows:

Producer/Exporter	Weighted-Average Margin (Percentage)
Quimica Amtex, S.A. de C.V. ....	2.94

**Assessment**

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific *ad valorem* duty assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the 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). The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003). This clarification will apply to entries of subject merchandise during the POR produced by companies included in these final results of review for which the reviewed companies did not know their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate established in the less-than-fair-value (LTFV) investigation if there is no rate for the intermediate company or companies involved in the transaction.

### Cash Deposit Requirements

Further, the following deposit requirements will be effective for all shipments of purified carboxymethylcellulose from Mexico entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(2)(C) of the Tariff Act of 1930, as amended (the Act): (1) the cash deposit rates for the reviewed companies will be the rates shown above, except if the rate is less than 0.50 percent, *de minimis* within the meaning of 19 CFR 351.106(c)(1), the cash deposit will be zero; (2) for previously-investigated or reviewed companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, or the LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and, (4) the cash deposit rate for all other manufacturers or exporters will continue to be 12.61 percent, the “all others” rate established in the LTFV investigation. See *Notice of Final Determination of Sales at Less Than Fair Value: Purified Carboxymethylcellulose from Mexico*, 70 FR 28280 (May 17, 2005). These deposit requirements shall remain in effect until further notice.

### Notification to Importers

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 review period. 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.

### Notification to Interested Parties

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: October 2, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-848]

#### **Freshwater Crawfish Tail Meat From the People’s Republic of China: Final Results of Antidumping Duty Administrative Review and Rescission of Review in Part**

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

**SUMMARY:** On June 8, 2009, the Department of Commerce published the preliminary results of the administrative review of the antidumping duty order on freshwater crawfish tail meat from the People’s Republic of China. The review covers one exporter. The period of review is September 1, 2007, through August 31, 2008.

Based on our analysis of the comments received, we have made no changes to our margin calculations. Therefore, the final results do not differ from the preliminary results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled “Final Results of the Review.”

**DATES:** *Effective Date:* October 9, 2009.

**FOR FURTHER INFORMATION CONTACT:** Dmitry Vladimirov or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0665 or (202) 482-1690, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On June 8, 2009, the Department of Commerce (the Department) published the preliminary results of review of the antidumping duty order on freshwater crawfish tail meat from the People’s Republic of China (PRC). See *Freshwater Crawfish Tail Meat From the People’s Republic of China: Preliminary Results of Antidumping Duty Administrative Review and Intent to Rescind Review in*

*Part*, 74 FR 27109 (June 8, 2009) (*Preliminary Results*). The administrative review covers Xiping Opeck Food Co., Ltd. (Xiping Opeck). We invited interested parties to comment on the preliminary results. On July 8, 2009, we received a case brief from the petitioner, the Crawfish Processors Alliance. We did not receive a rebuttal brief from Xiping Opeck. No interested party has requested a hearing. The Department has conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

##### **Scope of the Order**

The product covered by the antidumping duty order is freshwater crawfish tail meat, in all its forms (whether washed or with fat on, whether purged or un-purged), grades, and sizes; whether frozen, fresh, or chilled; and regardless of how it is packed, preserved, or prepared. Excluded from the scope of the order are live crawfish and other whole crawfish, whether boiled, frozen, fresh, or chilled. Also excluded are saltwater crawfish of any type, and parts thereof.

Freshwater crawfish tail meat is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 1605.40.10.10 and 1605.40.10.90, which are the HTSUS numbers for prepared foodstuffs, indicating peeled crawfish tail meat and other, as introduced by U.S. Customs and Border Protection (CBP) in 2000, and HTSUS numbers 0306.19.00.10 and 0306.29.00.00, which are reserved for fish and crustaceans in general. The HTSUS subheadings are provided for convenience and customs purposes only. The written description of the scope of the order is dispositive.

##### **Rescission of Administrative Review in Part**

In the *Preliminary Results*, we preliminarily found that Shanghai Now Again International Trading Co., Ltd. (Shanghai Now Again), and Yancheng Hi-King Agriculture Developing Co., Ltd. (Hi-King), had no shipments of subject merchandise during the period of review and we stated our intent to rescind the administrative review with respect to these companies. See *Preliminary Results*, 74 FR at 27110. We have received no comments concerning our intent to rescind this administrative review in part. We continue to find that Shanghai Now Again and Hi-King had no shipments of freshwater crawfish tail meat from the PRC during the period of review. In accordance with 19 CFR 351.213(d)(3), we are rescinding the