

in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by this order are currently classified under the following HTSUS subheadings:

0306.13.00.03, 0306.13.00.06, 0306.13.00.09, 0306.13.00.12, 0306.13.00.15, 0306.13.00.18, 0306.13.00.21, 0306.13.00.24, 0306.13.00.27, 0306.13.00.40, 1605.20.10.10, and 1605.20.10.30. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this order is dispositive.

#### Final Results of Changed Circumstances Review

For the reasons stated in the preliminary results, the Department continues to find that the Rubicon Group in its current form, including PFF and Sea Wealth, is the successor-in-interest to the Rubicon Group as it existed during the POI of the LTFV investigation. Therefore, consistent with our preliminary results, we have revoked PFF and Sea Wealth from the *Thai Shrimp Order*, effective January 16, 2009 (the effective date of the *section 129 Implementation*). This revocation applies to merchandise produced by any Rubicon Group member and exported by PFF or Sea Wealth, as well as to merchandise produced by PFF or Sea Wealth and exported by any other Rubicon Group member.

#### Notification

We will instruct U.S. Customs and Border Protection (CBP) to terminate the suspension of liquidation for all shipments of frozen warmwater shrimp produced and exported by PFF or Sea Wealth, either singly or in combination with any other Rubicon Group member. Further, the Department will instruct CBP to liquidate without regard to antidumping duties (release all bonds and refund all cash deposits) entries of frozen warmwater shrimp produced and exported by these entities, entered, or withdrawn from warehouse, for consumption on or after January 16, 2009.

This notice also serves as a reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. 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 sanctionable violation.

We are issuing and publishing this notice in accordance with sections 751(b)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.216.

Dated: October 6, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 39-2009]

#### Foreign-Trade Zone 138—Columbus, Ohio Application for Subzone Status, Abercrombie & Fitch, (Footwear and Apparel Distribution), New Albany, OH

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Columbus Regional Airport Authority, grantee of FTZ 138, requesting special-purpose subzone status for the footwear and apparel warehousing and distribution facility of Abercrombie & Fitch (A&F), located in New Albany, Ohio. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on September 25, 2009.

The A&F facility (453 acres, 2,631,585 sq. ft., 3,407 employees) is located at 6201/6301 Fitch Path & 7795 Smiths Mill Road, New Albany, Ohio. The facility is used for warehousing and distribution of foreign-origin apparel and footwear for the U.S. market and export. FTZ procedures would be utilized to support A&F's U.S.-based distribution activity. Foreign products to be admitted to the proposed subzone for distribution would include men's, boys', women's and girls' footwear, coats, suits, blazers, blouses, trousers, breeches, shorts, shirts, skirts, tops, ski jackets, underwear, petticoats, pajamas, swimwear, scarves, hats, shawls, mufflers, gloves and mittens. Certain textile fabrics (wool, cotton, silk; woven and knit) would also be distributed from the proposed subzone. Additional products that would be admitted to the proposed subzone for distribution are: articles of plastic; various vanity, attaché brief and suitcases; handtools; machinery; jewelry; leather goods; paintings, lamps; and, spotlights. The applicant is not seeking manufacturing

or processing authority with this request.

FTZ procedures could exempt A&F from customs duty payments on foreign products that are exported (about 2% of shipments). On its domestic sales, the company would be able to defer duty payments until the foreign merchandise is shipped from the facility and entered for consumption. FTZ designation would further allow A&F to realize logistical benefits through the use of weekly customs entry procedures. The request indicates that the savings from FTZ procedures would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Claudia Hausler of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and report findings and recommendations to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 14, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to December 28, 2009.

A copy of the application will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002, and in the "Reading Room" section of the Board's website, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz). For further information, contact Claudia Hausler at [Claudia\\_Hausler@ita.doc.gov](mailto:Claudia_Hausler@ita.doc.gov), or (202) 482-1379.

Dated: September 25, 2009.

**Pierre V. Duy,**

*Acting Executive Secretary.*

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 41-2009]

#### Foreign-Trade Zone 158—Vicksburg/Jackson, MS, Application for Subzone; Max Home, LLC (Upholstered Furniture); Fulton and Iuka, MS

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Greater Mississippi