

Ugine & ALZ Belgium N.V. (U&A Belgium). Therefore, we do not intend to issue liquidation instructions to U.S. Customs and Border Protection (CBP) for entries made during the period May 1, 2007, through April 30, 2008, until such time the preliminary injunction issued on January 16, 2009, is lifted.

### Cash Deposit Requirements

The following antidumping duty deposit rates will be effective upon publication of the final results of this administrative review for all shipments of SSPC from Belgium entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided for by section 751(a)(1) of the Tariff Act of 1930, as amended (the Act): (1) For AMS Belgium, the cash deposit rate will be the rate established in the final results of this review; (2) if the exporter is not a firm covered in this review, but was covered in a previous review or the original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior 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 subject merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered by this review, a prior review, or the LTFV investigation, the cash deposit rate will be 9.86 percent ad valorem, the "all-others" rate established in the LTFV investigation. See Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Plate in Coils from Belgium, 64 FR 15476 (March 31, 1999). These deposit rates, when imposed, 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 doubled antidumping duties.

### Notification Regarding APOs

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 351.305(a)(5). 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.

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

Dated: October 6, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

### Appendix

#### List of Issues

*Comment 1:* Whether the Department Incorrectly Converted Inventory Carrying Costs (DINVCARU).

*Comment 2:* Whether to Exclude Certain Sales Transactions from the U.S. Sales Listing.

*Comment 3:* Whether to Use Facts Otherwise Available for U.S. Other Transportation Costs (USOTHR1U).

*Comment 4:* Whether to Use Facts Otherwise Available for Failing to Report a Certain Selling Expense.

*Comment 5:* Whether to Use AMS Belgium's Reported U.S. Warranty Expense.

*Comment 6:* Whether to Offset Negative Margins.

[FR Doc. E9-24699 Filed 10-16-09; 8:45 am]

BILLING CODE 3510-DS-M

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-886, A-557-813, A-549-821]

### Polyethylene Retail Carrier Bags From the People's Republic of China, Thailand, and Malaysia: Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders

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

**SUMMARY:** On July 1, 2009, the Department of Commerce (the Department) initiated sunset reviews of the antidumping duty orders on polyethylene retail carrier bags (PRCBs) from the People's Republic of China (PRC), Thailand, and Malaysia pursuant to section 751(c) of the Tariff Act of 1930, as amended (the Act). See Initiation of Five-year ("Sunset") Review, 74 FR 31412 (July 1, 2009). The Department has conducted expedited (120-day) sunset reviews for these orders. As a result of these sunset reviews, the Department finds that

revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping as indicated in the "Final Results of Review" section of this notice.

**DATES:** *Effective Date:* October 19, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Dustin Ross 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) 482-0747 or (202) 482-1690, respectively.

#### SUPPLEMENTARY INFORMATION:

#### Background

On July 1, 2009, the Department published the notice of initiation of the sunset reviews of the antidumping duty orders<sup>1</sup> on PRCBs from the PRC, Malaysia, and Thailand pursuant to section 751(c) of the Act. See Initiation of Five-year ("Sunset") Reviews, 74 FR 31412 (July 1, 2009) (Notice of Initiation).

The Department received notices of intent to participate in these sunset reviews from the Polyethylene Retail Carrier Bag Committee and its individual members, Hilex Poly Co., LLC, Superbag Corporation, Unistar Plastics LLC, Command Packaging, Roplast Industries Inc., and Genpack LLC (collectively, the Committee) within the 15-day period specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested-party status under section 771(9)(C) of the Act as producers of a domestic like product in the United States.

The Department received complete substantive responses to the Notice of Initiation from the domestic interested parties within the 30-day period specified in 19 CFR 351.218(d)(3)(i). The Department received no substantive responses from any respondent interested parties. On the basis of a notice of intent to participate and adequate substantive responses filed on behalf of the domestic interested parties and no responses filed on behalf of respondent interested parties and in accordance with 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department is conducting expedited (120-day) sunset reviews of the

<sup>1</sup> On August 9, 2004, the Department published the following antidumping duty orders: Antidumping Duty Order: Polyethylene Retail Carrier Bags From the People's Republic of China, 69 FR 48201 (August 9, 2004); Antidumping Duty Order: Polyethylene Retail Carrier Bags From Malaysia, 69 FR 48203 (August 9, 2004); Antidumping Duty Order: Polyethylene Retail Carrier Bags From Thailand, 69 FR 48204 (August 9, 2004).

antidumping duty orders on PRCBs from the PRC, Malaysia, and Thailand.

### Scope of the Orders

The product covered in the sunset reviews of the antidumping duty orders on PRCBs from the PRC, Malaysia, and Thailand is PRCBs which may be referred to as t-shirt sacks, merchandise bags, grocery bags, or checkout bags. The subject merchandise is defined as non-sealable sacks and bags with handles (including drawstrings), without zippers or integral extruded closures, with or without gussets, with or without printing, of polyethylene film having a thickness no greater than 0.035 inch (0.889 mm) and no less than 0.00035 inch (0.00889 mm), and with no length or width shorter than 6 inches (15.24 cm) or longer than 40 inches (101.6 cm). The depth of the bag may be shorter than 6 inches but not longer than 40 inches (101.6 cm).

PRCBs are typically provided without any consumer packaging and free of charge by retail establishments, e.g., grocery, drug, convenience, department, specialty retail, discount stores, and restaurants, to their customers to package and carry their purchased products. The scopes of the orders

exclude (1) polyethylene bags that are not printed with logos or store names and that are closeable with drawstrings made of polyethylene film and (2) polyethylene bags that are packed in consumer packaging with printing that refers to specific end-uses other than packaging and carrying merchandise from retail establishments, e.g., garbage bags, lawn bags, trash-can liners.

As a result of changes to the Harmonized Tariff Schedule of the United States (HTSUS), imports of the subject merchandise are currently classifiable under statistical category 3923.21.0085 of the HTSUS. Furthermore, although the HTSUS subheading is provided for convenience and customs purposes, the written descriptions of the scopes of the orders are dispositive.

### Analysis of Comments Received

All issues raised in these reviews are addressed in the "Issues and Decision Memorandum for the Expedited Sunset Reviews of the Antidumping Duty Orders on Polyethylene Retail Carrier Bags from the People's Republic of China, Malaysia, and Thailand" from Acting Deputy Assistant Secretary John M. Andersen to Acting Assistant

Secretary Ronald K. Lorentzen dated concurrently with this notice (Decision Memo), which is hereby adopted by this notice. The issues discussed in the Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room 1117 of the main Department of Commerce building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

### Final Results of Reviews

The Department determines that revocation of the antidumping duty orders on PRCBs from the PRC, Malaysia, and Thailand would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Country	Company	Weighted-average margin (percent)
PRC	Dongguan Nozawa Plastics Products Co., Ltd. and United Power Packaging, Ltd. (formerly Dongguan Huang Jiang United Wah Plastic Bag Factory).	23.22
	Rally Plastics Company, Ltd.	23.85
	Shanghai Glopac Packing Company, Ltd., and Sea Lake Polyethylene Enterprise, Ltd.	19.79
	Xiamen Ming Pak Plastics Company, Ltd.	35.58
	Zhongshan Dongfeng Hung Wai Plastic Bag Manufactory	41.28
	Beijing Lianbin Plastics and Printing Company, Ltd.	25.69
	Dongguan Maruman Plastic Packaging Co., Ltd. (formerly Dongguan Zhongqiao Combine Plastic Bag Factory).	25.69
	Good-in Holdings, Ltd.	25.69
	Guangdong Esquel Packaging Co., Ltd.	25.69
	Nan Sing Plastics, Ltd.	25.69
	Ningbo Fanrong Plastics Products Co., Ltd.	25.69
	Ningbo Huansen Plastics Co., Ltd.	25.69
	Rain Continent Shanghai Company, Ltd.	25.69
	Shanghai Dazhi Enterprise Development Company, Ltd.	25.69
	Shanghai Fangsheng Coloured Packaging Company, Ltd.	25.69
	Shanghai Jingtai Packaging Material Company, Ltd.	25.69
	Shanghai Light Industrial Products Import and Export Corporation	25.69
	Shanghai Minmetals Development, Ltd.	25.69
	Shanghai New Ai Lian Import and Export Company, Ltd.	25.69
	Shanghai Overseas International Trading Company, Ltd.	25.69
	Shanghai Yafu Plastics Industries Company, Ltd.	25.69
Weihai Weiquan Plastic and Rubber Products Company, Ltd.	25.69	
Xiamen Xingyatai Industry Company, Ltd.	25.69	
Xinhui Henglong	25.69	
PRC-wide Rate	77.57	
Malaysia	Teong Chuan Plastic and Timber Sdn. Bhd.	101.74
	Brandpak Industries Sdn. Bhd.	101.74
	Gants Pac Industries	101.74
	Sido Bangun Sdn. Bhd.	101.74
	Zhin HinChin un Plastic Manufacturer Sdn. Bhd.	101.74
All Others	84.94	
Thailand	Thai Plastic Bags Industries Co., Ltd.	2.26

Country	Company	Weighted-average margin (percent)
	Universal Polybags Co. Ltd./Advance Polybags Inc./Alpine Plastics Inc./API Enterprises Inc.	5.35
	TRC Polypack .....	122.88
	Champion Paper Polybags Ltd .....	122.88
	Zip-Pac Co., Ltd./King Pac Industrial Co., Ltd./King Pak/Zippac/Dpac Industrial/Kingbag/KP.	122.88
	All Others .....	2.80

### Notification Regarding APO

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The Department is issuing and publishing the final results and notice in accordance with sections 751(c), 752(c), and 777(i)(1) of the Act.

Dated: October 6, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E9-24540 Filed 10-16-09; 8:45 am]

**BILLING CODE 3510-DS-M**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

**RIN 0648-XS39**

#### Gulf of Mexico Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Gulf of Mexico Fishery Management Council will convene a public meeting of the Texas Habitat Protection Advisory Panel (AP).

**DATES:** The meeting will convene at 9 a.m. on Tuesday, November 10, 2009 and conclude no later than 4 p.m.

**ADDRESSES:** This meeting will be held at the Hampton Inn & Suites Houston-Clear Lake-NASA, 506 West Bay Area Blvd., Webster, TX 77598.

*Council address:* Gulf of Mexico Fishery Management Council, 2203 North Lois Avenue, Suite 1100, Tampa, FL 33607.

**FOR FURTHER INFORMATION CONTACT:** Jeff Rester, Habitat Support Specialist, Gulf States Marine Fisheries Commission; telephone: (228) 875-5912.

**SUPPLEMENTARY INFORMATION:** At this meeting, the AP will discuss a proposed seawall, "The Ike Dike", to protect Galveston Bay from hurricane storm surge, an update on oyster restoration in Galveston Bay, the Texas Clipper artificial reef project, status of the Flower Garden Banks National Marine Sanctuary Management Plan Review, the South Padre Island Second Access Project, and juvenile red snapper habitat use in the Gulf of Mexico.

The Texas group is part of a three unit Habitat Protection Advisory Panel (AP) of the Gulf of Mexico Fishery Management Council. The principal role of the advisory panels is to assist the Council in attempting to maintain optimum conditions within the habitat and ecosystems supporting the marine resources of the Gulf of Mexico. Advisory panels serve as a first alert system to call to the Council's attention proposed projects being developed and other activities which may adversely impact the Gulf marine fisheries and their supporting ecosystems. The panels may also provide advice to the Council on its policies and procedures for addressing environmental affairs.

Although other issues not on the agenda may come before the panel for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal panel action during this meeting. Panel action will be restricted to those issues specifically identified in the agenda listed as available by this notice.

A copy of the agenda can be obtained by calling (813) 348-1630.

#### Special Accommodations

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Tina O'Hern at the Council (see **ADDRESSES**) at least 5 working days prior to the meeting.

Dated: October 14, 2009.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E9-25025 Filed 10-16-09; 8:45 am]

**BILLING CODE 3510-22-S**

### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

**RIN: 0648-XS15**

#### North Pacific Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Eight Regional Fishery Management Councils will convene a meeting of representatives of their respective Scientific and Statistical Committee (SSCs) at the Wyndam Sugar Bay Resort, St. Thomas, United States Virgin Islands, November 10-13, 2009.

**DATES:** The meetings will be held November 10-13, 2009, with travel dates November 9 and 14.

**ADDRESSES:** The meetings will be held at the Wyndam Sugar Bay Resort, 6500 Estate Smith Bay, St Thomas, U.S. Virgin Islands.

*Council address:* North Pacific Fishery Management Council, 605 W. 4th Ave., Suite 306, Anchorage, AK 99501-2252.

**FOR FURTHER INFORMATION CONTACT:** David Witherell at the North Pacific Fishery Management Council, telephone: (907) 271-2809 or Diana Martino at the Caribbean Fishery Management Council, telephone: (787) 766-5926.

**SUPPLEMENTARY INFORMATION:** The Magnuson Stevens Fishery Conservation and Management Act (MSA) requires that each Council maintain and utilize its SSCs to assist in the development, collection, evaluation, and peer review of information relevant to the development and amendment of fishery