

Act”), and 19 CFR 351.212(b). The Department calculated importer-specific duty assessment rates on the basis of the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales for that importer. Where the assessment rate is above *de minimis*, we will instruct CBP to assess duties on all entries of subject merchandise manufactured or exported by Ta Chen. Antidumping duties for the rescinded companies, Liang Feng, Tru-Flow, Censor, and PFP, shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(1)(i). The Department intends to issue appropriate 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 applies to POR entries of subject merchandise produced by companies examined in this review (i.e., companies for which a dumping margin was calculated) where the companies did not know that their merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, *see Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

#### 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this administrative review for all shipments of certain stainless steel butt-weld pipe fittings from Taiwan entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a) of the Act: (1) for the company covered by this review, the cash deposit rate will be the rate listed above; (2) for merchandise exported by producers or exporters not covered in this review but covered in the less-than-fair-value investigation or a prior review, the cash deposit rate will continue to be the company-specific rate from the most recent review; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-

fair-value investigation, but the producer is, the cash deposit rate will be that established for the most recent period for the producer of the merchandise; and (4) the cash deposit rate for all other producers or exporters will be 51.01 percent, the all-others rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

#### Notification to Interested Parties

This notice also serves as a 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 Regarding Administrative Protective Orders

This notice also is the only reminder to parties subject to administrative protective order (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). 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 the terms of an APO is a sanctionable violation.

We are issuing and publishing these results and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 7, 2009.

**Carole A. Showers,**

*Acting Deputy Assistant Secretary for Import Administration.*

#### APPENDIX

##### Issues in Decision Memorandum

1. Purchased Fittings
2. Calculation of General and Administrative (“G&A”) Expenses
3. Ta Chen’s Raw Material and Conversion Cost Variances
4. Constructed Export Price (“CEP”) Offset
5. Basis of Dumping Margin Calculation
6. Calculation of CEP Profit Ratio

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## U.S. DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

Docket 54-2009

#### Foreign-Trade Zone 238 Dublin, Virginia, Application for Subzone, VF Corporation (Apparel, Footwear, and Luggage Distribution), Martinsville, Virginia

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the New River Economic Development Alliance, Inc., grantee of FTZ 238, requesting special-purpose subzone status for the apparel, footwear, and luggage warehousing and distribution facilities of VF Corporation (VFC), located in Martinsville, Virginia. 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 December 2, 2009.

The VFC facilities consist of two sites (183 employees): *Site 1* - warehouse/distribution center (466,700 sq.ft./60.1 acres/168 employees) located at 500 Nautica Way, Martinsville; *Site 2* - warehouse/distribution center (891,913 sq.ft./117.6 acres/15 employees) located at 3375 Joseph Martin Highway, Martinsville, Virginia. The facilities are used for warehousing and distribution of foreign-origin apparel, footwear, and luggage for the U.S. market and export. FTZ procedures would be utilized to support VFC’s U.S.-based value-added and distribution activity. Finished products to be admitted to the proposed subzone for distribution would include men’s, boys’, women’s and girls’ footwear, coats, suits, jackets, trousers, pants, blouses, shirts, tops, jumpers, gowns, underwear, hosiery, sleepwear, robes, athletic wear, neckties, hats, scarves, shawls, mufflers, gloves/mittens, infants’ apparel, luggage, hand bags, attaches, backpacks, and packaging materials. The applicant is not seeking manufacturing or processing authority with this request.

FTZ procedures could exempt VFC from customs duty payments on foreign products that are exported (about 1% of shipments). On domestic sales, duty payments would be deferred until the foreign merchandise is shipped from the facility and entered for U.S. consumption. FTZ designation would further allow VFC to realize logistical benefits through the use of weekly customs entry procedures. The application indicates that the savings from FTZ procedures would help improve the facilities’ international competitiveness.

In accordance with the Board's regulations, Pierre Duy of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case record and to 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 following address: Office of the Executive Secretary, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230-0002. The closing period for receipt of comments is February 16, 2010. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to March 1, 2010.

A copy of the application will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at the address listed above 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 Pierre Duy at [Pierre.Duy@trade.gov](mailto:Pierre.Duy@trade.gov) or (202) 482-1378.

Dated: December 3, 2009.

**Andrew McGilvray,**  
*Executive Secretary.*

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BILLING CODE 3510-DS-S

## CONSUMER PRODUCT SAFETY COMMISSION

### Identifying Labels for Drywall Under Section 14(c) of the Consumer Product Safety Act; Notice of Inquiry; Request for Comments and Information

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of inquiry.

**SUMMARY:** Section 14(c) of the Consumer Product Safety Act authorizes the Consumer Product Safety Commission ("Commission" or "CPSC") to require, through rulemaking, labels for a consumer product that would identify the date and place of manufacture of the product, cohort information (batch, run number, or other identifying characteristic), and the manufacturer of the product. 15 U.S.C. 2063(c). This notice requests comments and information about such a rulemaking with regard to drywall.

**DATES:** Written comments must be received by February 16, 2010.

**ADDRESSES:** You may submit comments, identified by Docket No. CPSC-2009-0105, by any of the following methods:

#### Electronic Submissions

*Submit electronic comments in the following way:*

*Federal eRulemaking Portal:* <http://www.regulations.gov>.

Follow the instructions for submitting comments.

To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (e-mail) except through [www.regulations.gov](http://www.regulations.gov).

#### Written Submissions

Submit written submissions in the following way:

*Mail/Hand Delivery/Courier* (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, Consumer Product Safety Commission, Room 502, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

*Instructions:* All submissions received must include the agency name and docket number for this rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Dean W. Woodard, Director, Defect Investigations Division, Office of Compliance and Field Operations, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7651; [dwoodard@cpsc.gov](mailto:dwoodard@cpsc.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

Since December of 2008, the Commission has been receiving reports of various problems related to drywall primarily imported from the People's Republic of China. The first reports came primarily from Florida and were related to the building boom and post-hurricane construction. As reports continued to come in, it became apparent that the drywall issue was more widespread. Currently, CPSC has received over 2000 incident reports from 32 States, the District of Columbia

and Puerto Rico. The Commission has expanded its investigation to include both imported and domestically manufactured drywall.

Problems described in these reports include odor, health effects and corrosion effects on certain metal components in the home. The most frequently reported health symptoms are irritated and itchy eyes and skin, difficulty in breathing, persistent cough, bloody noses, recurrent headaches, sinus infection, and asthma attacks. Many reports indicate that the symptoms lessen when the consumer is away from home. As for corrosion-related effects, consumers have reported blackened and corroded metals and electrical wiring in their homes and failures of such equipment as evaporator coils of central air conditioners. There have also been reports of failures of appliances such as refrigerators and dishwashers, and of electronic devices such as televisions and video game systems.

CPSC is investigating the health effects and the potential electrical and fire safety issues stemming from the corrosion of metal equipment and components. CPSC is working with a number of state and federal partners in this investigation including the U.S. Environmental Protection Agency, U.S. Department of Housing and Urban Development, Centers for Disease Control, Agency for Toxic Substance and Disease Registry and several state departments of health and state attorneys general. In the course of this investigation, Commission staff has visited several U.S. and Chinese drywall manufacturing facilities and mines. CPSC staff is analyzing information received from consumers, builders, importers, manufacturers and suppliers of drywall to better determine the scope of the drywall problem. CPSC and its state and federal partners are conducting a number of technical studies to determine connections between the emissions from drywall and the reported health and corrosive effects.

CPSC's investigation indicates that it is often difficult to determine the manufacturer and origin of drywall in homes. As further discussed in the next section, the investigation also indicates that there can be a good deal of variability in drywall depending on its type and origin. Being able to identify the manufacturer and origin of drywall could aid in investigating complaints related to drywall and narrow the scope of any investigation or necessary remedial action in the future.