

authority to authority to salvage, necropsy, and sample animals that die as a result of entrainments or strandings. The permit is issued for five years.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of such endangered or threatened species, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: April 21, 2010.

**P. Michael Payne,**

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part

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

**SUMMARY:** The Department of Commerce ("the Department") has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with March anniversary dates. We received a timely request to revoke one antidumping duty order in part. In accordance with the Department's regulations, we are initiating those administrative reviews.

**DATES:** *Effective Date:* April 27, 2010.

**FOR FURTHER INFORMATION CONTACT:** Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4697.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department has received timely requests, in accordance with 19 CFR 351.213(b), for administrative reviews of various antidumping and countervailing duty orders and findings with March anniversary dates. We also received a timely request to revoke in part the antidumping duty order on Certain Orange Juice from Brazil with respect to one exporter.

##### Notice of No Sales

Under 19 CFR 351.213(d)(3), the Department may rescind a review where

there are no exports, sales, or entries of subject merchandise during the respective period of review ("POR") listed below. If a producer or exporter named in this initiation notice had no exports, sales, or entries during the POR, it should notify the Department within 30 days of publication of this notice in the **Federal Register**. The Department will consider rescinding the review only if the producer or exporter, as appropriate, submits a properly filed and timely statement certifying that it had no exports, sales, or entries of subject merchandise during the POR. All submissions must be made in accordance with 19 CFR 351.303 and are subject to verification in accordance with section 782(i) of the Tariff Act of 1930, as amended ("the Act"). Six copies of the submission should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230. Further, in accordance with 19 CFR 351.303(f)(1)(i), a copy of each request must be served on every party on the Department's service list.

##### Respondent Selection

In the event the Department limits the number of respondents for individual examination for administrative reviews, the Department intends to select respondents based on U.S. Customs and Border Protection ("CBP") data for U.S. imports during the POR. We intend to release the CBP data under Administrative Protective Order ("APO") to all parties having an APO within five days of publication of this initiation notice and to make our decision regarding respondent selection within 20 days of publication of this **Federal Register** notice. The Department invites comments regarding the CBP data and respondent selection within 10 calendar days of publication of this **Federal Register** notice.

##### Separate Rates

In proceedings involving non-market economy ("NME") countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to an administrative review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

To establish whether a firm is sufficiently independent from government control of its export activities to be entitled to a separate rate, the Department analyzes each entity exporting the subject merchandise under a test arising from the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991), as amplified by *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994). In accordance with the separate-rates criteria, the Department assigns separate rates to companies in NME cases only if respondents can demonstrate the absence of both *de jure* and *de facto* government control over export activities.

All firms listed below that wish to qualify for separate-rate status in the administrative reviews involving NME countries must complete, as appropriate, either a separate-rate application or certification, as described below. For these administrative reviews, in order to demonstrate separate-rate eligibility, the Department requires entities for whom a review was requested, that were assigned a separate rate in the most recent segment of this proceeding in which they participated, to certify that they continue to meet the criteria for obtaining a separate rate. The Separate Rate Certification form will be available on the Department's Web site at <http://www.trade.gov/ia> on the date of publication of this **Federal Register** notice. In responding to the certification, please follow the "Instructions for Filing the Certification" in the Separate Rate Certification. Separate Rate Certifications are due to the Department no later than 30 calendar days after publication of this **Federal Register** notice. The deadline and requirement for submitting a Certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers who purchase and export subject merchandise to the United States.

Entities that currently do not have a separate rate from a completed segment of the proceeding<sup>1</sup> should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. In addition, companies that received a separate rate

<sup>1</sup> Such entities include entities that have not participated in the proceeding, entities that were preliminarily granted a separate rate in any currently incomplete segment of the proceeding (e.g., an ongoing administrative review, new shipper review, etc.) and entities that lost their separate rate in the most recently complete segment of the proceeding in which they participated.

in a completed segment of the proceeding that have subsequently made changes, including, but not limited to, changes to corporate structure, acquisitions of new companies or facilities, or changes to their official company name,<sup>2</sup> should timely file a Separate Rate Application to demonstrate eligibility for a separate rate in this proceeding. The Separate Rate Application will be available on the Department's Web site at <http://www.trade.gov/ia> on the date of publication of this **Federal Register** notice. In responding to the Separate

Rate Application, refer to the instructions contained in the application. Separate Rate Applications are due to the Department no later than 60 calendar days of publication of this **Federal Register** notice. The deadline and requirement for submitting a Separate Rate Application applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase and export subject merchandise to the United States.

For exporters and producers who submit a separate-rate status application or certification and subsequently are

selected as mandatory respondents, these exporters and producers will no longer be eligible for separate-rate status unless they respond to all parts of the questionnaire as mandatory respondents.

#### Initiation of Reviews

In accordance with section 19 CFR 351.221(c)(1)(i), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than March 31, 2011.

	Period to be reviewed
<b>Antidumping Duty Proceedings</b>	
Brazil:	
Certain Hot-Rolled Carbon Steel Flat Products A-351-828 .....	3/1/09-2/28/10
Companhia Siderurgica Paulista (Cosipa).	
Usiminas Siderurgicas de Minas Gerais, S.A. (Usiminas).	
Companhia Siderurgica de Tubarao (CST).	
Companhia Siderurgica Nacional (CSN).	
Certain Orange Juice A-351-840 .....	3/1/09-2/28/10
Fischer S/A Agroindustria/Fischer S.A. Comercio, Industria, and Agricultura.	
Sucocitrico Cutrale S.A.	
Coinbra-Frutesp S.A.	
Montecitrus Trading S.A.	
Germany:	
Brass Sheet and Strip A-428-602 .....	3/1/09-2/28/10
Wieland-Werke AG.	
Thailand:	
Circular Welded Carbon Steel Pipe and Tube A-549-502 .....	3/1/09-2/28/10
Saha Thai Steel Pipe Company, Ltd.	
The People's Republic of China:	
Certain Tissue Paper Products <sup>3</sup> A-570-894 .....	3/1/09-2/28/10
Fujian Provincial Shaowu City Huaguang Special Craft Co., Ltd.	
Max Fortune Industrial Limited.	
Max Fortune (FZ) Paper Products Co., Ltd. (f/k/a Max Fortune (FETDE) Paper Products Co., Ltd.).	
Max Fortune (Vietnam) Paper Products Company Limited.	
Circular Welded Austenitic Stainless Pressure Pipe <sup>4</sup> A-570-930 .....	9/5/08-2/28/10
Zhejiang Jiuli Hi-Tech Metals Co., Ltd.	
Glycine <sup>5</sup> A-570-836 .....	3/1/09-2/28/10
A&A Pharmachem Inc.	
Advance Exports.	
Aico Laboratories Ltd.	
Baoding Mantong Fine Chemistry Co., Ltd.	
Beijing Onlystar Technology Co. Ltd.	
Bulk Pharmaceuticals Corp.	
Changzhou An-Yuan Imp. Exp. Co.	
China Jiangsu International.	
Chiyuen International Trading Ltd.	
Easybuyer Hong Kong Ltd.	
General Ingredient Inc.	
Hebei Donghua Chemical Corporation.	
Jizhou City Huayang Chemical Co., Ltd.	
Keele Warehousing & Logistics.	
Kissner Milling Co. Ltd.	
Kowa Company Ltd.	
Long Dragon Company Ltd.	
Maruzen Chemicals Company Limited.	
Nantong Dongchang Chemical Industry Corp.	
Nutraceutical International.	
Pancosma Canada.	
Paras Intermediates Pvt. Ltd.	
Qingdao Samin Chemical Co., Ltd.	
Ravi Industries.	
Salvi Chemical Industries.	

<sup>2</sup> Only changes to the official company name, rather than trade names, need to be addressed via

a Separate Rate Application. Information regarding

new trade names may be submitted via a Separate Rate Certification.

	Period to be reviewed
<p>Samin Chemical Co., Ltd.  Shaanxi Maxsun Trading Co., Ltd.  Shijiazhuang Green Carbon Products Co., Ltd.  Showa Denko K.K.  Sinochem Qingdao Company, Ltd.  Tianjin Tiancheng Pharmaceutical Company.  Yuki Gosei Kogyo Co., Ltd.</p> <p style="text-align: center;"><b>Countervailing Duty Proceedings</b></p> <p>None.</p> <p style="text-align: center;"><b>Suspension Agreements</b></p> <p>None.</p>	

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under 19 CFR 351.211 or a determination under 19 CFR 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine, consistent with *FAG Italia v. United States*, 291 F.3d 806 (Fed. Cir. 2002), as appropriate, whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

For the first administrative review of any order, there will be no assessment of antidumping or countervailing duties on entries of subject merchandise entered, or withdrawn from warehouse, for consumption during the relevant provisional-measures "gap" period, of the order, if such a gap period is applicable to the POR.

Interested parties must submit applications for disclosure under

administrative protective orders in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures* (73 FR 3634). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (*e.g.*, the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1765(a)), and 19 CFR 351.221(c)(1)(i).

Dated: April 19, 2010.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-967]

#### Aluminum Extrusions from the People's Republic of China: Initiation of Antidumping Duty Investigation

**EFFECTIVE DATE:** April 27, 2010.

**FOR FURTHER INFORMATION CONTACT:** John Hollwitz, Andrea Staebler Berton or Charles Riggle, AD/CVD Operations, Office 8, (202) 482-2336, (202) 482-4037 or (202) 482-0650, respectively; Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:** On March 31, 2010, the Department of Commerce

(the "Department") received a petition concerning imports of aluminum extrusions from the People's Republic of China ("PRC") filed in proper form by the Aluminum Extrusions Fair Trade Committee,<sup>1</sup> and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (collectively, "Petitioners"). See Petitions for the Imposition of Antidumping and Countervailing Duties: Aluminum Extrusions from the People's Republic of China dated March 31, 2010 ("Petition"). On April 6 and April 7, 2010, the Department issued requests for information and clarification of certain areas of the Petition. Petitioners timely filed additional information on April 9, 2010,<sup>2</sup> and on April 19, 2010.<sup>3</sup> On April 14, 2010, the Department asked Petitioners additional questions regarding the re-bracketing of certain information. Petitioners responded to the Department's questions in the Second Supplement to the AD Petition, dated April 15, 2010 ("Second Supplement to the AD Petition").

The period of investigation ("POI") is July 1, 2009, through December 31, 2009. See 19 CFR 351.204(b)(1).

In accordance with section 732(b) of the Tariff Act of 1930, ("the Act"), Petitioners allege that imports of

<sup>1</sup> The Aluminum Extrusions fair Trade Committee is comprised of Aerolite Extrusion Company, Alexandria Extrusion Company, Benada Aluminum of Florida, Inc., William L. Bonnell Company, Inc., Frontier Aluminum Corporation, Futura Industries Corporation, Hydro Aluminum North America, Inc., Kaiser Aluminum Corporation, Profile Extrusions Company, Sapa Extrusions, Inc. and Western Extrusions Corporation.

<sup>2</sup> See Aluminum Extrusions from the People's Republic of China: Petitioner's Response to the Department's April 6, 2010, Request for Clarification of Certain Items Contained in the Petition, dated April 9, 2010 ("Supplement to General Issues Petition").

<sup>3</sup> See Aluminum Extrusions from the People's Republic of China: Petitioner's Response to the Department's April 7, 2010, Request for Clarification of Certain Items Contained in the Petition, dated April 19, 2010 ("Supplement to the AD Petition").

<sup>3</sup> If one of the above-named companies does not qualify for a separate rate, all other exporters of Certain Tissue Paper Products from the People's Republic of China ("PRC") who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>4</sup> If the above-named company does not qualify for a separate rate, all other exporters of Circular Welded Austenitic Stainless Pressure Pipe from the PRC who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.

<sup>5</sup> If one of the above-named companies does not qualify for a separate rate, all other exporters of Glycine from the PRC who have not qualified for a separate rate are deemed to be covered by this review as part of the single PRC entity of which the named exporters are a part.