

SOCIALIST REPUBLIC OF VIETNAM<sup>1</sup>

Manufacturer	Exporter	Antidumping—Duty Percent Margin
Alpha Plastics (Vietnam) Co., Ltd. ^	Alpha Plastics (Vietnam) Co., Ltd. ^	52.30
Alta Company °	Alta Company °	52.30
Ampac Packaging Vietnam Ltd. ^	Ampac Packaging Vietnam Ltd. ^	52.30
BITAHACO *	BITAHACO *	52.30
Chin Sheng Co., Ltd. *	Chin Sheng Co., Ltd. *	52.30
Chung Va (Vietnam) Plastic Packaging Co., Ltd. ^	Chung Va Century Macao Commercial Offshore Limited ^	52.30
Hanoi 27–7 Packaging Company Limited, aka Hanoi 27–7 Packaging Company Limited, aka HAPACK Co. Ltd, aka HAPACK °	Hanoi 27–7 Packing Company Limited, aka Hanoi 27–7 Packing Company Limited, aka HAPACK Co. Ltd, aka HAPACK °	52.30
Hoi Hung Company Limited ^	Kong Wai Polybag Printing Company ^	52.30
Kinsplastic Vietnam Ltd. Co. ^	Kinsplastic Vietnam Ltd. Co. ^	52.30
Loc Cuong Trading Producing Company Limited, aka Loc Cuong Trading Producing Company, aka Loc Cuong Trading Producing Co. Ltd. *	Loc Cuong Trading Producing Company Limited, aka Loc Cuong Trading Producing Company, aka Loc Cuong Trading Producing Co. Ltd. *	52.30
Ontrue Plastics Co., Ltd. (Vietnam) ^	Ontrue Plastics Co., Ltd. (Vietnam) ^	52.30
Richway Plastics Vietnam Co., Ltd. ^	Richway Plastics Vietnam Co., Ltd. ^	52.30
RKW Lotus Limited Co., Ltd., aka RKW Lotus Limited, aka RKW Lotus Ltd. ^	RKW Lotus Limited Co., Ltd., aka RKW Lotus Limited, aka RKW Lotus Ltd. ^	52.30
VINAPACKINK Co., Ltd. *	VINAPACKINK Co., Ltd. *	52.30
VN K's International Polybags Joint Stock Company *	K's International Polybags MFG Ltd *	52.30
VN Plastic Industries Co. Ltd. ^	VN Plastic Industries Co. Ltd. ^	52.30
Vietnam–Wide Entity <sup>2</sup>		76.11

<sup>1</sup> The symbol “^” designates companies as foreign-owned separate-rate recipients, “\*” designates companies as Vietnamese separate-rate recipients, and “°” designates companies as state-owned separate-rate recipients.

<sup>2</sup> Advance Polybag Co., Ltd., Fotai Vietnam Enterprise Corp., Green Care Packaging Industrial (Vietnam) Co., An Phat Plastic and Packing Joint Stock Co., Genius Development Ltd., J.K.C. Vina Co., Ltd., are all part of the Vietnam-wide entity.

In accordance with section 736(b)(2) of the Act and 19 CFR 351.211(b), the Department will instruct CBP to terminate the suspension of liquidation for entries of PRCBs from Indonesia, Taiwan, and Vietnam entered, or withdrawn from warehouse, for consumption and refund any cash deposits made and release any bonds posted for estimated antidumping duties between the dates of publication of the Department's preliminary determinations on October 27, 2009,<sup>3</sup> for Taiwan and November 3, 2009,<sup>4</sup> for Indonesia and Vietnam and the day before publication of the ITC's final determination in the **Federal Register**.

This notice constitutes the antidumping duty orders with respect to PRCBs from Indonesia, Taiwan, and Vietnam pursuant to section 736(a) of

the Act. Interested parties may contact the Central Records Unit of the main Department of Commerce building, Room 1117, for copies of an updated list of antidumping duty orders currently in effect.

These orders are published in accordance with section 736(a) of the Act and 19 CFR 351.211(b).

Dated: April 27, 2010.

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

[FR Doc. 2010–10254 Filed 5–3–10; 8:45 am]

**BILLING CODE 3510–DS–S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) for Duty–Free Entry of Scientific Instruments

Pursuant to Section 6(c) of the Educational, Scientific and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, as amended by Pub. L. 106–36; 80 Stat. 897; 15 CFR part 301), we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are

intended to be used, are being manufactured in the United States. Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be postmarked on or before May 24, 2010. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.  
**Docket Number: 10–008.** Applicant: Colorado State University, Department of Biomedical Sciences 200 Westlake St., Campus Delivery 1617, Fort Collins, CO 80523. Instrument: Electron Microscope. Manufacturer: JEOL, Ltd., Japan. Intended Use: This instrument will be used for the tomographic analysis of viruses. Justification for Duty–Free Entry: There are no instruments of the same general category as this instrument being produced in the United States. Application accepted by Commissioner of Customs: April 15, 2010.  
**Docket Number: 10–009.** Applicant: University of Oregon, Purchasing & Contracting Services, 720 E. 13th Ave., Suite 302, Eugene, OR 97401–3753. Instrument: Electron Microscope Manufacturer: FEI Company, Czech

<sup>3</sup> See *Polyethylene Retail Carrier Bags From Taiwan: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 74 FR 55183 (October 27, 2009).

<sup>4</sup> See *Polyethylene Retail Carrier Bags from Indonesia: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 74 FR 56807 (November 3, 2009), and *Polyethylene Retail Carrier Bags From the Socialist Republic of Vietnam: Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 74 FR 56813 (November 3, 2009).

Republic. Intended Use: This instrument will be used to study the size, shape and elemental compositions of nanoparticles to determine the effect on biological interactions at the nano scale. Justification for Duty-Free Entry: There are no instruments of the same general category as this instrument being produced in the United States. Application accepted by Commissioner of Customs: April 15, 2010.

Dated: April 28, 2010.

**Gregory W. Campbell,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. 2010-10487 Filed 5-3-10; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(C-552-805)

#### **Polyethylene Retail Carrier Bags from the Socialist Republic of Vietnam: Countervailing Duty Order**

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

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the U.S. International Trade Commission (ITC), the Department is issuing a countervailing duty order on polyethylene retail carrier bags (PRCBs) from the Socialist Republic of Vietnam (Vietnam).

**EFFECTIVE DATE:** May 4, 2010.

**FOR FURTHER INFORMATION CONTACT:** Gene Calvert or Jun Jack Zhao, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14<sup>th</sup> Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3586 and (202) 482-1396, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In accordance with section 705(d) of the Tariff Act of 1930, as amended (the Act), on April 1, 2010, the Department published its final determination in the countervailing duty investigation of PRCBs from Vietnam. See *Polyethylene Retail Carrier Bags from the Socialist Republic of Vietnam: Final Affirmative Countervailing Duty Determination*, 75 FR 16428 (April 1, 2010).

On April 26, 2010, the ITC notified the Department of its final determination, pursuant to sections 705(b)(1)(A)(ii) and 705(d) of the Act, that a U.S. industry is threatened with

material injury by reason of subsidized imports of subject merchandise from Vietnam. See *Polyethylene Retail Carrier Bags from Indonesia, Taiwan, and Vietnam*, USITC Publication 4144, Investigation Nos. 701-TA-462 and 731-TA-1156-1158 (Final) (April 2010). Pursuant to section 706(a) of the Act, the Department is publishing a countervailing duty order on the subject merchandise.

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

The scope of this order covers polyethylene retail carrier bags, which also 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 scope of this order excludes (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.

Imports of merchandise included within the scope of this order are currently classifiable under statistical category 3923.21.0085 of the Harmonized Tariff Schedule of the United States (HTSUS). This subheading may also cover products that are outside the scope of this order. Furthermore, although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

#### **Countervailing Duty Order**

In accordance with section 706(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, countervailing

duties equal to the amount of the net countervailable subsidy for all relevant entries of PRCBs from Vietnam.

According to section 706(b)(2) of the Act, duties shall be assessed on subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of the ITC's notice of final determination if that determination is based upon threat of material injury. Section 706(b)(1) of the Act states, "If the Commission, in its final determination under section 705(b), finds material injury or threat of material injury which, but for the suspension of liquidation under section 703(d)(2), would have led to a finding of material injury, then entries of the merchandise subject to the countervailing duty order, the liquidation of which has been suspended under section 703(d)(2), shall be subject to the imposition of countervailing duties under section 701(a)." In addition, section 706(b)(2) of the Act requires CBP to refund any cash deposits or bonds of estimated countervailing duties posted since the Department's preliminary countervailing duty determination, if the ITC's final determination is threat-based. Because the ITC's final determination in this case is based on the threat of material injury and is not accompanied by a finding that injury would have resulted but for the imposition of suspension of liquidation of entries since the Department's *Preliminary Determination*<sup>1</sup> was published in the **Federal Register**, section 706(b)(2) of the Act is applicable.

Therefore, the Department will direct CBP to reinstitute suspension of liquidation,<sup>2</sup> and to assess, upon further instruction from the Department, countervailing duties on all unliquidated entries of PRCBs from Vietnam entered, or withdrawn from warehouse, for consumption on or after the date of publication of the ITC's

<sup>1</sup> See *Polyethylene Retail Carrier Bags from the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination*, 74 FR 45811 (September 4, 2009) (*Preliminary Determination*).

<sup>2</sup> The Department instructed CBP to discontinue the suspension of liquidation on January 2, 2010, in accordance with section 703(d) of the Act. Section 703(d) states that suspension of liquidation pursuant to a preliminary determination may not remain in effect for more than four months. Entries of PRCBs from Vietnam made on or after January 2, 2010, and prior to the date of publication of the ITC's final determination in the **Federal Register**, are not liable for the assessment of countervailing duties because of the Department's discontinuation of the suspension of liquidation, effective January 2, 2010.