

Bureau to take surveys that are necessary to produce current data on the subjects covered by the major censuses. As part of this authorization, the Census Bureau conducts the ARTS to provide continuing and timely national statistical data on retail trade, and accommodation and food services activity for the period between economic censuses. ARTS is a continuation of similar retail trade surveys conducted each year since 1951 (except 1954). ARTS covers employer firms with establishments located in the United States and classified in the Retail Trade and/or Accommodation and Food Services sectors as defined by the 2002 North American Industry Classification System (NAICS). ARTS provides, on a comparable classification basis, annual sales, annual e-commerce sales, purchases, total operating expenses, accounts receivables, and year-end inventories held inside and outside the United States for 2010. The Census Bureau has determined that the conduct of this survey is necessary because these data are not available publicly on a timely basis from non-governmental or other governmental sources.

The Census Bureau will request a sample of firms operating retail, accommodation, and/or food services establishments in the United States to respond to the 2010 ARTS. Firms are selected for this survey using a stratified random sample based on industry groupings and annual sales size. We will provide report forms to the firms covered by this survey in January 2011, and will require their responses within 30 days after receipt. Firms' responses to the ARTS survey are required by law (Title 13 U.S.C. 182, 224, and 225). The sample of firms selected will provide, with measurable reliability, statistics on annual sales, annual e-commerce sales, purchases, total operating expenses, accounts receivables, and year-end inventories held both inside and outside the United States for 2010.

The data collected in this survey will be similar to that collected in the past and within the general scope and nature of those inquiries covered in the economic census. These data are collected to provide a sound statistical basis for the formation of policy by various government agencies. Results will be available for use for a variety of public and business needs such as economic and market analysis, company performance, and forecasting future demand.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the

requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a current valid Office of Management and Budget (OMB) control number. In accordance with the PRA, 44 U.S.C. 3501–3521, OMB has approved the Annual Retail Trade Survey under OMB Control Number 0607–0013.

Based upon the foregoing, I have directed that an annual survey be conducted for the purpose of collecting these data.

Dated: October 12, 2010.

**Robert M. Groves,**

*Director, Bureau of the Census.*

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## DEPARTMENT OF COMMERCE

### Bureau of the Census

[Docket Number 100921462–0461–01]

#### Annual Wholesale Trade Survey

**AGENCY:** Bureau of the Census, Commerce.

**ACTION:** Notice of determination.

**SUMMARY:** The United States Department of Commerce's Bureau of the Census (Census Bureau) publishes this notice to announce that the Director of the Census Bureau has determined the need to conduct the 2010 Annual Wholesale Trade Survey (AWTS). AWTS covers firms with establishments located in the United States and classified in the Wholesale Trade Sector as defined by the 2002 North American Industry Classification System (NAICS). Specifically, AWTS includes wholesale distributors; manufacturers' sales branches and offices; and agents, brokers, and electronic markets. Through this survey, the Census Bureau will collect data on annual sales, e-commerce sales, purchases, total operating expenses, year-end inventories held both inside and outside the United States, commissions, total operating revenue, and gross selling value. These data are collected to provide a sound statistical basis for the formation of policy by various government agencies. These data will be available for use for a variety of public and business needs such as economic and market analysis, company performance, and forecasting future demand.

**ADDRESSES:** The Census Bureau will provide report forms to businesses included in the survey. Additional copies are available upon written

request to the Director, U.S. Census Bureau, Washington, DC 20233–0101.

**FOR FURTHER INFORMATION CONTACT:** John Miller, Service Sector Statistics Division, on (301) 763–2758 or by e-mail on [john.p.miller@census.gov](mailto:john.p.miller@census.gov).

**SUPPLEMENTARY INFORMATION:** Sections 182, 224, and 225 of Title 13 of the United States Code authorize the Census Bureau to take surveys that are necessary to produce current data on the subjects covered by the major censuses. As part of this authorization, the Census Bureau conducts the AWTS to provide continuing and timely national statistics data on wholesale trade activity for the period between economic censuses.

For 2010, the survey will, as it has in the past, consist of a sample of wholesale distributors; manufacturers' sales branches and offices; and agent, brokers, and electronic markets. The data collected in this survey will be similar to that collected in the past and within the general scope and nature of those inquiries covered in the economic census. These data are collected to provide a sound statistical basis for the formation of policy by various government agencies. These data will be available for use for a variety of public and business needs such as economic and market analysis, company performance, and forecasting future demand.

From wholesale distributors, the Census Bureau will collect data covering sales, e-commerce sales, year-end inventories held inside and outside the United States, purchases, and total operating expenses. From manufacturers' sales branches and offices, the Census Bureau will collect data covering annual sales, e-commerce sales, year-end inventories held inside and outside the United States and total operating expenses. From agents, brokers, and electronic markets, the Census Bureau will collect data covering commissions, total operating revenue, gross selling value, and total operating expenses. For more information on the components of wholesale activity covered under this survey, please see the North American Industry Classification System Web site at <http://www.census.gov/eos/www/naics/index.html>. The Census Bureau has determined that the conduct of this survey is necessary as these data are not available publicly on a timely basis from non-governmental or other government sources.

The Census Bureau will request a sample of firms engaged in the three covered wholesale activities to respond to the 2010 AWTS. Firms are selected for this survey using a stratified random

sample based on industry groupings and annual sales size. We will provide report forms to the firms covered by this survey in January 2011 and will require their responses within 30 days after receipt. Responses to AWTS are required by law (Title 13 U.S.C. Sections 182, 224, and 225). The sample of firms selected will provide, with measurable reliability, statistics on annual sales, e-commerce sales, purchases, total operating expenses, year-end inventories held both inside and outside the United States, commissions, total operating revenue, and gross selling value for 2010.

Notwithstanding any other provision of law, no person is required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to requirements of the Paperwork Reduction Act (PRA) unless that collection of information displays a current valid Office of Management and Budget (OMB) control number. In accordance with the PRA, 44 U.S.C. 3501–3521, OMB approved the AWTS under OMB control number 0607–0195.

Based upon the foregoing, I have directed that the annual survey be conducted for the purpose of collecting these data.

Dated: October 12, 2010.

**Robert M. Groves,**

*Director, Bureau of the Census.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–894]

#### **Certain Tissue Paper Products From the People's Republic of China: Final Results of the 2008–2009 Antidumping Duty Administrative Review**

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

**SUMMARY:** On April 13, 2010, the Department of Commerce (the Department) published the preliminary results of the 2008–2009 administrative review of the antidumping duty order on certain tissue paper products from the People's Republic of China (PRC) covering the period March 1, 2008, through February 28, 2009. This administrative review covers two exporters of the subject merchandise: Max Fortune Industrial Limited (Max Fortune) and Seaman Paper Asia Co., Ltd. (Seaman Paper Asia). We invited

interested parties to comment on the preliminary results.

Based on our analysis of the comments received, we have made changes to the margin calculations. The weighted-average dumping margins are listed below in the section entitled “Final Results of Review.”

**DATES:** *Effective Date:* October 18, 2010.

**FOR FURTHER INFORMATION CONTACT:** Brian Smith or Gemal Brangman, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482–1766 or (202) 482–3773, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On April 13, 2010, the Department published the preliminary results of this administrative review. *See Certain Tissue Paper Products From the People's Republic of China: Preliminary Results of the 2008–2009 Administrative Review*, 75 FR 18812 (April 13, 2010) (*Preliminary Results*). In response to the interested parties' requests, we extended the deadlines for submitting case and rebuttal briefs for consideration in the final results of this administrative review.

On May 13, 2010, Max Fortune requested a hearing.

On May 28, 2010, Max Fortune requested the public disclosure of certain information designated as business proprietary that was included in the petitioner's<sup>1</sup> September 15, 2009, submissions and examined by the Department during verification.<sup>2</sup> On June 8, 2010, the Department informed Max Fortune that it was unable to grant its May 28, 2010, request because doing so would reveal the source of the information for which the Department granted the petitioner business proprietary treatment.

On June 25, 2010, Max Fortune submitted its case brief. Neither Seaman Paper Asia nor the petitioner submitted case briefs. On July 1, 2010, the petitioner submitted its rebuttal brief.

On July 14, 2010, the Department notified the parties that as a result of the recent decision in *Dorbest Limited et al. v. United States*, No. 2009–1257, –1266 (Fed. Cir. May 14, 2010) (*Dorbest*), issued by the United States Court of Appeals for the Federal Circuit (CAFC),

<sup>1</sup> The petitioner is the Seaman Paper Company of Massachusetts, Inc.

<sup>2</sup> Max Fortune also requested in its May 28, 2010, letter that the Department grant an additional extension of the deadline to submit case and rebuttal briefs and extend the final results deadline.

the Department would be reconsidering its valuation of the labor wage rate in this review. The Department placed export data on the record of the review and gave parties a specified period of time to comment on the narrow issue of the labor wage value and the methodology proposed to value labor for margin calculation purposes in light of the CAFC's decision in *Dorbest*.<sup>3</sup> On July 15, 2010, the Department corrected certain wage rate data placed on the record on July 14, 2010.<sup>4</sup>

On July 20, 2010, Max Fortune withdrew its May 13, 2010, request for a hearing. No other party in this review requested a hearing.

On July 22, 2010, Max Fortune submitted comments on the wage rate data and proposed methodology the Department placed on the record on July 14, 2010.

On July 23, 2010, the Department held meetings with Max Fortune's and the petitioner's counsels to discuss the issues raised in Max Fortune's case brief.<sup>5</sup>

On August 9, 2010, the Department placed on the record an additional clarification/correction of the surrogate wage rate data contained in the Department's July 14, 2010, memorandum.<sup>6</sup>

On August 9, 2010, the Department postponed the final results of this review until October 11, 2010.<sup>7</sup> *See Notice of Extension of Time Limit for Final Results of Antidumping Duty Administrative Review: Certain Tissue Paper Products From the People's Republic of China*, 75 FR 49888 (August 16, 2010).

On August 16, 2010, Max Fortune submitted comments and additional data regarding the wage rate issue in response to the Department's August 9, 2010, memorandum.

On September 21 and 24, 2010, the Department held additional meetings with Max Fortune's and the petitioner's counsels, respectively, to discuss the

<sup>3</sup> See the Department's memorandum to the file entitled, “Data on Labor Wage,” dated July 14, 2010.

<sup>4</sup> See the Department's memorandum to the file entitled, “Wage Rate Calculation—Error in Currency Conversion of the Hourly Wage Rate for El Salvador,” dated July 15, 2010.

<sup>5</sup> See the Department's memoranda to the file entitled, “Ex Parte Meeting with Counsel for Max Fortune Industrial Limited and Max Fortune (FZ) Paper Products Co., Ltd. (Max Fortune),” dated July 26, 2010, and “Ex Parte Meeting with the Petitioner's Counsel,” dated July 26, 2010.

<sup>6</sup> See the Department's memorandum to the file entitled, “Honduras Data on Labor Wage Rate,” dated August 9, 2010 (August 9, 2010 memorandum).

<sup>7</sup> Since October 11, 2010, is a federal holiday, the final results are due on the next business day, October 12, 2010.