

Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 210.6. Documents for which confidential treatment by the Commission is sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in sections 210.16, 210.42, and 210.50 of the Commission's Rules of Practice and Procedure, 19 CFR 210.16, 210.42, and 210.50.

By order of the Commission.  
Issued: February 9, 2012.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2012-3467 Filed 2-14-12; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-768]

### Certain Vaginal Ring Birth Control Devices; Termination of the Investigation Based on Withdrawal of the Complaint

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 30) of the presiding administrative law judge ("ALJ") terminating the above-captioned investigation based on withdrawal of the complaint.

**FOR FURTHER INFORMATION CONTACT:**

Clint Gerdine, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 708-2310. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired

persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on February 25, 2011, based on a complaint filed by Femina Pharma Incorporated of Miami, Florida. 76 FR 17444. The complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaginal birth control devices by reason of infringement of certain claims of U.S. Patent No. 6,086,909. The complaint further alleges the existence of a domestic industry. The Commission's notice of investigation named the following respondents: The Canamerican Drugs Inc., The Canamerican Global, Inc., Canadian Med Service, Panther Meds Inc., Canada Drugs Online, Canadadrugs.com LP, and North Drug Store, collectively of Winnipeg, Manitoba, Canada; Drug World Canada, CanDrug Health Solutions Inc., Big Mountain Drugs, BestBuyRx.com, and Blue Sky Drugs, collectively of Surrey, British Columbia, Canada; ABC Online Pharmacy of Burnaby, British Columbia, Canada; Canada Pharmacy of Blaine, Washington (collectively, "the non-participating respondents"); and Merck & Co., Inc. of Whitehouse Station, New Jersey; Schering Plough Corporation of Kenilworth, New Jersey; CVS Caremark Corporation ("CVS Caremark") and CVS Pharmacy, Inc., both collectively of Woonsocket, Rhode Island; Wal-Mart Stores, Inc. of Bentonville, Arkansas; Walgreens Co. of Deerfield, Illinois; Organon USA, Inc. of Durham, North Carolina; and N.V. Organon of Oss, Netherlands.

On June 3, 2011, the Commission issued notice of its determination not to review the ALJ's ID granting complainant's and CVS Caremark's joint motion to terminate the investigation as to CVS Caremark. On August 17, 2011, the Commission issued notice of its determination not to review the ALJ's ID finding the non-participating respondents in default.

On January 17, 2012, complainant moved to terminate the investigation as to all respondents, including those previously found in default, on the basis of withdrawal of its complaint. No party opposed the motion.

The ALJ issued the subject ID on January 20, 2012, granting the motion for termination of the investigation. He found that the motion for termination

satisfied Commission rule 210.21(a). No party petitioned for review of the ID. The Commission has determined not to review the ID, and the investigation is terminated.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in sections 210.21 and 210.42(h) of the Commission's Rules of Practice and Procedure, 19 CFR 210.21, 210.42(h).

Issued: February 9, 2012.

By order of the Commission.

**James R. Holbein,**

*Secretary to the Commission.*

[FR Doc. 2012-3468 Filed 2-14-12; 8:45 am]

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## DEPARTMENT OF JUSTICE

### Notice of Lodging of Consent Decree Under the Comprehensive Environmental Response, Liability, and Compensation Act

Notice is hereby given that on February 9, 2012, a proposed Consent Decree in *United States and Nebraska v. NL Industries, Inc.*, Civil Action No. 8:12-cv-00059 was lodged with the United States District Court for the District of Nebraska.

In that lawsuit, the United States and State of Nebraska seek to recover response costs pursuant to the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA") in connection with the U.S. Environmental Protection Agency's continuing cleanup of the Omaha Lead Superfund Site. The proposed consent decree will require NL Industries, Inc. to pay \$624,000 to the Hazardous Substance Superfund in partial reimbursement of the United States' response costs and pay \$26,000 to the Nebraska Department of Environmental Quality.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either emailed to [pubcomment-ees.enrd@usdoj.gov](mailto:pubcomment-ees.enrd@usdoj.gov) or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and Nebraska v. NL Industries, Inc.*, D.J. Ref. 90-11-3-07834/5.

During the public comment period, the Consent Decree, may also be examined on the following Department of Justice Web site, <http://>