

**DEPARTMENT OF COMMERCE****International Trade Administration****Proposed Information Collection;  
Comment Request; Comment Card for  
E-mail Taglines**

**AGENCY:** U.S. and Foreign Commercial Service.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before December 1, 2008.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Suzan Winters—Phone: (202) 482-6042, [Suzan.Winters@mail.doc.gov](mailto:Suzan.Winters@mail.doc.gov), Fax: (202) 482-2599.

**SUPPLEMENTARY INFORMATION:****I. Abstract**

The International Trade Administration's U.S. Commercial Service is mandated by Congress to help U.S. businesses, particularly small and medium-sized companies, export their products and services to global markets. As part of its mission, the U.S. Commercial Service (CS) currently uses customer satisfaction surveys to collect feedback from U.S. business clients that pay for services performed by CS. These surveys ask the client to evaluate CS on its customer service provision. The results from the surveys are used to make improvements to the agency's business processes in order to provide better and more effective export assistance to U.S. companies. In addition to soliciting client feedback after a service is delivered, the CS would like to add a tagline with a link to a Comment Card at the bottom of all employees' e-mail messages to enable clients to submit feedback anytime they see fit. The actual tagline would encourage recipients of the e-mail to click the Comment Card link and

provide feedback on service quality. Samples of taglines could be similar to:

(1) "Please tell me about the quality of service that I have provided to you;" or

(2) "Please let me know how well I have served you."

A link to a Comment Card would immediately follow the tagline. The purpose of the attached card is to collect feedback from U.S. businesses that interact with CS employees. This information will be used for quality assurance purposes. Survey responses will be used to assess client satisfaction, identify client issues, record client results and recognize exemplary service providers.

**II. Method of Collection**

Comment Card link embedded in employees' e-mail taglines; clients will fill out and submit the Comment Cards electronically.

**III. Data**

*OMB Control Number:* None.

*Form Number(s):* None.

*Type of Review:* Regular submission.

*Affected Public:* Business or other for-profit organizations.

*Estimated Number of Respondents:* 5,000.

*Estimated Time per Response:* 5–10 minutes.

*Estimated Total Annual Burden Hours:* 833.

*Estimated Total Annual Cost to Public:* \$0.

**V. Request for Comments**

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: September 26, 2008.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. E8-23191 Filed 10-1-08; 8:45 am]

**BILLING CODE 3510-FP-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-851]

**Certain Preserved Mushrooms From  
the People's Republic of China: Notice  
of Court Decision Not in Harmony With  
Final Results of Administrative Review**

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

**SUMMARY:** On September 16, 2008, the United States Court of International Trade (CIT) sustained the Department of Commerce's (the Department's) results of redetermination pursuant to the CIT's remand in *Gerber Food (Yunnan) Co., Ltd. and Green Fresh (Zhangzhou) Co., Ltd. v. United States*, Slip Op. 07-85 (May 24, 2007) (*Gerber v. United States I*). See Results of Redetermination Pursuant to Remand, dated September 18, 2007 (found at <http://ia.ita.doc.gov/remands>); and *Gerber Food (Yunnan) Co., Ltd. and Green Fresh (Zhangzhou) Co., Ltd. v. United States*, Slip Op. 08-97 (September 16, 2008) (*Gerber v. United States III*). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department is notifying the public that the final judgment in this case is not in harmony with the Department's final results of the administrative review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China (PRC) covering the period of review (POR) of February 1, 2001, through January 31, 2002. See *Notice of Final Results and Partial Rescission of the New Shipper Review and Final Results and Partial Rescission of the Third Antidumping Duty Administrative Review of Certain Preserved Mushrooms From the People's Republic of China*, 68 FR 41304 (July 11, 2003) (*Final Results*).

**DATES:** *Effective Date:* September 26, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Brian Smith, 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.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 3, 2003, the Department issued its final results in the antidumping duty administrative review of certain preserved mushrooms from the PRC covering the POR of February 1, 2001, through January 31, 2002. *See Final Results*. In the *Final Results*, the Department applied total adverse facts available (AFA) in calculating the cash deposit and assessment rates for respondents Gerber Food (Yunnan) Co., Ltd. (Gerber) and Green Fresh (Zhangzhou) Co., Ltd. (Green Fresh). *See Final Results*, 68 FR at 41306. The Department found that Gerber and Green Fresh were involved in a business arrangement during the POR that resulted in the circumvention of the proper payment of cash deposits on certain POR entries of subject merchandise made by Gerber. *Id.* As total AFA, the Department applied the PRC-wide rate of 198.63 percent to both companies. Gerber and Green Fresh challenged the Department's resorting to total AFA to determine their cash deposit and assessment rates for the POR in the *Final Results*.

In *Gerber Food (Yunnan) Co., Ltd. and Green Fresh (Zhangzhou) Co., Ltd. v. United States*, Slip Op. 05-84 (July 18, 2005) (*Gerber v. United States I*), the CIT remanded the *Final Results*, holding that the Department's application of the "facts otherwise available" and "adverse inference" provisions was not supported by substantial record evidence and was otherwise not in accordance with law. In *Gerber v. United States II*, the CIT held that the Department's Redetermination Pursuant to Court Remand complied with the remand order in *Gerber v. United States I* in some respects but not others, and remanded the redetermination to the Department for further reconsideration.

On September 18, 2007, the Department issued its final results of redetermination pursuant to *Gerber v. United States II*. The remand redetermination explained that, in accordance with the CIT's instructions, the Department: (1) Recalculated the assessment rate for Gerber using a rate other than the PRC-wide rate as partial AFA with respect to certain POR sales of subject merchandise produced by Gerber for which the customs entry documentation identified Green Fresh as the exporter; and (2) recalculated the assessment rate for Green Fresh based on the data it reported, exclusive of the aforementioned transactions, without resorting to facts available or adverse

inferences. The Department's redetermination resulted in changes to the *Final Results* weighted-average margins for Gerber from 198.63 percent to 92.11 percent, and for Green Fresh from 84.26 percent to 31.55 percent.

##### Timken Notice

In its decision in *Timken*, 893 F.2d at 341, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (the Act), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in *Gerber v. United States III* on September 16, 2008, constitutes a final decision of that court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the CIT's ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs and Border Protection to assess antidumping duties on entries of the subject merchandise during the POR from Gerber and Green Fresh based on the revised assessment rates calculated by the Department.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: September 26, 2008.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E8-23269 Filed 10-1-08; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-921]

#### Lightweight Thermal Paper From the People's Republic of China: Final Affirmative Countervailing Duty Determination

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

**SUMMARY:** The Department of Commerce (the "Department") has determined that countervailable subsidies are being provided to producers and exporters of lightweight thermal paper ("LWTP")

from the People's Republic of China ("PRC"). For information on the estimated countervailing duty rates, please see the "Suspension of Liquidation" section, below.

**DATES:** *Effective Date:* October 2, 2008.

#### FOR FURTHER INFORMATION CONTACT:

David Layton, David Neubacher, or Scott Holland, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0371, (202) 482-5823, or (202) 482-1279, respectively.

#### Petitioner

The Petitioner in this investigation is Appleton Papers, Inc. ("the Petitioner").

#### Period of Investigation

The period for which we are measuring subsidies, or period of investigation ("POI"), is January 1, 2006, through December 31, 2006.

#### Case History

The following events have occurred since the announcement of the preliminary determination on March 10, 2008. *See Lightweight Thermal Paper from the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination with Final Antidumping Duty Determination*, 73 FR 13850 (March 14, 2007) ("*Preliminary Determination*").

The Department issued questionnaires to the Government of the People's Republic of China ("GOC"), Shanghai Hanhong Paper Co., Ltd. ("Hanhong"), Guangdong Guanhao High-Tech Co., Ltd. ("GG") and GG's affiliated input supplier Zhanjiang Guanlong Paper Industrial Co., Ltd. ("ZG") regarding new subsidy allegations filed by the Petitioner on February 8 and February 14, 2008. We received responses to these questionnaires and to several supplemental questionnaires, and comments from the Petitioner regarding the responses.

The Petitioner and GG/ZG submitted additional factual information consistent within the deadline for the submission of factual information established by 19 CFR 351.301(b)(1).

In the *Preliminary Determination*, the Department stated that it would accept the claim of respondent Xiamen Anne Paper Co., Ltd. ("Xiamen Anne") that it made no shipments of subject merchandise during the POI, subject to