

Data collection activity	Respondents	Annual frequency per response	Estimated number of respondents	Estimated burden per respondent (minutes)	Total burden estimate (hours)
Total .....	.....	.....	15,100	.....	5,200

*Comments are invited on:* (1) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology. All comments received will be available for public inspection during regular business hours at the same address.

All responses to this notice will be summarized and included in the request for the Office of Management and Budget approval. All comments will become a matter of public record.

Dated: February 8, 2010.

**Joe Leonard, Jr.,**

*Assistant Secretary for Civil Rights, United States Department of Agriculture.*

[FR Doc. 2010-3359 Filed 2-19-10; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-807]

#### **Certain Steel Concrete Reinforcing Bars From Turkey: Notice of Court Decision Not in Harmony With Final Results of Administrative Review**

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

**SUMMARY:** On January 19, 2010, 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 order in *Nucor Corporation, Gerdau Ameristeel Corporation, and Commercial Metals Company v. United States and Icdas Celik Enerji Tersane ve Ulasim Sanayi A.S.*, Court No. 05-00616, Slip Op. 10-6 (Jan. 19, 2010). See Results of Redetermination Pursuant to

Remand, dated November 6, 2009 (found at <http://ia.ita.doc.gov/remands>). 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 steel concrete reinforcing bars (rebar) from Turkey covering the period of review (POR) of April 1, 2003, through March 31, 2004. See *Certain Steel Concrete Reinforcing Bars From Turkey; Final Results, Rescission of Antidumping Duty Administrative Review in Part, and Determination To Revoke in Part*, 70 FR 67665 (Nov. 8, 2005) (*Final Results*).

**FOR FURTHER INFORMATION CONTACT:** Elizabeth Eastwood, 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) 482-3874.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On November 8, 2005, the Department published the final results of the administrative review. See *Final Results*. In the final results, the Department: (1) Reversed its preliminary decision with respect to the U.S. date of sale for ICDAS and used the contract date as the date of sale for ICDAS's U.S. sales, rather than the invoice date, because it determined that the material terms of sale were established at the contract date; (2) computed ICDAS's cost of production (COP) using annual-average, rather than quarterly, costs; and (3) defined the universe of U.S. sales transactions examined during the administrative review to rely on the date that subject merchandise entered the customs territory of the United States, rather than the date that subject merchandise was sold here.

On November 18, 2005, the Department requested a voluntary remand in order to reconsider the date-of-sale issue. On December 15, 2005, the CIT granted the Department's request to reconsider whether, based upon the record evidence, the Department

reasonably applied its date-of-sale methodology to the facts at issue.

On January 31, 2006, the Department issued its final results of redetermination pursuant to the CIT's December 15, 2005, ruling. In its remand results, the Department determined that the invoice date is the appropriate date of sale for ICDAS's U.S. sales in the 2003-2004 administrative review.

On March 24, 2009, the CIT again remanded this issue to the Department, requiring that the Department provide a more in-depth analysis as to why the use of invoice date as U.S. date of sale was appropriate. In addition, the CIT remanded two additional issues, at the Department's request, related to the calculation of ICDAS's COP and an explanation for the methodology used to determine the universe of U.S. sales examined in the review.

On November 6, 2009, the Department issued its final results of redetermination pursuant to the CIT's March 24, 2009, ruling. In its remand redetermination the Department explained that, in accordance with the CIT's instructions, it reconsidered the issues contained in the CIT's March 24, 2009, ruling and determined that it was appropriate to: (1) Base ICDAS's universe of sales on entry date; (2) use invoice date as the date of sale for ICDAS's U.S. sales; and (3) use ICDAS's quarterly-average costs in its margin calculations. On January 19, 2010, the CIT affirmed the Department's November 6, 2009, remand redetermination.

The Department's redetermination resulted in changes to the *Final Results* weighted-average margin for ICDAS from 0.16 percent to 0.70 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 on January 19, 2010, constitutes a final decision of that Court that is not in harmony with the Department's *Final Results*. Accordingly, this notice is published in

fulfillment of the publication requirements of *Timken*, with an effective date of January 29, 2010, (*i.e.*, 10 days following the CIT's ruling). 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 ICDAS 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: February 12, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-3266 Filed 2-19-10; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-843]

#### Certain Lined Paper Products from India: Notice of Final Results of Antidumping Duty Administrative Review

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

**SUMMARY:** On October 7, 2009, the Department of Commerce (the Department) published in the **Federal Register** the preliminary results of the antidumping duty administrative review for certain lined paper products from India (CLPP). See *Certain Lined Paper Products From India: Notice of Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 51558 (October 7, 2009) (*Preliminary Results*). This review covers 25 manufacturers and exporters of the subject merchandise.<sup>1</sup> As a result of our

analysis of the comments received, these final results differ from the *Preliminary Results*.

For our final results, we continue to find that Navneet and Blue Bird made sales of subject merchandise at less than normal value (NV). In addition, based on the final results for Navneet, we have determined a weighted-average margin for those companies that were not selected for individual review.

**DATES:** *Effective Date:*

February 22, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Stephanie Moore (Navneet, and non-selected companies) and Cindy Robinson (Blue Bird), AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3692, (202) 482-3797, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

On November 25, 2008, the Department selected Kejriwal and Blue Bird as companies to be individually examined in this second administrative review of the antidumping duty order on CLPP from India. See Memorandum to Melissa Skinner from George McMahon titled "Certain Lined Paper Products from India: Selection of Respondents for Individual Review" (Respondent Selection Memo), dated November 25, 2008. On December 22, 2008, both Kejriwal and petitioner timely withdrew their requests for a review of Kejriwal. On January 9, 2009, after we determined that we would rescind the review with respect to Kejriwal, we selected Navneet as a mandatory respondent.

On October 7, 2009, the Department published the *Preliminary Results*. As noted in the *Preliminary Results*, Blue Bird withheld requested information, significantly impeded the proceeding, and failed to cooperate to the best of its ability. Therefore, pursuant to sections 776(a)(2)(A) and (C) and 776(b) of the Tariff Act of 1930, as amended (the Act), the Department preliminarily determined that the use of facts available for Blue Bird was appropriate, and assigned a rate of 72.96 percent, which was based on the highest margin

preliminarily calculated for Navneet in this review.

#### Comments from Interested Parties

We invited parties to comment on our *Preliminary Results*. Case briefs were filed November 20, 2009, by Navneet, and Blue Bird; November 24, 2009, by petitioner; and on November 25, 2009, by IScholar, Inc., an importer of subject merchandise from respondent Blue Bird. On December 4, 2009, petitioner and Navneet filed rebuttal briefs.

#### Scope of the Order

The scope of this order includes certain lined paper products, typically school supplies (for purposes of this scope definition, the actual use of or labeling these products as school supplies or non-school supplies is not a defining characteristic) composed of or including paper that incorporates straight horizontal and/or vertical lines on ten or more paper sheets (there shall be no minimum page requirement for loose leaf filler paper) including but not limited to such products as single- and multi-subject notebooks, composition books, wireless notebooks, loose leaf or glued filler paper, graph paper, and laboratory notebooks, and with the smaller dimension of the paper measuring 6 inches to 15 inches (inclusive) and the larger dimension of the paper measuring 8-3/4 inches to 15 inches (inclusive). Page dimensions are measured size (not advertised, stated, or "tear-out" size), and are measured as they appear in the product (*i.e.*, stitched and folded pages in a notebook are measured by the size of the page as it appears in the notebook page, not the size of the unfolded paper). However, for measurement purposes, pages with tapered or rounded edges shall be measured at their longest and widest points. Subject lined paper products may be loose, packaged or bound using any binding method (other than case bound through the inclusion of binders board, a spine strip, and cover wrap). Subject merchandise may or may not contain any combination of a front cover, a rear cover, and/or backing of any composition, regardless of the inclusion of images or graphics on the cover, backing, or paper. Subject merchandise is within the scope of this order whether or not the lined paper and/or cover are hole punched, drilled, perforated, and/or reinforced. Subject merchandise may contain accessory or informational items including but not limited to pockets, tabs, dividers, closure devices, index cards, stencils, protractors, writing implements, reference materials such as mathematical tables, or printed items

<sup>1</sup> On September 29, 2008, the Department received a timely request for an administrative review filed on behalf of Kejriwal Paper Limited (Kejriwal) and a timely request for an administrative review filed on behalf of Navneet Publications (India) Ltd., (Navneet). On September 30, 2008, the Department received a timely request for an administrative review of the following 25 companies, filed on behalf of the Association of American School Paper Suppliers (Petitioner), a domestic interested party: Agility Logistics Pvt. Ltd., Blue Bird (India) Limited (Blue Bird), Ceal Shipping Logistics Pvt. Ltd., Cello International Pvt. Ltd., Corporate Stationary Pvt. Ltd., Creative Divya,

Exel India Pvt. Ltd., FFI International, Global Art India Inc., International Greetings Pvt. Ltd., Karim General Handmade Paper DIAR, Kejriwal Exports, M/S Super ImpEx., Magic International, Marigold ExIm Pvt. Ltd., Marisa International, Navneet, Pentagon Waterlines Pvt. Ltd., Pioneer Stationery Pvt. Ltd., Rajvansh International, Riddhi Enterprises, SAB International, TKS Overseas, Unlimited Accessories Worldwide, and V. Joshi Co.