

Respondents' Obligation: Voluntary.
Legal Authority: Title 13, U.S.C.,
 Section 182; and Title 29, U.S.C.,
 Sections 1–9.

IV. 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 the Office of Management and Budget approval of this information collection; they also will become a matter of public record.

Dated: December 1, 2009.

Glenna Mickelson,

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

[FR Doc. E9–28948 Filed 12–3–09; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–824]

Polyethylene Terephthalate Film Sheet and Strip From India: Rescission of Antidumping Duty Administrative Review

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

DATES: *Effective Date:* December 4, 2009.

FOR FURTHER INFORMATION CONTACT:
 Martha Douthit, AD/CVD Operations,
 Office 6, Import Administration,
 International Trade Administration,
 U.S. Department of Commerce, 14th
 Street and Constitution Avenue, NW.,
 Washington, DC 20230; telephone: (202)
 482–5050.

Background

On July 1, 2009, the Department of Commerce (the Department), published in the **Federal Register** a notice of “Opportunity to Request an Administrative Review” of the antidumping duty order on polyethylene terephthalate film sheet

and strip (PET Film) from India. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 74 FR 31406 (July 1, 2009). On July 31, 2009, Jindal Poly Films Limited (Jindal), an Indian producer and exporter of PET Film to the United States, timely requested that the Department conduct an administrative review of Jindal. Jindal was the only party to request this administrative review.

On August 25, 2009, the Department published a notice of initiation of the antidumping duty administrative review of PET Film from India for the period of review, July 1, 2008 through June 30, 2009. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 74 FR 42873 (August 25, 2009). Jindal withdrew its request for an administrative review on September 18, 2009.

Rescission of Administrative Review

Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Jindal withdrew its request before the 90-day deadline and no other party requested an administrative review of the antidumping duty order on PET Film from India. Therefore, in response to Jindal's withdrawal of its request for an administrative review pursuant to 19 CFR 351.213(d)(1), the Department hereby rescinds the administrative review of the antidumping duty order on PET Film from India.

Assessment

The Department will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. For the company for which this review is rescinded, the antidumping duties shall be assessed at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212 (c)(1)(i). The Department intends to issue appropriate assessment instructions to CBP 15 days after the date of publication of this rescission of administrative review in the **Federal Register**.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) (2) to file a certificate

regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

Notification Regarding Administrative Protective Order

This notice serves as a final reminder to parties subject to administrative protection orders (“APO”) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This notice is issued and published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: November 30, 2009.

John M. Andersen,

*Acting Deputy Assistant Secretary for
 Antidumping and Countervailing Duty
 Operations.*

[FR Doc. E9–29015 Filed 12–3–09; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–886]

Polyethylene Retail Carrier Bags From the People's Republic of China: Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On July 29, 2009, the Department of Commerce published the preliminary results of the 2007/2008 administrative review of the antidumping duty order on polyethylene retail carrier bags from the People's Republic of China. The review covers one exporter. The period of review is August 1, 2007, through July 31, 2008. We invited interested parties to comment on these preliminary results.

Based on our analysis of the comments received, we have made changes to our margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for

the reviewed firm is listed below in the section entitled "Final Results of the Review."

EFFECTIVE DATE: December 4, 2009.

FOR FURTHER INFORMATION CONTACT:

Catherine Cartos or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1757 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 29, 2009, the Department of Commerce (the Department) published the preliminary results of review of the antidumping duty order on polyethylene retail carrier bags (PRCBs) from the People's Republic of China (PRC). See *Polyethylene Retail Carrier Bags from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 37694 (July 29, 2009) (*Preliminary Results*). The administrative review covers Zongshan Rally Plastics Co., Ltd., and Rally Plastics Co., Ltd. (collectively Rally).

We invited parties to comment on the *Preliminary Results*. On August 31, 2009, we received case briefs from the Polyethylene Retail Carrier Bag Committee and its individual members, Hilex Poly Co., LLC, and Superbag Corporation (collectively, the petitioners), and Rally. On September 3, 2009, we received a rebuttal brief from Rally. Although Rally requested on August 28, 2009, that the Department hold a hearing, it withdrew its request for a hearing on September 4, 2009; therefore, we did not conduct a hearing.

We have conducted this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Order

The merchandise subject to the antidumping duty order is PRCBs, which 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 the 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 the subject merchandise are currently classifiable under statistical category 3923.21.0085 of the Harmonized Tariff Schedule of the United States (HTSUS).¹ This subheading may also cover products that are outside the scope of the order. Furthermore, although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Separate Rates

In proceedings involving non-market-economy (NME) countries, the Department begins with a rebuttable presumption that all companies within the country are subject to government control and, thus, should be assigned a single antidumping duty deposit rate. It is the Department's policy to assign all exporters of merchandise subject to review in an NME country this single rate unless an exporter can demonstrate that it is sufficiently independent so as to be entitled to a separate rate.

In the *Preliminary Results*, we treated the PRC as an NME country and found that Rally demonstrated its eligibility for separate-rate status. We received no comments from interested parties regarding the separate-rate status of Rally. Therefore, for these final results of review, we continue to find that the evidence placed on the record of this review by Rally demonstrates an absence of government control, both in law and in fact, with respect to its exports of the subject merchandise.

¹ Until July 1, 2005, these products were classifiable under HTSUS 3923.21.0090 (Sacks and bags of polymers of ethylene, other). See Harmonized Tariff Schedule of the United States (2005) – Supplement 1 Annotated for Statistical Reporting Purposes Change Record – 17th Edition – Supplement 1, available at <http://hotdocs.usitc.gov/docs/tata/hts/bychapter/0510/0510chgs.pdf>.

Thus, we have determined that Rally is eligible to receive a separate rate.

Surrogate Country

In the *Preliminary Results*, we treated the PRC as an NME country and, therefore, we calculated normal value in accordance with section 773(c) of the Act. Also, we stated that we selected India as the appropriate surrogate country to use in this review because it is a significant producer of merchandise comparable to subject merchandise and it is at a level of economic development comparable to the PRC, pursuant to section 773(c)(4) of the Act. See *Preliminary Results*, 74 FR at 37694. No interested party commented on our designation of the PRC as an NME country nor the selection of India as the surrogate country. Therefore, we have continued to treat the PRC as an NME country and have used the same surrogate country, India, for these final results of review.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties in this review are addressed in the Issues and Decision Memorandum from John M. Andersen, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated concurrently with this notice (Decision Memo), which is hereby adopted by this notice. The issue which parties have raised and to which we have responded in the Decision Memo relates to the valuation of NME purchases of a factor of production, calcium carbonate. Parties can find a complete discussion of the issue raised in this review and the corresponding recommendation in this public memorandum, which is on file in the Central Records Unit, main Department of Commerce building, Room 1117, and is accessible on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made several changes in our margin calculations. Specifically, we have changed our selection of the surrogate value for the valuation of calcium carbonate. See Decision Memo and Analysis Memorandum dated concurrently with this notice. Additionally, we have corrected undisputed clerical errors in our calculations. See Analysis Memorandum.

Final Results of the Review

As a result of our review, we determine that a final weighted-average dumping margin of 17.92 percent exists for Rally for the period August 1, 2007, through July 31, 2008.

Assessment Rates

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of administrative review. In calculating importer-specific assessment rates, we divided the total dumping margins (calculated as the difference between normal value and export price) for each of Rally's importers or customers by the total number of units the exporter sold to that importer or customer. We will direct CBP to assess the resulting per-unit dollar amount against each unit of merchandise in each of that importer's/customer's entries during the review period.

Cash-Deposit Requirements

The following cash-deposit requirements will be effective upon publication of this notice of final results of administrative review for shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of the publication as provided by section 751(a)(1) of the Act: (1) for subject merchandise exported by Rally, the cash deposit rate will be 17.92 percent; (2) for previously reviewed or investigated companies not listed above that have separate rates, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash-deposit rate will be the PRC-wide rate of 77.57 percent; (4) for all non-PRC exporters of subject merchandise the cash-deposit rate will be the rate applicable to the PRC exporter that supplied that exporter. These deposit requirements shall remain in effect until further notice.

Notifications

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent

assessment of double antidumping duties. See *id.*

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of the destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation subject to sanction.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.213.

Dated: November 25, 2009.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. E9-29018 Filed 12-3-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-560-822]

Polyethylene Retail Carrier Bags From Indonesia: Amended Preliminary Determination of Sales at Less Than Fair Value

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

SUMMARY: On November 3, 2009, the Department of Commerce published the preliminary determination of sales at less than fair value in the antidumping duty investigation of polyethylene retail carrier bags from Indonesia. 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) (*Preliminary Determination*). We are amending our *Preliminary Determination* to correct certain ministerial errors with respect to the antidumping duty margin calculation for P.T. Super Exim Sari Ltd. (SES) and P.T. Super Makmur (SM) (collectively SESSM). The corrections to the margin for SESSM also affect the calculation of the all-others rate.

EFFECTIVE DATE: November 3, 2009.

FOR FURTHER INFORMATION CONTACT: Yang Jin Chun or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue, NW, Washington, DC 20230; telephone (202) 482-5760 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 27, 2009, the Department issued a preliminary determination that polyethylene retail carrier bags from Indonesia are being, or are likely to be, sold in the United States at less than fair value as provided in section 733 of the Tariff Act of 1930, as amended (the Act). See *Preliminary Determination*. On November 2, 2009, SESSM filed timely allegations of ministerial errors contained in the *Preliminary Determination*. After reviewing the allegations, we have determined that the *Preliminary Determination* included significant ministerial errors. Therefore, in accordance with 19 CFR 351.224(e), we have made changes to the *Preliminary Determination* as described below.

Period of Investigation

The period of investigation is January 1, 2008, through December 31, 2008.

Scope of the Investigation

The merchandise subject to this investigation is 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 (15.24 cm) but not longer than 40 inches (101.6 cm).

Polyethylene retail carrier bags 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 investigation 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.