

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

[C-570-963]

**Certain Potassium Phosphate Salts From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation**

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

**FOR FURTHER INFORMATION CONTACT:** Andrew Huston or Mark Hoadley, 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) 482-4261 and (202) 482-3148, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On October 14, 2009, the Department of Commerce (the Department) initiated the countervailing duty investigation of certain sodium and potassium phosphate salts from the People's Republic of China. *See Certain Sodium and Potassium Phosphate Salts From the People's Republic of China: Initiation of Countervailing Duty Investigation*, 74 FR 54778 (October 23, 2009). Currently, the preliminary determination is due no later than December 18, 2009.

**Postponement of Due Date for the Preliminary Determination**

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires the Department to issue the preliminary determination in a countervailing duty investigation within 65 days after the date on which the Department initiated the investigation. However, the Department may postpone making the preliminary determination until no later than 130 days after the date on which the administering authority initiated the investigation if, among other reasons, the petitioner makes a timely request for an extension pursuant to section 703(c)(1)(A) of the Act. In the instant investigation, the petitioners, ICL Performance Products LP and Prayon, Inc., made a timely request on November 20, 2009, requesting that the Department postpone the preliminary countervailing duty determination. *See* 19 CFR 351.205(e) and the petitioners' November 20, 2009, letter requesting postponement of the preliminary determination.

Therefore, pursuant to the discretion afforded the Department under

703(c)(1)(A) of the Act and because the Department does not find any compelling reason to deny the request, we are extending the due date for the preliminary determination to no later than 130 days after the date on which this investigation was initiated (*i.e.*, to February 21, 2010). However, February 21, 2010 falls on a Sunday, and it is the Department's long-standing practice to issue a determination the next business day when the statutory deadline falls on a weekend, federal holiday, or any other day when the Department is closed. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005). Accordingly, the deadline for the completion of the preliminary determination is now February 22, 2010, the first business day after the 130th day from initiation.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: November 25, 2009.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

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

[C-570-917]

**Laminated Woven Sacks From the People's Republic of China: Partial Rescission of Countervailing Duty Administrative Review**

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

**SUMMARY:** The Department of Commerce ("the Department") is rescinding in part the administrative review of the countervailing duty order on laminated woven sacks ("LWS") from the People's Republic of China ("PRC") for the period December 3, 2007 to December 31, 2008, with respect to Changshu Xinsheng Bags Producing Company Ltd. ("Changshu"). This partial rescission is based on Changshu's withdrawal of its review.

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

**FOR FURTHER INFORMATION CONTACT:** Martha Douthit, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue, NW.,

Washington, DC 20230; telephone: (202) 482-5050.

**SUPPLEMENTARY INFORMATION:****Background**

The Department of Commerce (the "Department") published a notice of opportunity to request an administrative review of the countervailing duty order on LWS from the PRC. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 74 FR 41120 (August 14, 2009), as amended. Changshu Xinsheng Bags Producing Company Ltd. ("Changshu") and Zibo Aifudi Plastic Packaging Co., Ltd. ("Zibo Aifudi") timely requested an administrative review of the countervailing duty order on LWS from the PRC for the period December 3, 2007 through December 31, 2008. In accordance with Section 751(a)(1) of the Tariff Act of 1930 ("the Act") and 19 CFR 351.221(c)(1)(i), of the Department's regulations, the Department published a notice initiating an administrative review of the countervailing duty order. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 74 FR 48224 (September 22, 2009).

**Rescission, in Part, of Countervailing Duty Administrative Review**

The Department's regulations provide that the Department will rescind an administrative review if the party that requested the review withdraws its request for review within 90 days of the date of publication of the notice of initiation. *See* 19 CFR 351.213(d)(1). Changshu, the only party to request a review of its particular sales of LWS, timely withdrew its request of the review within the 90-day deadline. Therefore, in accordance with 19 CFR 351.213(d)(1), the Department is rescinding this administrative review of the countervailing duty order with respect to Changshu. This administrative review will continue with respect to Zibo Aifudi.

**Assessment**

The Department will instruct U.S. Customs and Border Protection ("CBP") to assess countervailing duties on all appropriate entries. For Changshu, countervailing duties shall be assessed, if applicable, at rates equal to the cash deposit or withdrawal from warehouse, for consumption. The Department intends to issue appropriate assessment instructions directly to CBP 15 days after publication of this notice.