

thereof, we have determined, in accordance with 19 CFR 351.224(e), that we made certain ministerial errors with respect to our final dumping margin calculation for Polyplex and have revised our margin calculation accordingly. Specifically, the Department inadvertently did not convert domestic inventory carrying cost (DINVCARU) into U.S. dollars after re-calculating this expense for the *Final Determination* to account for certain changes to Polyplex's reported costs. See *Final Determination*, 73 FR at 55044. The Department has revised its calculation of DINVCARU to convert this expense into U.S. dollars as intended. Additionally, the Department inadvertently failed to account for certain income accounts reported in Polyplex Americas, Ltd.'s Saracote division when calculating the U.S. indirect selling expense (ISE) ratio. See "Issues and Decision Memorandum for the Final Determination of the Antidumping Duty Investigation of Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from Thailand" (Decision Memorandum) from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to David M.

Spooner, Assistant Secretary for Import Administration, dated September 17, 2008, at Comment 5. For this amended final determination, the Department has revised its calculation of the U.S. ISE ratio to account for certain income expenses recorded by the Saracote division of Polyplex Americas, Ltd. as intended. Finally, the Department inadvertently failed to include bad debt expenses in its calculation of the U.S. ISE ratio for Polyplex. See Decision Memorandum at Comment 5. For a detailed discussion of the ministerial errors alleged by Polyplex as well as the Department's analysis, see Memorandum from the Team to Richard O. Weible, entitled, "Ministerial Error Allegation in the Final Determination of the Antidumping Duty Investigation of Polyethylene Terephthalate Film, Sheet, and Strip from Thailand," dated October 24, 2008. Correcting these errors results in a revised margin of 5.36 percent for Polyplex as indicated in the "Amended Cash Deposits" section below.

Therefore, in accordance with 19 CFR 351.224(e), we are amending the final determination of sales at LTFV in the antidumping duty investigation of

polyethylene terephthalate film, sheet, and strip from Thailand for Polyplex.

#### All-Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated all-others rate shall be an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero and de minimis margins and any margins determined entirely under section 776 of the Act. For this amended final determination, we have calculated an amended margin for Polyplex that is above de minimis and will use this rate as the all-others rate as no other producer was investigated.

Therefore, for purposes of determining the all-others rate, and pursuant to section 735(c)(5)(A) of the Act, we are using the amended weighted-average dumping margin calculated for Polyplex of 5.36 percent.

#### Amended Cash Deposits

The revised weighted-average dumping margins are as follows:

Manufacturer/Exporter	Final Determination Weighted-Average Margin Percentage	Amended Final Weighted-Average Percentage
Polyplex .....	6.07	5.36
All-Others .....	6.07	5.36

#### Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B) of the Act, we are directing U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of polyethylene terephthalate film, sheet, and strip from Thailand. CBP shall require a cash deposit equal to the estimated amount by which the normal value exceeds the U.S. price as indicated in the chart above. These instructions suspending liquidation will remain in effect until further notice.

This amended determination is issued and published pursuant to section 735(e) and 777(i)(1) of the Act.

Dated: October 24, 2008.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-552-801]

#### Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Extension of Time Limit for the Final Results of the Expedited Sunset Review of the Antidumping Duty Order

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

**DATES:** *Effective Date:* October 31, 2008.

#### FOR FURTHER INFORMATION CONTACT:

Matthew Renkey, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-2312.

#### SUPPLEMENTARY INFORMATION:

##### Background

On July 1, 2008, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam

("Vietnam") pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). See Initiation of Five-year ("Sunset") Review, 73 FR 37411 (July 1, 2008). Based on an adequate response from the domestic interested party and an inadequate response from the respondent interested party, the Department is conducting an expedited sunset review to determine whether revocation of the antidumping order would lead to the continuation or recurrence of dumping, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations. See Letters to the International Trade Commission regarding the Sunset Reviews of the AD/CVD Orders Initiated in July 2007, dated July 22, 2008, and August 20, 2008.

#### Extension of Time Limits for Final Results

In accordance with section 751(c)(5)(B) of the Act, the Department may extend the 120-day time period for making its determination by not more than 90 days, if it determines that a review is extraordinarily complicated. As set forth in section 751(c)(5)(C)(i) of

the Act, the Department may treat a sunset review as extraordinarily complicated if there are a large number of issues, as is the case in this proceeding. In particular, Petitioners filed comments raising various issues, some of which are complex and require additional time for analysis. Therefore, the Department has determined, pursuant to section 751(c)(5)(C)(i) of the Act, that the first sunset review of frozen fish fillets from Vietnam is extraordinarily complicated, as the Department must consider numerous arguments presented in Petitioners' July 31, 2008, substantive response. Based on the timing of the case, the final results of this expedited sunset review cannot be completed within the statutory time limit of 120 days. Accordingly, the Department is extending the time limit for the completion of the final results by 40 days, from October 29, 2008, to no later than December 8, 2008, in accordance with section 751(c)(5)(B) of the Act.

This notice is published pursuant to sections 751(c)(5)(B) and 777(i)(1) of the Act.

Dated: October 20, 2008.

**Stephen J. Claeys,**

*Deputy Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-046]

#### **Polychloroprene Rubber from Japan: Final Results of Changed Circumstances Review and Determination to Revoke Antidumping Duty Finding in Part**

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

**SUMMARY:** On March 11, 2008, the Department of Commerce (the Department) published a notice of initiation and preliminary results of a changed circumstances review with intent to revoke, in part, the antidumping duty (AD) finding on polychloroprene rubber from Japan. *See Polychloroprene Rubber From Japan: Notice of Initiation and Preliminary Results of Changed Circumstances Review, and Intent To Revoke Antidumping Duty Finding in Part*, 73 FR 12954 (March 11, 2008) (*Initiation and Preliminary Results*). We are now revoking this AD finding, in part, with regard to certain polychloroprene rubber

products from Japan, as described in the "Scope of Changed Circumstances Review" section of this notice, based on the fact that domestic parties have expressed no further interest in the relief provided by the AD finding with respect to the imports of such products. **EFFECTIVE DATE:** October 31, 2008.

**FOR FURTHER INFORMATION CONTACT:** Scott Lindsay or Summer Avery, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington DC 20230; telephone (202) 482-0780 or (202) 482-4052, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On January 23, 2008, the Department received a request on behalf of the petitioner, DuPont Performance Elastomers L.L.C. (DPE),<sup>1</sup> for revocation in part of the AD finding on polychloroprene rubber from Japan pursuant to sections 751(b)(1) and 782(h) of the Tariff Act of 1930, as amended (the Act). DPE requested partial revocation of the AD finding with respect to certain polychloroprene rubber products, listed below in the section entitled "Scope of Changed Circumstances Review." In its January 23, 2008, submission, DPE stated that it no longer has any interest in antidumping relief from imports of such polychloroprene rubber from Japan. On March 11, 2008, the Department published a notice of initiation and preliminary results of a changed circumstances review with intent to revoke, in part, the AD finding on polychloroprene rubber from Japan. *See Initiation and Preliminary Results*. The Department provided interested parties with a deadline to submit written comments no later than 30 days after the date of publication of the *Initiation and Preliminary Results*. *Id.* The Department received timely comments on the Department's preliminary results from The Adhesive and Sealant Council, Inc. (ASC), Clifton Adhesive, Inc. (Clifton), Royal Adhesives & Sealants, LLC (RAS), Showa Denko America, Inc. (Showa Denko), The W.W. Henry Company (W.W. Henry), and DPE. The comments

<sup>1</sup> DPE is the sole petitioner in this antidumping proceeding. *See Polychloroprene Rubber From Japan: Final Results of the Expedited Sunset Review of the Antidumping Duty Finding*, 69 FR 64276 (November 4, 2004). DPE has been the sole U.S. producer of polychloroprene rubber since 1998, when Bayer Group closed its polychloroprene rubber plant in Houston, Texas. *See Polychloroprene Rubber from Japan*, Inv. No. AA-1921-129 (Second Review), U.S. ITC Pub. 3786 (June 2005), at 4-5.

by these parties are discussed below in the section entitled "Summary of Comments Received."

#### **Scope of Changed Circumstances Review**

The merchandise subject to DPE's request and covered by this changed circumstances review is polychloroprene rubber from Japan with solid polychloroprenes that are dipolymers of chloroprene and methacrylic acid having methacrylic acid comonomer content in the 1.0 percent to 5.0 percent range (this category does *not* include aqueous chloroprene/methacrylic acid dipolymer dispersion products or solvent solutions of chloroprene/methacrylic acid dipolymers). This changed circumstances review covers polychloroprene rubber from Japan meeting the specifications as described above. Effective upon publication of these final results of changed circumstances review in the **Federal Register**, the amended scope of the AD finding will read as identified in the "Scope of the Finding (As Amended By These Final Results of Changed Circumstances)" section of this notice.

#### **Summary of Comments Received**

After the Department issued its *Initiation and Preliminary Results*, we received timely comments from several parties. On April 3, 2008, we received comments from Clifton, a domestic industrial user of polychloroprene rubber, and on April 8, 2008, we received comments from ASC, an international trade association representing 125 manufacturers of adhesives and sealants. Both Clifton and ASC argued that the proposed scope amendment by the changed circumstances review would not provide any relief to the affected U.S. industries because their Japanese supplier provides polychloroprene rubber that contains dipolymers of chloroprene and methacrylic acid having methacrylic acid comonomer at less than 1.0 percent. Clifton and ASC contended that imports of this product would still be within the proposed amended scope of the AD finding. Therefore, they proposed that the excluded subject merchandise include "dipolymers of chloroprene and methacrylic acid having methacrylic acid comonomer content of less than 5.0 percent."

On April 9, 2008, the Department received comments from Showa Denko, a Japanese producer and U.S. importer of polychloroprene rubber. Showa Denko indicated that DPE had requested this changed circumstances review