

Section 202(q) of the NAFTA Implementation Act. In consultations regarding such a change, the NAFTA countries are to consider issues of availability of supply of fibers, yarns, or fabrics in the free trade area and whether domestic producers are capable of supplying commercial quantities of the good in a timely manner. The Statement of Administrative Action (SAA) that accompanied the NAFTA Implementation Act stated that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the availability in North America of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. NAFTA Implementation Act, SAA, H. Doc. 103-159, Vol. 1, at 491 (1993). The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel good. SAA at 491. The NAFTA Implementation Act provides the President with the authority to proclaim modifications to the NAFTA rules of origin as are necessary to implement an agreement with one or more NAFTA country on such a modification. See section 202(q) of the NAFTA Implementation Act.

CITA is soliciting public comments regarding this request, particularly with respect to whether the certain yarn-dyed poplin fabric, as specified below, can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than September 14, 2009.

Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, Room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, DC 20230.

If a comment alleges that the specified yarn-dyed poplin fabric can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer stating that it produces the fabric that is the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3001 in the Herbert Hoover Building, 14th and Constitution Avenue, N.W., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

#### Specifications: Certain Poplin Fabric

**HTSUS:** 5513.31

**Fabric Type:** Yarn-Dyed Plaid Poplin

**Fiber Content:** 64-67% polyester, 33 to 36% cotton

#### Yarn Size:

**Warp:** Ring spun 49/1 to 53/1 metric; 64 to 67% polyester, 33 to 36% cotton

**Filling:** Ring spun 49/1 to 53/1 metric; 64 to 67% polyester, 33 to 36% cotton

**Thread Count:** 34.5 to 38 ends x 21 to 23 picks per centimeter

**Weave Type:** Plain

**Fabric Weight:** 127 to 140 grams per square meter

**Fabric Width:** 156 to 170 centimeters, cuttable

**Coloration:** Warp stripes, filling yarns dyed multiple colors

**Finishing Process:** Moisture management (see performance criteria), pre-cure permanent press, 10% mechanical stretch in filling direction

**Performance Criteria:** Moisture management test method is AATCC Test Method 79-2007, and the pass/fail standard is 10 seconds.

**Janet E. Heinzen,**

*Chairman, Committee for the Implementation of Textile Agreements.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review

##### Correction

In notice document E9-18474, beginning on page 38397, in the issue of Monday, August 3, 2009, make the following correction:

On page 38398, at the end of the chart, in the section that reads "Countervailing Duty Proceedings," the table is corrected to read as follows:

	Period
<b>Countervailing Duty Proceedings</b>	
Republic of Korea:	
Corrosion-Resistant Carbon Steel Plate C-580-818 .....	1/1/08—12/31/08
Dynamic Random Access Memory Semiconductors C-580-851 .....	1/1/08—8/10/08
Stainless Steel Sheet and Strip in Coils C-580-835 .....	1/1/08—12/31/08
The People's Republic of China:	
Laminated Woven Sacks C-570-917 .....	12/3/07—12/31/08
Sodium Nitrite C-570-926 .....	4/1/08—12/31/08
Light-Walled Rectangular Pipe and Tube C-570-915 .....	11/30/07—12/31/08

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**A-475-818**

#### Certain Pasta From Italy: Notice of Final Results of Antidumping Duty Changed Circumstances Review and Revocation, in Part

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

**SUMMARY:** On July 2, 2009, the Department of Commerce ("the Department") published a notice of initiation and preliminary results of a changed circumstances review and intent to revoke, in part, the antidumping duty order of certain pasta from Italy.<sup>1</sup> The Department gave

<sup>1</sup> See *Certain Pasta from Italy: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review, and Intent to Revoke Order in Part*, 74 FR 31696 (July 2, 2009) ("Preliminary Results").

interested parties an opportunity to comment on the preliminary results and notice of intent to revoke, but received no comments. Therefore, the final results do not differ from the preliminary results of review and we are revoking the order, in part, with respect to gluten-free pasta.

**EFFECTIVE DATE:** July 1, 2008.

**FOR FURTHER INFORMATION CONTACT:**

Christopher Hargett, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4161.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 24, 1996, the Department published in the **Federal Register** an antidumping duty order on certain pasta from Italy.<sup>2</sup> On May 22, 2009, Pasta Lensi S.r.L. ("Pasta Lensi") requested that the Department initiate a changed circumstances review and revoke, in part, the antidumping duty order on certain pasta from Italy with respect to gluten-free pasta based on a lack of interest in maintaining the order by petitioners. See May 22, 2009, letter from Pasta Lensi to the Secretary of Commerce. On June 1, 2009, petitioners expressed a lack of interest in maintaining the order with respect to gluten-free pasta.<sup>3</sup> On July 2, 2009, the Department published a notice of initiation and preliminary results and intent to revoke, in part, a changed circumstances review of the antidumping order.<sup>4</sup> We received no comments.

**Scope of Review**

Imports covered by this review are shipments of certain non-egg dry pasta in packages of five pounds (2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or

polypropylene bags of varying dimensions.

Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white.

As a result of this review, also excluded from the scope of this order is gluten-free pasta.

The merchandise subject to review is currently classifiable under item 1902.19.20 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

**Final Results of Changed Circumstances Review**

Pursuant to section 751(b)(1) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.216, the Department will conduct a changed circumstances review upon receipt of information concerning, or a request from an interested party for review of, an antidumping duty order which shows changed circumstances sufficient to warrant a review of the order. In its May 22, 2009, submission Pasta Lensi stated that petitioners have no interest in the antidumping duty order with respect to gluten-free pasta. Further, the petitioners expressed a lack of interest in maintain the antidumping duty order with respect to gluten-free pasta.<sup>5</sup> No party submitted any evidence to the contrary. Therefore, In accordance with 19 CFR 351.221(c)(3)(i), we determine that the petitioners have no interest in the antidumping duty order with respect to gluten-free pasta.

Pasta Lensi requested that the Department retroactively revoke the order and cited to Wooden Bedroom Furniture for support.<sup>6</sup> Consistent with Department practice, we have determined to revoke the order, in part, retroactive to July 1, 2008, (the date following the last day of the most recently completed administrative review) for unliquidated entries in light of Pasta Lensi's request and the fact that entries after this date are not subject to a final determination by the Department. Accordingly, the

Department will revoke, in part, the antidumping duty order on certain pasta from Italy with respect to gluten-free pasta, effective July 1, 2008.

We will instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to antidumping duties all unliquidated entries of gluten-free pasta, not currently subject to an administrative review of certain pasta from Italy, entered, or withdrawn from warehouse, for consumption on or after July 1, 2008. The Department will further instruct CBP to refund with interest any estimated antidumping duties collected with respect to unliquidated entries of gluten-free pasta entered, or withdrawn from warehouse for consumption on or after the publication date of the final results of this changed circumstances review, in accordance with section 778 of the Act and 19 CFR 351.222(g)(4).

This changed circumstances administrative review, partial revocation of the antidumping duty order and notice are in accordance with sections 751(b) and (d), 777(i), and 782(h) of the Act and section 351.216(e) and 351.222(g) of the Department's regulations.

Dated: August 7, 2009.

**Ronald K. Lorentzen,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**A-570-836**

**Glycine 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 April 8, 2009, the Department of Commerce ("Department") published the preliminary results of the 2007-2008 administrative review of the antidumping duty order on glycine from the People's Republic of China ("PRC"). See *Glycine from the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 15930 (April 8, 2009) ("Preliminary Results"). We gave interested parties an opportunity to comment on the *Preliminary Results*. Based upon our analysis of the comments and information received, we made changes to the margin calculation

<sup>2</sup> See *Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Certain Pasta from Italy*, 61 FR 38547 (July 24, 1996).

<sup>3</sup> See Memo from Christopher Hargett, Case Analyst, AD/CVD Operations 3, to Melissa Skinner, Office Director, AD/CVD Operations 3 entitled "Phone Conversation with Counsel for Petitioners," dated June 2, 2009.

<sup>4</sup> See *Preliminary Results*, 74 FR 31696 (July 2, 2009).

<sup>5</sup> See memorandum from Christopher Hargett, Case Analyst, to Melissa Skinner, Office Director, entitled "Phone Conversation with Counsel for Petitioners," dated June 2, 2009.

<sup>6</sup> See *Wooden Bedroom Furniture from the People's Republic of China: Final Results of Changed Circumstances Review and Determination to Revoke Order in Part*, 74 FR 8506 (February 25, 2009) ("Wooden Bedroom Furniture").