

## Disclosure

We will disclose the calculations performed within five days of the date of publication of this notice to parties in this proceeding in accordance with 19 CFR 351.224(b).

## Continuation of Suspension of Liquidation

We will instruct U.S. Customs and Border Protection ("CBP") to continue the suspension of liquidation required by section 735(c)(1)(B) of the Act, of all entries of subject merchandise from DTFC, the SR Applicants, and the PRC-wide entity entered, or withdrawn from warehouse, for consumption on or after May 5, 2008, the date of publication of the *Preliminary Determination*. CBP shall continue to require a cash deposit or the posting of a bond equal to the estimated amount by which the normal value exceeds the U.S. price as shown above. See section 735(c)(1)(B)(ii) of the Act. The suspension of liquidation instructions will remain in effect until further notice.

## ITC Notification

In accordance with section 735(d) of the Act, we have notified the International Trade Commission ("ITC") of our final determination of sales at LTFV. As our final determination is affirmative, in accordance with section 735(b)(2) of the Act, within 45 days the ITC will determine whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that material injury or threat of material injury does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. See section 735(c)(2) of the Act. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order directing CBP to assess antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation. See *id.*; section 736 of the Act.

## Notification Regarding APO

This notice also serves as a reminder to the parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return or destruction of APO materials or conversion to judicial protective order is hereby requested.

Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination and notice are issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: September 17, 2008.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

## Appendix I

### DISCUSSION OF THE ISSUES:

*Comment 1:* Surrogate Value for PET Chips

*Comment 2:* Surrogate Value for Paper Cores

*Comment 3:* Revisions to Financial Ratio Calculations

[FR Doc. E8-22454 Filed 9-23-08; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

**ACTION:** Notice of Application To Amend an Export Trade Certificate of Review Issued to U.S. Shippers Association.

**SUMMARY:** Export Trading Company Affairs ("ETCA"), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review ("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or e-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the

**Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a non-confidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be non-confidential. An original and five (5) copies, plus two (2) copies of the non-confidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-B H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, non-confidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 85-15A18."

A summary of the application for an amendment follows.

#### Summary of the Application

*Applicant:* U.S. Shippers Association ("USSA"), 3715 East Valley Drive, Missouri City, Texas 77459.

*Contact:* John S. Chinn, Project Director to USSA, Telephone: (734) 927-4328.

*Application No.:* 85-15A18.

*Date Deemed Submitted:* September 17, 2008.

The original USSA Certificate was issued on June 3, 1986 (51 FR 20873, June 9, 1986) and last amended on January 16, 2008 (73 FR 3944, January 23, 2008).

*Proposed Amendment:* USSA seeks to amend its Certificate to:

1. Add each of the following companies as a new "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)): Guardian Industries Corp., Auburn Hills, Michigan; Alpharma Inc., Bridgewater, New Jersey; LyondellBasell Industries A.F.S.C.A., Rotterdam, The Netherlands; and Dawn K. Peterson, Katy, Texas;
2. Delete the following companies as "Members" of the Certificate: Arch

Chemicals, Inc., Norwalk, Connecticut; and Basell USA, Inc., Wilmington, Delaware (Controlling Entity: Basell NV, The Netherlands); and

3. Change the address of the current Member from "JWC and Company LLC, of Macungie, Pennsylvania" to "JWC and Company, LLC, of Canton, Michigan".

Dated: September 18, 2008.

**Jeffrey Anspacher,**

*Director, Export Trading Company Affairs.*

[FR Doc. E8-22494 Filed 9-23-08; 8:45 am]

BILLING CODE 3510-DR-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-923]

#### Raw Flexible Magnets From the People's Republic of China: Countervailing Duty Order

##### Correction

In notice document E8-21719 beginning on page 53849 in the issue of Wednesday, September 17, 2008 make the following correction:

On page 53849, in the third column, under **EFFECTIVE DATE**, "December 17, 2008" should read "September 17, 2008".

[FR Doc. Z8-21719 Filed 9-23-08; 8:45 am]

BILLING CODE 1505-01-D

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-825]

#### Notice of Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip from Thailand

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

**EFFECTIVE DATE:** September 24, 2008.

**SUMMARY:** On May 5, 2008, the Department of Commerce (the Department) published its preliminary determination in the investigation of sales at less than fair value of polyethylene terephthalate film, sheet, and strip (PET Film) from Thailand. *See Notice of Preliminary Determination of Sales at Not Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip from Thailand*, 73 FR 24565 (May 5, 2008) (*Preliminary Determination*).

The Department has determined that PET Film is being, or is likely to be, sold in the United States at less than fair value, as provided in section 735 of the

Tariff Act of 1930, as amended (the Act). The final weighted-average dumping margin is listed below in the section entitled "Final Determination of Investigation."

##### FOR FURTHER INFORMATION CONTACT:

Stephen Bailey or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0193 or (202) 482-3019, respectively.

##### SUPPLEMENTARY INFORMATION:

##### Background

The preliminary determination in this investigation was published on May 5, 2008. *See Preliminary Determination*. Since then, we conducted sales and cost verifications of the responses submitted by Polyplex Thailand Public Company Limited and Polyplex Americas, Inc. (collectively Polyplex). *See Memoranda to the File* from Stephen Bailey, Case Analyst, through Angelica L. Mendoza, Program Manager, Office 7, titled "Verification of the Sales Responses of Polyplex Thailand Public Company Limited in the Antidumping Investigation of Polyethylene Terephthalate (PET) Film, Sheet, and Strip from Thailand" dated July 23, 2008 (Polyplex Verification Report); and "Verification of the U.S. Sales Responses of Polyplex Thailand Public Company Limited and its U.S. Affiliate, Polyplex (Americas), Inc., in the Antidumping Investigation of Polyethylene Terephthalate (PET) Film, Sheet, and Strip from Thailand," dated July 23, 2008 (Polyplex Americas Verification Report); *see also* Memorandum to the File through Neal M. Halper, from Angela Strom, titled "Verification of the Cost Response in the Investigation of Polyethylene Terephthalate (PET) Film, Sheet, and Strip from Thailand," dated July 15, 2008 (Polyplex Cost Verification Report). All verification reports are on file and available in the Central Records Unit (CRU), Room 1117, of the main Department of Commerce building.

Based on the Department's findings at verification, as well as the minor corrections presented by Polyplex at the start of the Thailand and U.S. verifications, we requested that respondent submit revised electronic sales databases for both the U.S. and comparison markets, and a revised cost database. *See Letter* from Angelica L. Mendoza, Program Manager, Office 7, to Polyplex, dated July 28, 2008. As requested, Polyplex submitted its revised sales and cost databases on July 30, 2008. On July 31, 2008, Polyplex

informed the Department that its July 30, 2008, revised U.S. sales database contained a transcription error in the reported returned and net quantity fields relating to a sale that the Department instructed Polyplex to correct. *See Letter* from Angelica L. Mendoza, Program Manager, Office 7, to Polyplex, dated July 28, 2008, at question 13 and Polyplex's letter to the Department dated July 31, 2008. The error did not impact other data fields of the sale in question and the Department corrected the transcription error in the U.S. margin program. *See lines 2257 through 2259 of the Department's margin calculation program.*

We have also determined that an allegation of targeted dumping submitted by DuPont Teijin Films, Mitsubishi Polyester Film of America, Inc., SKC, Inc. and Toray Plastics (America), Inc. (collectively, petitioners) on March 28, 2008, and supplemented on April 17, 2008, and May 23, 2008, was inadequate. *See Memorandum* from Angelica L. Mendoza, Program Manager, Office 7, to Richard O. Weible, Director, Office 7, regarding "Analysis on Targeting Dumping," dated June 30, 2008 (Targeted Dumping Memo); *see also Targeted Dumping section below.*

We received a case brief from petitioners on August 11, 2008, and a rebuttal brief from Polyplex on August 14, 2008.<sup>1</sup> On August 26, 2008, we rejected an argument, and part of an argument, contained in Polyplex's rebuttal case brief because they constituted new arguments and were not a rebuttal of petitioners' case brief. *See the Department's August 26, 2008, letter to Polyplex.* On August 28, 2008, we received Polyplex's revised rebuttal brief per our August 26, 2008, letter.

##### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this antidumping investigation are addressed in the "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, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have

<sup>1</sup> Polyplex submitted a letter to the Department on August 11, 2008, in which it agreed with the Department's *Preliminary Determination*.