

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),¹ 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

¹ 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

because DPE has ceased domestic production of its product, Neoprene AFTM, which falls within the category of products for which DPE has requested revocation. Showa Denko also pointed out that its product that competed with Neoprene AFTM has a methacrylic acid comonomer content of less than 1.0 percent. Therefore, Showa Denko argued, in order to make possible antidumping duty-free imports from Japan of a product that is competitive with DPE's former product, the revocation needs to include dipolymers of chloroprene and methacrylic acid having methacrylic acid comonomer content of less than 1.0 percent. As such, Showa Denko recommended the range for methacrylic acid comonomer content be changed to read "0.1 percent to 5.0 percent."

The Department also received comments from RAS, a domestic manufacturer of, *inter alia*, adhesives and sealants, and W.W. Henry, a domestic manufacturer of flooring adhesives and installation products. The comments submitted by RAS and W.W. Henry were timely received and subsequently placed on the record by the Department on August 20, 2008. See Memorandum to File, "Polychloroprene Rubber from Japan: Changed Circumstances Review: Comments from Royal Adhesives and Sealants and The W.W. Henry Company," dated August 20, 2008. In their comments, both parties stated their understanding that a true replacement for the products to be removed from the scope of the AD finding (*i.e.* 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) actually contains 0.2–0.3 percent methacrylic acid comonomer content and thus requested that the scope of formulation definition be modified accordingly in the final AD finding.

On April 14, 2008, and again on August 25, 2008, DPE responded to the above comments. DPE partially agreed that, in general, the scope language needed to be expanded from its January 23, 2008 request to allow certain Japanese products to be excluded from the AD finding. However, DPE disagreed with the comments from ASC, Clifton, and Showa Denko that the lower limit be set below 0.2 percent. Rather, DPE agreed with the comments from RAS and W.W. Henry that the range for methacrylic acid comonomer content should be amended to read "0.2 percent to 5.0 percent," rather than "1.0 percent to 5.0 percent," as stated in the *Initiation and Preliminary Results*. According to DPE, this change will have

the desired effect of excluding the specified Japanese products from the scope of the AD finding, while still providing the antidumping relief necessary to the continued health and well-being of the domestic industry.

Analysis of Comments Received

The commenting parties are in agreement with DPE's original request to amend the scope language to exclude certain polychloroprene rubber from the AD finding. The comments received only address the issue of the specific language to be used in making this exclusion. Clifton and ASC recommend that the range for methacrylic acid comonomer content be changed to read "less than 5.0 percent," rather than "1.0 percent to 5.0 percent." Showa Denko recommends that the range be "0.1 percent to 5.0 percent." RAS, W.W. Henry, and DPE all recommend that the range be "0.2 percent to 5.0 percent."

In initiating this review, the Department found that, as the sole domestic producer accounting for substantially all of the production of the domestic like product, DPE's expression of no interest in the continued application of the AD finding on certain polychloroprene rubber was sufficient to both initiate and preliminarily revoke, in part, the AD finding as it relates to imports of certain polychloroprene rubber products from Japan. See *Initiation and Preliminary Results*. DPE, as the sole domestic producer, is the only party in this proceeding in a position to determine the products for which it no longer has any interest in being provided antidumping relief. Therefore, the Department finds that it will make DPE's recommended changes to the exclusion language found in the *Initiation and Preliminary Results*.

Changes Since the Preliminary Results

Based on our analysis of the comments received, we have made a change in these final results from our *Initiation and Preliminary Results*. We are incorporating DPE's requested amendment to the scope language regarding the subject merchandise excluded from this AD finding. Specifically, for these final results, the methacrylic acid comonomer content range will be expanded from "1.0 percent to 5.0 percent" to "0.2 percent to 5.0 percent."

Scope of the Finding (As Amended By These Final Results of Changed Circumstances)

The merchandise covered are shipments of polychloroprene rubber, an oil resistant synthetic rubber also

known as polymerized chlorobutadiene or neoprene, currently classifiable under items 4002.41.00, 4002.49.00, and 4003.00.00 of the Harmonized Tariff Schedule of the United States (HTSUS). Although HTSUS item numbers are provided for convenience and customs purpose, the Department's written description of the scope remains dispositive.

The following types of polychloroprene rubber from Japan are excluded from the scope: (1) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and methacrylic acid, where the dispersion has a pH of 8 or lower (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of these polychloroprenes that contain comonomers other than methacrylic acid); (2) aqueous dispersions of polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 modified with xanthogen disulfides, where the dispersion has a solids content of greater than 59 percent (this category is limited to aqueous dispersions of these polymers and does *not* include aqueous dispersions of polychloroprenes that contain comonomers other than 2,3-dichlorobutadiene-1,3); and (3) solid polychloroprenes that are dipolymers of chloroprene and 2,3-dichlorobutadiene-1,3 having a 2,3-dichlorobutadiene-1,3 content of 15 percent or greater (this category is limited to polychloroprenes in solid form and does *not* include aqueous dispersions).

In addition, the following type of polychloroprene rubber is excluded from the scope: solid polychloroprenes that are dipolymers of chloroprene and methacrylic acid having methacrylic acid comonomer content in the 0.2 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).

Final Results of Review: Partial Revocation of Antidumping Duty Finding

The affirmative statement of no interest by the petitioner concerning certain polychloroprene rubber from Japan, as described herein, constitutes changed circumstances sufficient to warrant revocation of this AD finding in part. The Department has considered the comments found above in making its determination. Therefore, the Department is partially revoking the AD finding with respect to certain polychloroprene rubber from Japan with

regard to products which meet the specifications detailed above, in accordance with sections 751(b) and (d) and 782(h) of the Act and 19 CFR 351.216(d) and 351.222(g). We will instruct the U.S. Customs and Border Protection to liquidate without regard to antidumping duties, as applicable, and to refund any estimated antidumping duties collected for all unliquidated entries of certain polychloroprene rubber, meeting the specifications indicated above, as of the date of publication in the **Federal Register** of the final results of this changed circumstances review in accordance with 19 CFR 351.222(g)(4).

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply is a violation of the APO which may be subject to sanctions.

The Department is issuing this changed circumstances review, partial revocation of the AD finding and notice in accordance with sections 751(b) and (d), 777(i), and 782(h) of the Act and 19 CFR 351.216(e) and 351.222(g).

Dated: October 24, 2008.

Stephen J. Claeys,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture from the People's Republic of China: Final Results of Fourth New Shipper Reviews

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

EFFECTIVE DATE: October 31, 2008.

SUMMARY: On June 6, 2008, the Department of Commerce (the "Department") published the preliminary results of these new shipper reviews ("NSRs") covering the period January 1, 2007 through July 31, 2007.¹

¹ In the initiation notice of the NSRs the Department explained that it was expanding the period of review ("POR"), pursuant to 19 CFR 351.214 (f)(2)(ii), because the sale of the subject merchandise occurred within the POR, but the

See Wooden Bedroom Furniture from the People's Republic of China: Preliminary Results of January 1, 2007 July 31, 2007 Semi-Annual New Shipper Reviews; 73 FR 32292 (June 6, 2008) ("Preliminary Results"). Based on our analysis of the comments received, we have made certain changes to our calculations. The final dumping margins for these reviews are listed in the "Final Results of the Reviews" section below.

FOR FURTHER INFORMATION CONTACT: Paul Stolz, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4474.

SUPPLEMENTARY INFORMATION:

Background

Since the *Preliminary Results*, the following events have occurred. On June 17, 2008, Donguan Mu Si Furniture Co., Ltd. ("Mu Si") submitted documents to the Department claiming that due to a computational error it had misreported the consumption factor for medium density fiberboard ("MDF") used to produce cherry veneer nightstands.

On July 7, 2008, we extended the time limit for the completion of the final results of these NSRs until no later than October 24, 2008. *See Wooden Bedroom Furniture from the People's Republic of China: Notice of Extension of Time Limit for Final Results of New Shipper Reviews*; 73 FR 50933 (August 29, 2008).

On July 7, 2008, we received case briefs from Mu Si and the American Furniture Manufacturers Committee for Legal Trade and Vaughan-Bassett Furniture Company Inc. (collectively "Petitioners"). On July 17, 2008, we received a timely rebuttal brief from Donguan Bon Ten Furniture Co., Ltd. ("Bon Ten") and Mu Si.

Analysis of Comments Received

All issues raised in the case briefs and rebuttal briefs by parties to these reviews are addressed in the "Issues and Decision Memorandum for the Final Results of Antidumping Duty Administrative Review and New Shipper Reviews of Wooden Bedroom Furniture from the People's Republic of China," dated October 24, 2008, which is hereby adopted by this notice ("Issues and Decision Memo"). A list of the issues discussed in the Issues and Decision Memo is attached to this notice as an appendix. The Issues and Decision

entry occurred after the normal POR. *See Wooden Bedroom Furniture From the People's Republic of China: Initiation of New Shipper Reviews*, 72 FR 52083 (September 12, 2007). As a result, the POR for these NSRs is January 1 through July 31, 2007.

Memo is a public document and is on file in the Central Records Unit ("CRU"), Main 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 memorandum are identical in content.

Scope of the Order

The product covered by the order is wooden bedroom furniture. Wooden bedroom furniture is generally, but not exclusively, designed, manufactured, and offered for sale in coordinated groups, or bedrooms, in which all of the individual pieces are of approximately the same style and approximately the same material and/or finish. The subject merchandise is made substantially of wood products, including both solid wood and also engineered wood products made from wood particles, fibers, or other wooden materials such as plywood, oriented strand board, particle board, and fiberboard, with or without wood veneers, wood overlays, or laminates, with or without non-wood components or trim such as metal, marble, leather, glass, plastic, or other resins, and whether or not assembled, completed, or finished.

The subject merchandise includes the following items: (1) wooden beds such as loft beds, bunk beds, and other beds; (2) wooden headboards for beds (whether stand-alone or attached to side rails), wooden footboards for beds, wooden side rails for beds, and wooden canopies for beds; (3) night tables, night stands, dressers, commodes, bureaus, mule chests, gentlemen's chests, bachelor's chests, lingerie chests, wardrobes, vanities, chessers, chifforobes, and wardrobe-type cabinets; (4) dressers with framed glass mirrors that are attached to, incorporated in, sit on, or hang over the dresser; (5) chests-on-chests,² highboys,³ lowboys,⁴ chests of drawers,⁵

² A chest-on-chest is typically a tall chest-of-drawers in two or more sections (or appearing to be in two or more sections), with one or two sections mounted (or appearing to be mounted) on a slightly larger chest; also known as a tallboy.

³ A highboy is typically a tall chest of drawers usually composed of a base and a top section with drawers, and supported on four legs or a small chest (often 15 inches or more in height).

⁴ A lowboy is typically a short chest of drawers, not more than four feet high, normally set on short legs.

⁵ A chest of drawers is typically a case containing drawers for storing clothing.