

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.² 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.³ 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.⁴ 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.⁵ 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.⁶ 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.

[FR Doc. E9-19562 Filed 8-13-09; 8:45 am]

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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

² 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).

³ 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.

⁴ See *Preliminary Results*, 74 FR 31696 (July 2, 2009).

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

⁶ 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").

for the final results. We find that certain manufacturers/exporters sold subject merchandise at less than normal value during the period of review ("POR"), i.e., March 1, 2007, through February 29, 2008.

EFFECTIVE DATE: August 14, 2009.

FOR FURTHER INFORMATION CONTACT:

Angelica Mendoza or Dena Crossland, 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) 482-3019 or (202) 482-3362, respectively.

SUPPLEMENTARY INFORMATION:

Background

The following events have occurred subsequent to the publication of the *Preliminary Results*. On April 28, 2009, Geo Specialty Chemicals Inc. ("GSC"), a domestic interested party, and respondent, Baoding Mantong Fine Chemistry Co., Ltd. ("Baoding Mantong"), submitted additional surrogate value ("SV") information for the Department to consider for these final results. On May 8, 2009, GSC submitted comments on Baoding Mantong's April 28, 2009, SV submission and requested a hearing. On May 8, 2009, GSC and Baoding Mantong timely submitted case briefs. On May 13, 2009, GSC and Baoding Mantong timely submitted rebuttal briefs. On May 19, 2009, GSC withdrew its request for hearing. At the request of both parties, the Department met separately with counsel for Baoding Mantong and counsel for GSC on May 28, 2009. See Memoranda to the File from Dena Crossland, Analyst, through Angelica L. Mendoza, Program Manager, Office 7, Regarding the Antidumping Duty Administrative Review of the Order on Glycine from the People's Republic of China: Meeting with Counsel for Domestic Interested Party, dated May 29, 2009; and Meeting with Counsel for Respondent, dated May 29, 2009.

Scope of the Order

The product covered by the order is glycine, which is a free-flowing crystalline material, like salt or sugar. Glycine is produced at varying levels of purity and is used as a sweetener/taste enhancer, a buffering agent, reabsorbable amino acid, chemical intermediate, and a metal complexing agent. This review covers glycine of all purity levels. Glycine is currently classified under subheading 2922.49.4020 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.

Analysis of Comments Received

All issues raised in the briefs and rebuttal briefs are addressed in the "Issues and Decision Memorandum for the Final Results of the 2007-2008 Antidumping Duty Administrative Review: Glycine from the People's Republic of China" from John M. Andersen, Acting Deputy Assistant Secretary, to Ronald K. Lorentzen, Acting Assistant Secretary, dated August 6, 2009 ("I&D Memo"), which is hereby adopted by this notice. A list of the issues raised, all of which are addressed in the I&D Memo, is attached to this notice as Appendix I. Parties can find a complete discussion of all issues raised in the briefs and rebuttal briefs and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room 1117 of the main Department building. In addition, a complete version of the I&D Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the I&D Memo are identical in content.

Separate Rates

Baoding Mantong requested a separate, company-specific antidumping duty rate. In the *Preliminary Results*, we found that Baoding Mantong met the criteria for the application of a separate antidumping duty rate. *Preliminary Results*, 74 FR at 15933. Therefore, the Department has applied a rate to Baoding Mantong separate from the rate established for the PRC-wide entity. Also in the *Preliminary Results*, the Department found that Nantong Dongchang Chemical Industry Corporation ("Nantong Dongchang") did not participate in the administrative review and, thus, did not demonstrate its entitlement to a separate rate. *Id.* at 15933-34. Accordingly, for these final results, Nantong Dongchang does not qualify for separate rate status, but rather is appropriately considered to be part of the PRC-wide entity which is assigned a rate of 155.89 percent based on facts otherwise available with an adverse inference ("AFA"). *Id.* The Department did not receive comments on this issue prior to these final results.

Use of Facts Otherwise Available and the PRC-Wide Rate

As noted above, the Department found that Nantong Dongchang did not establish its eligibility for separate rate

status, and thus is deemed to be part of the PRC-wide entity. Also, in the *Preliminary Results*, the Department noted that Nantong Dongchang did not participate in the administrative review, and did not respond to any portions of the Department's questionnaires. As the Department found that the PRC-wide entity, which includes Nantong Dongchang, failed to cooperate to the best of its ability in responding to the Department's requests for information and thereby impeded the Department's proceeding, the Department assigned the PRC-wide entity a rate based on AFA pursuant to sections 776(a)(2)(A), (B), and (C) and section 776(b) of the Tariff Act of 1930, as amended ("the Act"). See *Preliminary Results*, 74 FR at 15934. The Department did not receive any comments regarding its preliminary application of AFA to the PRC-wide entity. See *Preliminary Results*, 74 FR at 15933-35. Therefore, for these final results, the Department has not altered its analysis or decision to apply total AFA to the PRC-wide entity.

Changes Since the Preliminary Results

Based on our analysis of information on the record of this review, and comments received from the interested parties, we have made changes to the margin calculations for Baoding Mantong.

In particular, we have made modifications to our selection of certain SVs used in the *Preliminary Results*. The values that were modified for these final results are those for formaldehyde, steam coal, and chlorine. For further details, see the accompanying I&D Memo at Comments 3, 5, and 6.

We determine that the following antidumping duty margins exist for the period of March 1, 2007, through February 29, 2008:

Final Results of Review

Exporter	Margin
Baoding Mantong Fine Chemistry Co., Ltd.	33.67%
PRC-Wide Rate (including Nantong Dongchang Chemical Industry Corporation)	155.89%

Assessment Rates

Pursuant to section 751(a)(2)(A) of the Act and 19 CFR 351.212(b)(1), the Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of glycine from the PRC entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) For Baoding Mantong, which has a separate rate, the cash deposit rate will be the company-specific rate shown above; (2) for previously reviewed or investigated companies not listed above that have a separate rate, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) the cash deposit rate for all other PRC exporters (including Nantong Dongchang) will be 155.89 percent, the current PRC-wide rate; and (4) the cash deposit rate for all non-PRC exporters will be the rate applicable to the PRC exporter that supplied that exporter. These cash deposit requirements shall remain in effect until further notice.

Notification to Interested Parties

This notice serves as the final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and in the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

This notice of final results is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 6, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

Appendix I

List of Issues

Comment 1: Surrogate Financial Ratios
Comment 2: Surrogate Value for Sulfur
Comment 3: Surrogate Value for Formaldehyde

Comment 4: Surrogate Value for Liquid Ammonia

Comment 5: Surrogate Value for Steam Coal

Comment 6: Surrogate Value for Chlorine

Comment 7: Comments on Draft U.S. Customs and Border ("CBP") Instructions

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DEPARTMENT OF COMMERCE

International Trade Administration

(A-570-851)

Certain Preserved Mushrooms From the People's Republic of China: Notice of Rescission of Antidumping Duty Administrative Review:

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

SUMMARY: In response to a request from Fujian Yu Xing Fruit and Vegetable Foodstuff Development Co., Ltd. (Yu Xing), the U.S. Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China for the period February 1, 2008, through January 31, 2009. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 74 FR 19042 (April 27, 2009) (*Initiation Notice*). No other interested party requested an administrative review for this period. On July 24, 2009, Yu Xing withdrew its request for an administrative review. The withdrawal request was filed in a timely manner. Therefore, as discussed below, the Department is rescinding this administrative review.

EFFECTIVE DATE: August 14, 2009.

FOR FURTHER INFORMATION CONTACT: Tyler Weinhold or Robert James, 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) 482-1121 or (202) 482-0649 respectively.

SUPPLEMENTARY INFORMATION:

Background

On February 4, 2009, the Department published in the **Federal Register** its notice of opportunity to request an administrative review of the antidumping duty order on certain preserved mushrooms from the People's

Republic of China (PRC). *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 74 FR 6013 (February 4, 2009). On March 2, 2009, Yu Xing requested an administrative review in accordance with 19 CFR 351.213(b)(1). No other interested party requested an administrative review for this period.

On April 27, 2009, the Department published in the **Federal Register** a notice of the initiation of the antidumping duty administrative review of certain preserved mushrooms from the PRC for the period February 1, 2008, through January 31, 2009, with respect to Yu Xing. *See Initiation Notice*.

Yu Xing filed its section A response on June 2, 2009 and its section C and D responses on June 16, 2009. On July 24, 2009, pursuant to 19 CFR 351.213(d)(1), Yu Xing withdrew its requests for an administrative review.

Rescission of Administrative Review

Section 351.213(d)(1) of 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 of the requested review, or withdraws at a later date if the Department determines that it is reasonable to extend the time limit for withdrawing the request. The Department initiated the administrative review of the antidumping duty order on April 27, 2009. Yu Xing withdrew its request for an administrative review on July 24, 2009. The withdrawal was timely filed and as the rescission was requested within 90 days of the publication of the initiation of the administrative review. *See* 19 CFR 351.213(d)(1). Accordingly, the Department is rescinding this administrative review. Yu Xing has a separate rate, and we intend to issue liquidation instructions for Yu Xing 15 days after publication of this notice.

Notification to Importers

This notice serves as a reminder to importers of their responsibility under section 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the secretary's assumption that reimbursement of antidumping duties occurred and subsequent assessment of double antidumping duties.