

analytical issues relevant to the Department's conduct of Sunset Reviews is set forth in the Department's Policy Bulletin 98.3, "Policies Regarding the Conduct of Five-Year ('Sunset') Reviews of Antidumping and Countervailing Duty Orders;" Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin"). The Notice of Initiation of Five-Year ("Sunset") Reviews provides further information regarding what is required of all parties to participate in Sunset Reviews.

Dated: January 27, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for
Antidumping and Countervailing Duty
Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-533-843

Certain Lined Paper Products from India: Extension of Time Limits for Final Results of Antidumping Duty Administrative Review

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

EFFECTIVE DATE: February 2, 2009.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, telephone: (202) 482-3692.

SUPPLEMENTARY INFORMATION:

Background

On October 31, 2007, the U.S. Department of Commerce ("the Department") published a notice of initiation of the administrative review of the antidumping duty order on certain lined paper products from India, covering the period April 17, 2006 to August 31, 2007. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 72 FR 61621 (October 31, 2007). On October 7, 2008, the Department published the preliminary results of this review. See *Certain Lined Paper Products from India: Notice of Preliminary Results of the First Antidumping Duty Administrative Review*, 73 FR 58548 (October 7, 2008). The final results of this review are currently due no later than February 4, 2009.

Statutory Time Limits

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), requires the Department to issue the final results of a review within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within that time period, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the final results to a maximum of 180 days. See also 19 CFR 351.213(h)(2).

Extension of Time Limit of Final Results

We determine that it is not practicable to complete the final results of this review within the original time limit. Interested parties have raised complex accounting issues in their case and rebuttal briefs that require the Department to further analyze its positions with respect to these issues. Thus, additional time is necessary to complete the final results. Therefore, the Department is fully extending the final results by 60 days. The final results are now due no later than April 5, 2009. As this date falls on a Sunday, the final results are due April 6, 2009. See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant of the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

This extension is in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).

Dated: January 23, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for
Antidumping and Countervailing Duty
Operations.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-351-825]

Stainless Steel Bar From Brazil: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review

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

DATES: Effective Date: February 2, 2009.

FOR FURTHER INFORMATION CONTACT: Catherine Cartsos or Minoo Hatten, AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue, NW., Washington, DC 20230; telephone: (202) 482-1757 or (202) 482-1690, respectively.

SUPPLEMENTARY INFORMATION:

Background

At the request of interested parties, the Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on certain stainless steel bar from Brazil for the period February 1, 2007, through January 31, 2008. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews, Request for Revocation in Part, and Deferral of Administrative Review*, 73 FR 16837 (March 31, 2008). On October 27, 2008, we extended the time period for issuing the preliminary results of the review by 90 days until January 29, 2009. See *Stainless Steel Bar From Brazil: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review*, 73 FR 63695 (October 27, 2008).

Extension of Time Limit for Preliminary Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department to make a preliminary determination within 245 days after the last day of the anniversary month of an order for which a review is requested and a final determination within 120 days after the date on which the preliminary determination is published. If it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary determination to a maximum of 365 days after the last day of the anniversary month. See also 19 CFR 351.213(h).

We determine that it is not practicable to complete the preliminary results of this review by the current deadline of January 29, 2009, for several reasons. Specifically, the Department has granted the respondent, Villares Metals S.A. (Villares), several extensions to respond to the original and supplemental questionnaires.¹ Thus, the Department needs additional time to review and analyze the responses submitted by Villares. Further, the Department requires additional time to review issues such as corporate affiliations and steel grades of products reported by Villares, as it will affect the Department's matching methodology in this case. Finally, in response to the petitioners' cost allegation submitted on November

¹ See, e.g., letters to Villares from Laurie Parkhill, dated April 18, 2008, May 22, 2008, July 11, 2008, July 30, 2008, and December 19, 2008.

4, 2008, we initiated a cost investigation on December 2, 2008, and received Villares's cost information on January 9, 2009. The Department requires additional time to review and analyze Villares's cost information. Therefore, we are extending the time period for issuing the preliminary results of this review by 30 days until February 28, 2009.

This notice is published in accordance with sections 751(a)(3)(A) and 777(i)(1) of the Act and 19 CFR 351.213(h)(2).

Dated: January 26, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. E9-2184 Filed 1-30-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-890]

Wooden Bedroom Furniture From the People's Republic of China: Notice of Court Decision Not in Harmony

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

DATES: *Effective Date:* February 2, 2009.

SUMMARY: On January 7, 2009, the United States Court of International Trade ("CIT" or the "Court") sustained the final remand determination made by the Department of Commerce ("Department") pursuant to the Court's remands of the amended final determination of the less than fair value investigation of wooden bedroom furniture ("WBF") from the People's Republic of China ("PRC"). See *Final Results of Redetermination Pursuant to Court Remand*, July 15, 2008 ("Remand III"); *Dorbest Limited, et al. v. United States*, Slip Op. 09-02 (CIT January 7, 2009) ("Dorbest III"). This case arises out of the Department's final determination of sales at less than fair value: *Wooden Bedroom Furniture from the PRC*, 69 FR 67313 (November 17, 2004), as amended, 70 FR 329 (January 5, 2005) ("Final Determination"). The final judgment in this case was not in harmony with the Department's *Final Determination*.

FOR FURTHER INFORMATION CONTACT:

Robert Bolling, 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) 482-3434.

SUPPLEMENTARY INFORMATION: On January 5, 2005, the Department published its amended final determination and antidumping duty order. See *Final Determination*. On August 1, 2005, the Department issued its voluntary remand redetermination wherein it modified the value of labor. See *Wooden Bedroom Furniture from the PRC: Final Results of Redetermination Pursuant to the Court Remand Orders*, (August 1, 2005) ("Remand I"). On October 31, 2006, the court remanded the Department's Final Determination for further administrative proceedings. See *Dorbest Limited, et al. v. United States*, 462 F.Supp. 2d 1262 (CIT 2006) ("Dorbest I"). The Department also requested and the Court granted voluntary remands concerning the following aspects of the margin calculation for Rui Feng Woodwork Co., Ltd., Rui Feng Lumber Development Co., Ltd. and Dorbest Limited (collectively, "Dorbest"): The treatment of spare parts; the elimination of metal parts and canopies from Dorbest's calculation; and the valuation of raw material expenses. On May 25, 2007, the Department issued its final results of redetermination. *Id.*; see also 462 F.Supp. 2d 1262 (CIT 2006) *Final Results of Redetermination Pursuant to Court Remand*, Court No. 05-00003, May 25, 2007 ("Remand II"). In *Remand II*, the Department, pursuant to the Court's opinion and order, modified certain aspects of the *Final Determination* as follows: (1) Revised the labor rate for Dorbest; (2) recalculated Dorbest's resin value; (3) recalculated the mirror value; (4) revised the selection of surrogate companies, by excluding Evergreen International Ltd. ("Evergreen") and Jayaraja Furniture ("Jayaraja") from the surrogate financial ratio calculations; (5) eliminated the spare parts discount adjustment to Dorbest's U.S. price; (6) removed non-scope metal parts from Dorbest's normal value calculation; (7) treated certain of Dorbest's incoming raw materials as direct material costs rather than as a deduction from U.S. prices; and (8) recalculated the separate rate, based on the remanded components of the margin calculation challenged by the litigants.

On February 27, 2008, the Court remanded the Department's *Final Determination* for further administrative proceedings. See *Dorbest Limited, et al. v. United States*, Consol. Court No. 05-cv-00003, Slip Op. 08-24 (February 27, 2008) ("Dorbest et al. v. United States") ("Dorbest II"). The Department

requested, and the Court granted, a voluntary remand on the valuation of Dorbest's cardboard. *Id.*

On July 15, 2008, the Department issued its final results of redetermination pursuant to *Dorbest II*. See *Final Results of Redetermination Pursuant to Court Remand*, July 15, 2008 ("Remand III"). In *Remand III*, the Department made the following modifications to its *Final Determination*: (1) Recalculated Dorbest's cardboard value; (2) revised the selection of surrogate companies by excluding Fusion Design Private Ltd. ("Fusion Design"), DnD's Fine Furniture Pvt., Ltd. ("DnD"), Nizamuddin Furniture Private Ltd. ("Nizamuddin"), and Swaran Furniture Ltd. ("Swaran") from the surrogate ratio calculations; and (3) recalculated the separate rate pursuant to the Court's instructions.

On January 7, 2009, the Court sustained *Remand III*. The revised antidumping duty margins are as follows: For Dorbest is 2.92 percent; Lung Dong Furniture Co., Ltd. and Dongguan Dong He Furniture Co., Ltd. is 2.71 percent; Shing Mark Enterprise Co., Ltd., is 5.20 percent; Starcorp, is 17.50 percent; and the revised margin for the parties that received separate rates is 6.78 percent.

Timken Notice

In its decision in *Timken*, the Court of Appeals for the Federal Circuit ("CAFC") held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("Timken"). The CIT's decision in *Dorbest III* on January 7, 2009, constitutes a final decision of that court that is not in harmony with the Department's final determination of sales at less than fair value. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of enjoined entries pending the exhaustion of all appellate rights. In the event the CIT's ruling is not appealed, or if appealed, upheld by the CAFC, the Department will publish an amended final determination.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.