

#### IV. Request for Comments

*Comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 17, 2009.

##### Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

A-570-901

#### Notice of Amended Final Results of the Antidumping Duty Administrative Review of Certain Lined Paper Products from the People's Republic of China

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

**EFFECTIVE DATE:** December 22, 2009.

**FOR FURTHER INFORMATION CONTACT:** Victoria Cho, 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) 482-5075.

##### SUPPLEMENTARY INFORMATION:

##### Background

In accordance with sections 751(h) and 777(i)(1) of the Tariff Act of 1930, as amended (the "Act") on April 14, 2009, the Department of Commerce ("the Department") published its final results of the administrative review for Certain Lined Paper Products ("CLPP") from the People's Republic of China ("PRC") for the period from April 17, 2006, through August 31, 2007. *See*

*Certain Lined Paper Products from the People's Republic of China: Notice of Final Results of the Antidumping Duty Administrative Review*, 74 FR 17160 (April 14, 2009) ("*Final Results*").

On April 14, 2009, Shanghai Lian Li Paper Products Co., Ltd. ("Lian Li") timely filed its ministerial error allegations, pursuant to 19 CFR 351.224(c). On April 17, 2009, the Association of American Paper Suppliers (petitioner) filed a summons and complaint with the Court of International Trade challenging various aspects of the *Final Results*. On April 21, 2009, the petitioner filed comments in response to Lian Li's ministerial error allegations, and on April 23, 2009, Lian Li filed comments regarding the petitioner's April 21, 2009, comments. The Department has not found it practicable to analyze the comments received and correct any potential errors within 30 days of the publication for the *Final Results*.

##### Scope of the Antidumping Duty Order

The scope of this order includes certain lined paper products, typically school supplies (for purposes of this scope definition, the actual use of or labeling these products as school supplies or non-school supplies is not a defining characteristic) composed of or including paper that incorporates straight horizontal and/or vertical lines on ten or more paper sheets (there shall be no minimum page requirement for looseleaf filler paper) including but not limited to such products as single- and multi-subject notebooks, composition books, wireless notebooks, looseleaf or glued filler paper, graph paper, and laboratory notebooks, and with the smaller dimension of the paper measuring 6 inches to 15 inches (inclusive) and the larger dimension of the paper measuring 8-3/4 inches to 15 inches (inclusive). Page dimensions are measured size (not advertised, stated, or "tear-out" size), and are measured as they appear in the product (*i.e.*, stitched and folded pages in a notebook are measured by the size of the page as it appears in the notebook page, not the size of the unfolded paper). However, for measurement purposes, pages with tapered or rounded edges shall be measured at their longest and widest points. Subject lined paper products may be loose, packaged or bound using any binding method (other than case bound through the inclusion of binders board, a spine strip, and cover wrap). Subject merchandise may or may not contain any combination of a front cover, a rear cover, and/or backing of any composition, regardless of the inclusion of images or graphics on the

cover, backing, or paper. Subject merchandise is within the scope of this order whether or not the lined paper and/or cover are hole punched, drilled, perforated, and/or reinforced. Subject merchandise may contain accessory or informational items including but not limited to pockets, tabs, dividers, closure devices, index cards, stencils, protractors, writing implements, reference materials such as mathematical tables, or printed items such as sticker sheets or miniature calendars, if such items are physically incorporated, included with, or attached to the product, cover and/or backing thereto.

Specifically excluded from the scope of this order are:

- unlined copy machine paper;
- writing pads with a backing (including but not limited to products commonly known as "tablets," "note pads," "legal pads," and "quadrille pads"), provided that they do not have a front cover (whether permanent or removable). This exclusion does not apply to such writing pads if they consist of hole-punched or drilled filler paper;
- three-ring or multiple-ring binders, or notebook organizers incorporating such a ring binder provided that they do not include subject paper;
- index cards;
- printed books and other books that are case bound through the inclusion of binders board, a spine strip, and cover wrap;
- newspapers;
- pictures and photographs;
- desk and wall calendars and organizers (including but not limited to such products generally known as "office planners," "time books," and "appointment books");
- telephone logs;
- address books;
- columnar pads & tablets, with or without covers, primarily suited for the recording of written numerical business data;
- lined business or office forms, including but not limited to: pre-printed business forms, lined invoice pads and paper, mailing and address labels, manifests, and shipping log books;
- lined continuous computer paper;
- boxed or packaged writing stationary (including but not limited to products commonly known as "fine business paper," "parchment paper", and "letterhead"), whether or not containing a lined header or decorative lines;

- Stenographic pads (“steno pads”), Gregg ruled (“Gregg ruling” consists of a single- or double-margin vertical ruling line down the center of the page. For a six-inch by nine-inch stenographic pad, the ruling would be located approximately three inches from the left of the book), measuring 6 inches by 9 inches;

Also excluded from the scope of this order are the following trademarked products:

- Fly lined paper products: A notebook, notebook organizer, loose or glued note paper, with papers that are printed with infrared reflective inks and readable only by a Fly pen-top computer. The product must bear the valid trademark Fly (products found to be bearing an invalidly licensed or used trademark are not excluded from the scope).
- Zwipes : A notebook or notebook organizer made with a blended polyolefin writing surface as the cover and pocket surfaces of the notebook, suitable for writing using a specially-developed permanent marker and erase system (known as a Zwipes pen). This system allows the marker portion to mark the writing surface with a permanent ink. The eraser portion of the marker dispenses a solvent capable of solubilizing the permanent ink allowing the ink to be removed. The product must bear the valid trademark Zwipes™ (products found to be bearing an invalidly licensed or used trademark are not excluded from the scope).
- FiveStar®Advance™ : A notebook or notebook organizer bound by a continuous spiral, or helical, wire and with plastic front and rear covers made of a blended polyolefin plastic material joined by 300 denier polyester, coated on the backside with PVC (poly vinyl chloride) coating, and extending the entire length of the spiral or helical wire. The polyolefin plastic covers are of specific thickness; front cover is 0.019 inches (within normal manufacturing tolerances) and rear cover is 0.028 inches (within normal manufacturing tolerances). Integral with the stitching that attaches the polyester spine covering, is captured both ends of a 1” wide elastic fabric band. This band is located 2–3/8” from the top

of the front plastic cover and provides pen or pencil storage. Both ends of the spiral wire are cut and then bent backwards to overlap with the previous coil but specifically outside the coil diameter but inside the polyester covering. During construction, the polyester covering is sewn to the front and rear covers face to face (outside to outside) so that when the book is closed, the stitching is concealed from the outside. Both free ends (the ends not sewn to the cover and back) are stitched with a turned edge construction. The flexible polyester material forms a covering over the spiral wire to protect it and provide a comfortable grip on the product. The product must bear the valid trademarks FiveStar®Advance™ (products found to be bearing an invalidly licensed or used trademark are not excluded from the scope).

- FiveStar Flex™: A notebook, a notebook organizer, or binder with plastic polyolefin front and rear covers joined by 300 denier polyester spine cover extending the entire length of the spine and bound by a 3-ring plastic fixture. The polyolefin plastic covers are of a specific thickness; front cover is 0.019 inches (within normal manufacturing tolerances) and rear cover is 0.028 inches (within normal manufacturing tolerances). During construction, the polyester covering is sewn to the front cover face to face (outside to outside) so that when the book is closed, the stitching is concealed from the outside. During construction, the polyester cover is sewn to the back cover with the outside of the polyester spine cover to the inside back cover. Both free ends (the ends not sewn to the cover and back) are stitched with a turned edge construction. Each ring within the fixture is comprised of a flexible strap portion that snaps into a stationary post which forms a closed binding ring. The ring fixture is riveted with six metal rivets and sewn to the back plastic cover and is specifically positioned on the outside back cover.

The product must bear the valid trademark FiveStar Flex™ (products found to be bearing an invalidly licensed or used trademark are not excluded from the scope). Merchandise

subject to this order is typically imported under headings 4820.10.2050, 4810.22.5044, 4811.90.9090, 4820.10.2010, 4820.10.2020 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS headings are provided for convenience and customs purposes; however, the written description of the scope of this order is dispositive.

#### Amended Final Results of Review

A ministerial error, as defined in section 751(h) of the Act, “includes errors in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the administering authority considers ministerial.” *See also* 19 CFR 351.224(f). After analyzing the comments we received, we have determined, in accordance with section 751(h) of the Act and 19 CFR 351.224, that the Department made two ministerial errors in our calculations for the final results with respect to Lian Li.<sup>1</sup> Specifically, the Department inadvertently included a factor for uncoated paper board (UNCOATED\_AR) which resulted in double counting the input value of black paper board. Additionally, the Department inadvertently used grey/white paper board’s input values for grey paper board. For additional explanation, *see* the Ministerial Error Memo.

Further, we have determined that the other alleged ministerial errors that the Department erroneously combined two factors of production (“FOP”) databases and that the Department incorrectly calculated inland freight are methodological, not ministerial, in nature. Therefore, we have made no changes to our calculations with respect to Lian Li’s FOP database or inland freight. For additional explanation, *see* the Ministerial Error Memo.

We are revising the review-specific average rate to reflect the weighted average rate based on the amended results of the companies subject to the instant review. *See* the Ministerial Error Memo. In accordance with section 751(h) of the Act, we are amending the final results of the antidumping duty administrative review of CLPP from the PRC for the period April 17, 2006, through August 31, 2007. As a result of correcting the ministerial errors discussed above, the following margins apply:

<sup>1</sup> *See* “Memorandum from James Terpstra to Melissa Skinner, Amended Final Results for the

First Antidumping Administrative Review of Certain Lined Paper Products from the People’s

Republic of China: Ministerial Errors,” dated December 10, 2009. (“Ministerial Error Memo”).

Exporter	Weighted-Average Margin (Percent)
Shanghai Lian Li Paper Products Co., Ltd .....	16.47
Hwa Fuh Plastics Co., Ltd./Li Teng Plastics (Shenzhen) Co., Ltd .....	16.47
Leo's Quality Products Co., Ltd./Denmax Plastic Stationery Factory .....	16.47
The Watanabe Group (consisting of the following companies) .....	16.47
Watanabe Paper Product (Shanghai) Co., Ltd.	
Watanabe Paper Product (Linqing) Co., Ltd.	
Hotrock Stationery (Shenzhen) Co., Ltd.	

### Assessment of Duties

The Department will determine and the U.S. Bureau of Customs and Border Protection ("CBP") shall assess antidumping duties on all appropriate entries. Except where the Court of International Trade has issued a preliminary injunction enjoining the liquidation of certain entries during the period of review, we intend to issue appropriate assessment instructions directly to CBP 15 days after publication of these amended final results of review. For a general discussion of the application of assessment rates, see *Final Results* at 17165.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of these amended final results for all shipments CLLP from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date of these *Final Results* (April 14, 2009), as provided by section 751(a)(2)(C) of the Act: (1) for companies covered by this review, the cash deposit rate will be the rate listed above; (2) for previously reviewed or investigated companies other than those covered by this review, the cash deposit rate will be the company-specific rate established for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the producer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the subject merchandise; and (4) if neither the exporter nor the producer is a firm covered in this review, a prior review, or the investigation, the cash deposit rate will be 258.21 percent, the PRC-wide rate established in the less-than-fair-value investigation. These deposit requirements shall remain in effect until further notice.

### Reimbursement of Duties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 presumption that reimbursement of antidumping duties occurred and the subsequent increase in antidumping duties by the amount of antidumping duties reimbursed.

### Administrative Protective Order

This notice also is the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely written notification of the return/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.

These amended final results of administrative review and notice are issued and published in accordance with sections 751(h), and 777(i)(1) of the Act, and 19 CFR 351.224.

Dated: December 15, 2009.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. E9-30396 Filed 12-21-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-838]

#### **Carbazole Violet Pigment 23 from India: Preliminary Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** In response to a request from an interested party, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on carbazole violet pigment 23 from India. The review covers one manufacturer/exporter, Alpanil Industries. The period of review is December 1, 2007, through

November 30, 2008. We have preliminarily determined that Alpanil Industries made sales below normal value. We invite interested parties to comment on these preliminary results.

**EFFECTIVE DATE:** December 22, 2009.

**FOR FURTHER INFORMATION CONTACT:** Jerrold Freeman or Yang Jin Chun, 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) 482-0180 and (202) 482-5760, respectively.

**SUPPLEMENTARY INFORMATION:**

### Background

On December 29, 2004, we published in the **Federal Register** the antidumping duty order on carbazole violet pigment 23 (CVP 23) from India. See *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Carbazole Violet Pigment 23 From India*, 69 FR 77988 (December 29, 2004). On December 1, 2008, we published in the **Federal Register** a notice of opportunity to request an administrative review of the antidumping duty order on CVP 23 from India. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review*, 73 FR 72764 (December 1, 2008). On December 30, 2008, pursuant to section 751(a) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.213(b), Alpanil Industries (Alpanil) requested an administrative review of the order. On February 2, 2009, in accordance with section 751(a) of the Act and 19 CFR 351.221(c)(1)(i), we published a notice of initiation of administrative review of the order. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 74 FR 5821 (February 2, 2009).

On September 3, 2009, we extended the due date for the completion of the preliminary results of review from September 2, 2009, to November 16, 2009. See *Carbazole Violet Pigment 23 From India: Extension of Time Limit for Preliminary Results of Antidumping*