

Dated: December 18, 2009.

Chris Knopp,

Forest Supervisor.

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DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. APHIS-2009-0096]

General Conference Committee of the National Poultry Improvement Plan; Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of meeting.

SUMMARY: We are giving notice of a meeting of the General Conference Committee of the National Poultry Improvement Plan.

DATES: The meeting will be held on January 27, 2010, from 1:30 p.m. to 5 p.m.

ADDRESSES: The meeting will be held at the Georgia World Congress Center, 285 Andrew Young International Boulevard NW, Atlanta, GA.

FOR FURTHER INFORMATION CONTACT: Mr. Andrew R. Rhorer, Senior Coordinator, National Poultry Improvement Plan, VS, APHIS, USDA, 1498 Klondike Road, Suite 101, Conyers, GA 30094; (770) 922-3496.

SUPPLEMENTARY INFORMATION: The General Conference Committee (the Committee) of the National Poultry Improvement Plan (NPIP), representing cooperating State agencies and poultry industry members, serves an essential function by acting as liaison between the poultry industry and the Department in matters pertaining to poultry health. In addition, the Committee assists the Department in planning, organizing, and conducting the NPIP Biennial Conference.

Topics for discussion at the upcoming meeting are:

1. NPIP diamond anniversary conference;
2. Salmonella isolation and identification laboratory protocol;
3. Notifiable avian influenza;
4. Salmonella and baby poultry contact;
5. Experimental use of a live *Mycoplasma synoviae* vaccine in broiler breeders; and
6. NPIP database.

The meeting will be open to the public. However, due to time constraints, the public will not be allowed to participate in the discussions

during the meeting. Written statements on meeting topics may be filed with the Committee before or after the meeting by sending them to the person listed under **FOR FURTHER INFORMATION CONTACT**. Written statements may also be filed at the meeting. Please refer to Docket No. APHIS-2009-0096 when submitting your statements.

This notice of meeting is given pursuant to section 10 of the Federal Advisory Committee Act.

Done in Washington, DC, this 16th day of December 2009.

Kevin Shea

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. E9-30666 Filed 12-28-09; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-843]

Certain Lined Paper Products from India: Notice of Court Decision Not in Harmony with Final Determination of Sales at Less than Fair Value

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

SUMMARY: On December 10, 2009, the United States Court of International Trade ("CIT") sustained the Department of Commerce's ("the Department's") redetermination on remand of the final results of the antidumping duty investigation on certain lined paper products from India. *See Association of American School Paper Suppliers v. United States*, Court No. 06-00395, Slip Op. 09-136 (CIT December 10, 2009) ("AASPS, Slip. Op. 09-136").¹ The Department is now issuing this notice of court decision not in harmony with the Department's determination.

EFFECTIVE DATE: December 20, 2009.

FOR FURTHER INFORMATION CONTACT: Christopher Hargett or Joy Zhang, 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) 482-4161 or (202) 482-1168, respectively.

SUPPLEMENTARY INFORMATION:

¹ The CIT's action referenced in AASPS, Slip. Op. 09-136 includes court number 06-00395 and 06-00399. *See Association of American School Paper Suppliers v. United States*, Consol. Ct. No. 06-00395 (Feb. 26, 2007) (order granting consent motion to consolidate cases).

Background

On August 8, 2006, the Department published the final determination of sales at less than fair value ("LTFV") in the antidumping duty investigation of certain lined paper products ("CLPP") from India for the period of investigation, July 1, 2004, through June 30, 2005 ("POI"). *See Notice of Final Determination of Sales at Less Than Fair Value, and Negative Determination of Critical Circumstances: Certain Lined Paper Products from India*, 71 FR 45012 (August 8, 2006) ("CLPP Final Determination"). The Association of American School Paper Suppliers² ("AASPS") and Kejriwal Paper Limited ("Kejriwal") filed lawsuits challenging the CLPP Final Determination.

In its November 17, 2008 opinion,³ the CIT partially remanded the CLPP Final Determination. Specifically, the CIT ordered the Department to further explain 1) how the general and administrative ("G&A") expense ratio reasonably identifies and fairly allocates G&A expenses in light of the evidence on the record; and 2) how its G&A expense ratio is consistent with its treatment of Kejriwal's financial expense ratio.

In accordance with the CIT's remand order in AASPS, Slip Op. 08-122, the Department filed its redetermination on remand of the CLPP Final Determination ("Remand Final Determination") on March 16, 2009. In its redetermination, the Department provided further explanation on its calculation methodology, and also determined that certain additional expenses should be attributed directly to Kejriwal's newsprint operations.

Decision Not in Harmony

On December 10, 2009, the CIT sustained the Department's redetermination on remand of the final results of the antidumping duty investigation on CLPP from India. By sustaining the remand results, the CIT affirmed all of the issues in which the Department was challenged, including the Department's explanation of how the G&A expense ratio it calculated 1) reasonably identifies and fairly allocates G&A expenses in light of the evidence on the record, and 2) is consistent with the Department's treatment of Kejriwal's financial expense ratio.

Pursuant to the Department's redetermination, Kejriwal's G&A

² The Association consists of MeadWestvaco Corporation, Norcom, Inc., and Top Flight, Inc.

³ *See Association of American School Paper Suppliers v. United States*, Consol. Court No. 06-00395, Slip Op. 08-122 (CIT November 17, 2008) ("AASPS, Slip Op. 08-122")

expense ratio changed.⁴ As a result of the change to Kejriwal's G&A expense ratio, Kejriwal's calculated margin for the the POI has changed from 3.91 percent in the *CLPP Final Determination* to 3.06 percent in the redetermination issued on March 16, 2009. Accordingly, absent an appeal or, if appealed, upon a final and conclusive court decision in this action, we will amend our final determination of this investigation to reflect the recalculation of the margin for Kejriwal.

Suspension of Liquidation

The United States Court of Appeals for Federal Circuit ("CAFC") held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. *See The Timken Company v. United States*, 893 F.2d 337, 341 (CAFC 1990). Publication of this notice fulfills that obligation. The CAFC also held that, in such a case, the Department must suspend liquidation until there is a "conclusive" decision in the action. *Id.* Therefore, the Department must suspend liquidation pending the expiration of the period to appeal the CIT's December 10, 2009, decision or, if appealed, pending a final and conclusive court decision. Because entries of certain lined paper products from India produced and exported to the United States by Kejriwal Paper Limited are currently being suspended pursuant to the court's injunction order in effect, the Department does not need to order U.S. Customs and Border Protection ("CBP") to suspend liquidation of affected entries. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision.

This notice is issued and published in accordance with section 516A(c)(1) of the Tariff Act of 1930, as amended.

Dated: December 22, 2009.

John M. Andersen,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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⁴ Due to the proprietary nature of Kejriwal's G&A expenses, see the Department's proprietary calculation memorandum, titled "Remand for the Antidumping Investigation of Certain Lined Paper Products from India," dated March 13, 2009, for further discussion.

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-892]

Carbazole Violet Pigment 23 From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review

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

SUMMARY: The Department of Commerce (the Department) is currently conducting an administrative review of the antidumping duty order on carbazole violet pigment 23 (CVP 23) from the People's Republic of China (PRC). The period of review (POR) is December 1, 2007 through November 30, 2008. We have preliminarily determined that Trust Chem Co., Ltd. (Trust Chem) made sales of subject merchandise to the United States below normal value (NV). The preliminary results are listed below in the section entitled "Preliminary Results of the Review." If these preliminary results are adopted in our final results of this review, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties against the entered value of each entry of the subject merchandise made during the POR, where applicable.

Interested parties are invited to comment on these preliminary results. We intend to issue the final results no later than 120 days from the date of publication of this notice.

DATES: *Effective Date:* December 29, 2009.

FOR FURTHER INFORMATION CONTACT:

Deborah Scott 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) 482-2657 or (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 2004, the Department published in the **Federal Register** an antidumping duty order on CVP 23 from the PRC. *See Antidumping Duty Order: Carbazole Violet Pigment 23 From the People's Republic of China*, 69 FR 77987 (December 29, 2004). On December 1, 2008, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on CVP 23 from the PRC for the POR December 1, 2007 through November 30, 2008. *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, in accordance with 19 CFR 351.213(b), Trust Chem requested that the Department conduct an administrative review of its sales of subject merchandise. In response to this request, the Department initiated an administrative review of Trust Chem on February 2, 2009. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 74 FR 5821 (February 2, 2009).

On February 5, 2009, the Department issued its standard non-market economy (NME) antidumping duty questionnaire, including the separate rates section of that questionnaire, to Trust Chem. On March 17, 2009, Trust Chem submitted its questionnaire response for sections A, C, and D, as well as its sales and cost reconciliations. On July 2, 2009, the Department issued a supplemental questionnaire to Trust Chem, to which Trust Chem responded on July 31, 2009. The Department issued additional supplemental questionnaires to Trust Chem on September 9, 2009, October 15, 2009, and November 18, 2009¹; Trust Chem filed its responses to these supplemental questionnaires on September 25, 2009, October 30, 2009, and December 1, 2009, respectively.

On August 7, 2009, the Department extended the deadline for the preliminary results to December 22, 2009. *See Carbazole Violet Pigment 23 from the People's Republic of China: Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 39622 (August 7, 2009).

Period of Review

The POR covers December 1, 2007 through November 30, 2008.

Scope of the Order

The merchandise covered by this order is carbazole violet pigment 23 identified as Color Index No. 51319 and Chemical Abstract No. 6358-30-1, with the chemical name of diindolo [3,2-b:3',2'-m] triphenodioxazine, 8,18-dichloro-5, 15-diethyl-5,15-dihydro-, and molecular formula of C₃₄H₂₂Cl₂N₄O₂.² The subject merchandise includes the crude pigment in any form (e.g., dry

¹ The Department issued an addendum to its November 18, 2009 supplemental questionnaire on November 20, 2009.

² The bracketed section of the product description, [3,2-b:3',2'-m], is not business proprietary information, but is part of the chemical nomenclature.