

Agreement of the Settlement Agreement on Operating Procedures for Green Mountain Reservoir Concerning Operating Limitations and in Resolution of the Petition Filed August 7, 2003, in Case No. 49–CV–2782 (*The United States v. Northern Colorado Water Conservancy District, et al.*, U.S. District Court for the District of Colorado, Case No. 2782 and Consolidated Case Nos. 5016 and 5017).

20. Colorado River Water Conservation District, Colorado-Big Thompson Project, Colorado: Consideration of a request for a long-term contract for the use of excess capacity for storage and exchange in Green Mountain Reservoir in the Colorado-Big Thompson Project.

21. Glendo Unit, P–SMBP, Wyoming: Contract renewal for long-term water service contracts with Burbank Ditch, New Grattan Ditch Company, Torrington ID, Lucerne Canal and Power Company, and Wright and Murphy Ditch Company.

22. Glendo Unit, P–SMBP, Nebraska: Contract renewal for long-term water service contracts with Bridgeport, Enterprise, and Mitchell IDs.

23. Glendo Unit, P–SMBP, Wyoming: Contract renewal for long-term water storage contract with Pacificorp.

24. Roger W. Evans (Individual), Boysen Unit, P–SMBP, Wyoming: Renewal of long-term water service contracts.

25. City of Beloit, P–SMBP, Kansas: Contract renewal for M&I contract.

26. Individual Irrigators, Canyon Ferry Unit, P–SMBP, Montana: Replace temporary 1-year contracts with long-term water service contracts for minor amounts of less than 1,000 acre-feet of irrigation water annually from the Missouri River below Canyon Ferry Dam.

27. Individual Irrigators, Lower Marias Unit, P–SMBP, Montana: Execute long-term water service contracts for commercial irrigation from Lake Elwell and the Marias River below Tiber Dam.

28. Turtle Lake ID, Garrison Diversion Unit, North Dakota: Turtle Lake ID, water users, and individual irrigators have requested water service contracts, which may be short- or long-term under the Dakota Water Resources Act of 2000.

29. Big Horn Canal ID, Boysen Unit, P–SMBP, Wyoming: Big Horn Canal ID has requested the renewal of their long-term water service contract.

30. Hanover ID, Boysen Unit, P–SMBP, Wyoming: Hanover ID has requested the renewal of their long-term water service contract.

31. LU Sheet Company, Boysen Unit, P–SMBP, Wyoming: Contract renewal of long-term water service contract.

32. Busch Farms, Inc., Boysen Unit, P–SMBP, Wyoming: Contract renewal of long-term water service contract.

33. Gorst Ranch, Boysen Unit, P–SMBP, Wyoming: Contract renewal of long-term water service contract.

34. Helena Sand & Gravel, Helena valley Unit, P–SMBP, Montana: request for a long-term water service contract for M&I purposes up to 1,000 acre-feet per year.

35. City of Cheyenne, Kendrick Project, Wyoming: the of Cheyenne has requested an amendment to its water storage contract to increase the storage entitlement to 15,700 acre-feet of storage space in Seminoe Reservoir.

36. Central Nebraska Public Power and ID, Glendo unit, P–SMBP, Nebraska: Request to amend current repayment contract.

37. Busk-Ivanhoe, Inc., Fryingpan-Arkansas project, Colorado: Contract renewal for their long-term carriage and storage contract.

38. State of Colorado, Department of Corrections, Fryingpan-Arkansas Project, Colorado: Consideration of a request for long-term excess capacity storage out of Pueblo Reservoir.

39. Southeastern Water Conservancy District, Fryingpan-Arkansas Project, Colorado: Consideration of a master storage contract.

The following actions have been completed since the last publication of this notice on November 20, 2008:

1. (8) Savage ID, P–SMBP, Montana: The District is currently seeking title transfer. The contract is subject to renewal pending outcome of the title transfer process. The existing interim contract expired in May 2008. A 5-year interim contract was offer to the District on June 28, 2008. Contract executed October 22, 2008.

2. (12) Individual irrigators, Heart Butte Unit, P–SMBP, North Dakota: Renew long-term water service contracts for minor amounts of less than 1,000 acre-feet of irrigation water annually from the Heart River below Heart Butte Dam. Contracts executed between February and April 2008.

February 11, 2009.

Roseann Gonzales,

Director, Policy and Program Services Denver Office.

[FR Doc. E9–8189 Filed 4–9–09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337–TA–604]

In the Matter of Certain Sucralose, Sweeteners Containing Sucralose, and Related Intermediate Compounds Thereof; Notice of Commission Issuance of a Limited Exclusion Order; Termination of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has issued a limited exclusion order against eleven respondents in the above-captioned investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), and has terminated the investigation.

FOR FURTHER INFORMATION CONTACT:

James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–3065. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205–2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 10, 2007, based upon a complaint filed on behalf of Tate & Lyle Technology Ltd. of London, United Kingdom, and Tate & Lyle Sucralose, Inc. of Decatur, Illinois (collectively, “Tate & Lyle”). The complaint alleged violations of section 337(a)(1)(B) of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of sucralose, sweeteners containing sucralose, and related intermediate compounds thereof by reason of infringement of various claims of United States Patent Nos. 4,980,463 (“the ‘463 patent’”); 5,470,969 (“the ‘969

patent"); 5,034,551 ("the '551 patent"); 5,498,709 ("the '709 patent"); and 7,049,435 ("the '435 patent"). The notice of investigation named twenty-five respondents.

On August 15, 2007, the Commission issued notice of its determination not to review an ID allowing JK Sucralose, Inc. ("JK Sucralose") to intervene as a respondent in the investigation. On August 30, 2007, the Commission issued notice of its determination not to review an ID terminating the investigation with respect to ProFood International Inc. on the basis of a consent order. On October 3, 2007, the Commission issued notice of its determination not to review an ID adding Heartland Sweeteners, LLC ("Heartland Sweeteners") as a respondent in the investigation. The respondents who remain parties to the investigation are therefore: Changzhou Niutang Chemical Plant Co. ("Changzhou Niutang Chemical"); Guangdong Food Industry Institute and L&P Food Ingredient Co., Ltd. ("GDFII"); Hebei Sukerui Science and Technology Co., Ltd. ("Hebei Sukerui Science"); JK Sucralose; Beijing Forbest Chemical Co., Ltd.; Beijing Forbest Trade Co., Ltd.; Forbest International USA, LLC; U.S. Niutang Chemical, Inc.; Garuda International, Inc.; Heartland Packaging Corporation; Heartland Sweeteners; MTC Industries, Inc.; Nantong Molecular Technology Co., Ltd.; AIDP, Inc.; Fortune Bridge Co., Inc. ("Fortune Bridge"); Nu-Scaan Nutraceuticals ("Nu-Scaan"); CJ America, Inc. ("CJ America"); Vivion, Inc. ("Vivion"); Gremount International Co., Ltd. ("Gremount"); Hebei Province Chemical Industry Academe ("Hebei Academe"); Hebei Research Institute of Chemical Industry ("Hebei Research"); Lianyungang Natiprol (Int'l) Co., Ltd. ("Lianyungang Natiprol"); Ruland Chemistry Co., Ltd. ("Ruland"); Shanghai Aurisco Trading Co., Ltd. ("Shanghai Aurisco"); and Zhongjin Pharmaceutical (Hong Kong) Co. ("Zhongjin"). Some of these respondents have been found in default.

On September 22, 2008, the presiding administrative law judge issued a final initial determination ("final ID") finding no violation of section 337 (with the exception of certain non-participating and defaulted respondents). On October 6, 2008, Tate & Lyle, four sets of respondents, and the Commission investigative attorney ("IA") each filed petitions for review. On November 21, 2008, the Commission issued notice of its determination to review the final ID in its entirety and requested briefing on the issues on review and on remedy, the public interest, and bonding, including responses to certain questions.

On review, the Commission found no violation on the merits with respect to the '463, '969, and '551 patents, for the reasons set forth in the Commission opinion. As to the '969 patent, respondents Shanghai Aurisco and Zhongjin were previously found to have defaulted. Additionally, the Commission found CJ America, Inc. to have admitted infringement and to have agreed to the entry of an exclusion order as to the '969 patent. As to the '709 and '435 patents, respondents Gremount, Hebei Academe, Lianyungang Natiprol, Ruland, and Hebei Research were previously found to have defaulted with respect to the '709 and '435 patents, and Shanghai Aurisco and Zhongjin were previously found to have defaulted with respect to the '709 patent. Additionally, the Commission found CJ America to have admitted infringement and to have agreed to the entry of a remedial order as to the '709 patent, that non-participating respondents Vivion and Fortune Bridge were subject to adverse inferences with respect to the '709 and '435 patents under Commission Rule 210.17, and that non-participating respondent Nu-Scaan was subject to adverse inferences with respect to the '709 patent under Commission Rule 210.17.

The Commission has determined that the appropriate form of relief in this investigation is a limited exclusion order prohibiting the unlicensed entry of certain sucralose and sweeteners containing sucralose by reason of infringement of one or more of claims 20, 21–26, 28, and 29 of the '969 patent by Shanghai Aurisco, Zhongjin, and CJ America; of claims 8, 9, and 13 of the '709 patent by Gremount, Hebei Academe, Lianyungang Natiprol, Hebei Research, Ruland, Shanghai Aurisco, Zhongjin, CJ America, Nu-Scaan, Vivion, and Fortune Bridge; and of claim 1 of the '435 patent by Gremount, Hebei Academe, Lianyungang Natiprol, Ruland, Hebei Research, Vivion, and Fortune Bridge, with the caveat that the order not apply to sucralose supplied to these respondents by the manufacturing respondents who were found to either not infringe or against whom infringement allegations were withdrawn as to the patents asserted in the investigation. These manufacturing respondents are Changzhou Niutang Chemical, GDFII, Hebei Sukerui Science, and JK Sucralose. The Commission further determined that the public interest factors enumerated in section 337(d)(1),(g)(1), 19 U.S.C. 1337(d)(1),(g)(1), do not preclude issuance of the limited exclusion order. Finally, the Commission determined

that the bond under the limited exclusion order during the Presidential review period shall be in the amount of 100 percent of the entered value of the imported articles. The Commission's orders were delivered to the President and the United States Trade Representative on the day of their issuance.

The Commission has therefore terminated this investigation. The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and sections 210.16(c) and 210.41–.42, 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 210.16(c) and 210.41–.42, 210.50).

Issued: April 9, 2009.

By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. E9–8154 Filed 4–9–09; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1145 (Final)]

Certain Steel Threaded Rod From China Determination

On the basis of the record¹ developed in the subject investigation, the United States International Trade Commission (Commission) determines, pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China of certain steel threaded rod, provided for in subheading 7318.15.50 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

Background

The Commission instituted this investigation effective March 5, 2008, following receipt of a petition filed with the Commission and Commerce by Vulcan Threaded Products, Pelham, AL. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of certain steel threaded rod from China were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the

¹ The record is defined in section 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).