

Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4014, 14th Street and Constitution Ave., NW, Washington, DC 20230, telephone: (202) 482-6071.

SUPPLEMENTARY INFORMATION:

Background

On November 19, 2007, the Department of Commerce (the Department) published its notice of initiation of antidumping duty (AD) changed circumstances review (CCR). See *Certain Pasta from Italy: Notice of Initiation of Antidumping Duty Changed Circumstances Review*, 72 FR 65010 (November 19, 2007). On February 22, 2008, the Department published its notice of preliminary results of AD CCR and intent to reinstate the AD order. See *Certain Pasta from Italy: Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review and Intent to Reinstate the Antidumping Duty Order*, 73 FR 9769 (February 22, 2008). On August 12, 2008, the Department extended the due date of the final results of the AD CCR until October 6, 2008. See *Certain Pasta from Italy: Notice of Extension of Final Results of Antidumping Duty Changed Circumstances Review*, 73 FR 46871 (August 12, 2008). On September 29, 2008, the Department placed on the record of the AD CCR press releases from the United States Attorney for the Western District of Missouri and the Securities and Exchange Commission (SEC) regarding the American Italian Pasta Company (AIPC). See the Memorandum to the File from Eric B. Greynolds, Program Manager, "Press Release from Office of the United States Attorney for the Western District of Missouri and the Securities and Exchange Commission Regarding the American Italian Pasta Company" (September 29, 2008), a public document on file in the Central Records Unit (CRU), room 1117 of the main Department building. On October 8, 2008, David M. Spooner, the Assistant Secretary for Import Administration, along with other officials from the Department met with an official from AIPC and counsel to Lensi/AIPC to discuss issues pertaining to the ongoing AD CCR. On October 10, 2008, the Department extended the due date of the final results of the AD CCR until December 5, 2008. See *Certain Pasta from Italy: Notice of Extension of Final Results of Antidumping Duty Changed Circumstances Review*, 73 FR 60239 (October 10, 2008). On October 17, 2008, Lensi/AIPC submitted comments regarding the press release issued by the

SEC and the Office of the United States Attorney for the Western District of Missouri.

Extension of Time Limit for Final Results

Under 19 CFR 351.216(e), the Department will issue the final results of a CCR within 270 days after the date on which the Department initiates the changed circumstances review. Currently, the final results of the AD CCR, which cover Lensi, a producer/exporter of pasta from Italy, and AIPC, Lensi's corporate parent and importer of subject merchandise produced by Lensi, are due by December 5, 2008. As explained above, the Department has placed certain information regarding Lensi on the record of the AD CCR. In addition, in their October 17, 2008 submission, Lensi and AIPC placed new factual information and comments on the record of the AD CCR. In order to have sufficient time to review the new factual information placed on the record of the AD CCR, we are extending the due date of the final results of the AD CCR by 17 days in accordance with 19 CFR 351.302(b). Therefore, the final results of the AD CCR are now due no later than December 22, 2008.

This notice is issued and published in accordance with sections 751(b) and 777(i) of the Tariff Act of 1930, as amended.

Dated: December 5, 2008.

Gary Taverman,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

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DEPARTMENT OF COMMERCE

**International Trade Administration
(C-533-825)**

Polyethylene Terephthalate Film, Sheet, and Strip from India: Final Results of Countervailing Duty Administrative Review

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

SUMMARY: On August 7, 2008, the Department of Commerce (Department) published in the **Federal Register** the preliminary results of administrative review of the countervailing duty order on polyethylene terephthalate film, sheet, and strip (PET film) from India for the period January 1, 2006 through December 31, 2006. See *Polyethylene Terephthalate Film, Sheet, and Strip from India: Preliminary Results of*

Countervailing Duty Administrative Review, 73 FR 45956 (August 7, 2008) (*Preliminary Results*). Based on the results of our analysis of the comments received, the Department has revised the subsidy rates for the respondent, MTZ Polyfilms, Ltd. (MTZ). The final subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Review."

EFFECTIVE DATE: December 12, 2008.

FOR FURTHER INFORMATION CONTACT: Elfi Blum, AD/CVD Operations, Office 6, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0197.

SUPPLEMENTARY INFORMATION:

Background

Since the publication of the *Preliminary Results*, the following events have occurred. The Department issued its fifth supplemental questionnaire to the Government of India (GOI) and to MTZ on August 15, 2008. The GOI and MTZ filed their fifth supplemental responses on August 29, 2008 and on September 9, 2008, respectively. On September 4, 2008, the Department extended the briefing schedule to include MTZ's fifth supplemental response, and on September 12, 2008, the Department extended the deadline for interested parties to request a hearing. MTZ filed a case brief on September 15, 2008, and the petitioners, Dupont Teijin Films, Mitsubishi Polyester Film of America, and Toray Plastics (America), Inc., filed a rebuttal brief on September 22, 2008.¹ Based on a request by MTZ, a hearing, including a closed session, was held on October 6, 2008.

Scope of the Order

For purposes of the order, the products covered are all gauges of raw, pretreated, or primed Polyethylene Terephthalate Film, Sheet and Strip, whether extruded or coextruded. Excluded are metallized films and other finished films that have had at least one of their surfaces modified by the application of a performance-enhancing resinous or inorganic layer of more than 0.00001 inches thick. Imports of PET film are classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item number

¹ Certain information referred to in MTZ's case brief was untimely. This information was inadvertently discussed in the hearing. On October 15, 2008, MTZ and petitioners re-filed their respective briefs with the information redacted. A copy of the official hearing transcript with the information redacted was placed on the record on October 23, 2008.

3920.62.00.90. HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of the order is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum in the Final Results of the Countervailing Duty Administrative Review of Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) from India, from Stephen J. Claeys, Deputy Assistant Secretary to David M. Spooner, Assistant Secretary for Import Administration (December 5, 2008) (Issues and Decision Memorandum), which is hereby adopted by this notice. The Issues and Decision Memorandum also contains a complete analysis of the programs covered by this review and the methodologies used to calculate the subsidy rates. A list of the comments raised in the briefs and addressed in the Issues and Decision Memorandum is appended to this notice. The Issues and Decision Memorandum is on file in the Central Records Unit, Room 1117 of the main Department building, and can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made some adjustments in the methodology that was used in the *Preliminary Results* for calculating MTZ's subsidy rates under several programs. All changes are discussed in detail in the Issues and Decision Memorandum.

Final Results of Review

In accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (Act) and 19 CFR 351.221(b)(5), we calculated individual *ad valorem* subsidy rates for MTZ, the only producer/exporter subject to review for the calendar year 2006, the period of review for this administrative review.

Manufacturer/Exporter	Net Subsidy Rate
MTZ Polyfilms Ltd.	65.59 %

Assessment and Cash Deposit Instructions

The Department intends to issue assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of review to liquidate shipments of subject merchandise by MTZ entered, or withdrawn from

warehouse, for consumption on or after January 1, 2006 through December 31, 2006, at 65.59 percent *ad valorem* of the entered value. We will also instruct CBP to collect cash deposits of estimated countervailing duties, at this rate, on shipments of the subject merchandise by MTZ entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. For all non-reviewed companies, the Department has instructed CBP to assess countervailing duties at the cash deposit rates in effect at the time of entry, for entries between January 1, 2006 and December 31, 2006. The cash deposit rates for all companies not covered by this review are not changed by the results of this review.

Return or Destruction of Proprietary Information

This notice serves as a reminder to parties subject to the administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under the APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of return or 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.

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 5, 2008.

David M. Spooner,
Assistant Secretary for Import Administration.

Appendix I

List of Issues Addressed in the Issues and Decision Memorandum

Pre-Shipment and Post-Shipment Export Financing Program

Comment 1: MTZ's Participation in the Pre-Shipment and Post-Shipment Export Financing Program

Benefit Calculation Under the Export Promotion Capital Goods Scheme (EPCGS)

Comment 2: Education Cess

Comment 3: Special Additional Duty

Comment 4: Unpaid Import Duty Liabilities (Benefit Earned and Denominator)

Comment 5: Partial Fulfillment of Export Obligation

Comment 6: Interest Rate Benchmark for Contingent Liabilities

Advanced License Program (ALP)

Comment 7: Countervailability of the ALP

Union Territories Central Sales Tax Programs (CST)

Comment 8: The Benefits Received Under the Program

Comment 9: Adjustments to Cash Deposit Rates to Account for Program-Wide Changes

Comity

Comment 10: Principle of Comity in the EPCGS and ALP

Due Process

Comment 11: Due Process Claims

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DEPARTMENT OF COMMERCE

International Trade Administration

C-423-809

Stainless Steel Plate in Coils from Belgium: Final Results of Countervailing Duty Administrative Review

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

SUMMARY: On June 6, 2008, the U.S. Department of Commerce ("the Department") published in the **Federal Register** its preliminary results of the administrative review of the countervailing duty order on stainless steel plate in coils from Belgium for the period January 1, 2006, through December 31, 2006.

On November 6, 2008, the Department issued a post-preliminary interim analysis regarding certain additional information placed on the record of this administrative review shortly before and after the preliminary results were issued. The final results do not effectively differ from the preliminary results, where we found the net subsidy rate to be *de minimis*. See section below entitled "Final Results of Review" for further discussion.

EFFECTIVE DATE: December 12, 2008.

FOR FURTHER INFORMATION CONTACT: Alicia Winston or David Layton, AD/CVD Operations, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1785 and (202) 482-0371, respectively.

SUPPLEMENTARY INFORMATION: