

*Special Accommodations*

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (*see ADDRESSES*) at least 5 days prior to the meeting date.

Dated: October 29, 2010.

**Tracey L. Thompson,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 2010-27735 Filed 11-2-10; 8:45 am]

**BILLING CODE 3510-22-P**

**DEPARTMENT OF COMMERCE****Economic Development Administration****Notice of Petitions by Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance**

**AGENCY:** Economic Development Administration, Department of Commerce.

**ACTION:** Notice and Opportunity for Public Comment.

Pursuant to Section 251 of the Trade Act of 1974, as amended (19 U.S.C. 2341

*et seq.*), the Economic Development Administration (EDA) has received petitions for certification of eligibility to apply for Trade Adjustment Assistance from the firms listed below.

Accordingly, EDA has initiated investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each of these firms contributed importantly to the total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm.

**LIST OF PETITIONS RECEIVED BY EDA FOR CERTIFICATION OF ELIGIBILITY TO APPLY FOR TRADE ADJUSTMENT ASSISTANCE**

[10/12/2010 through 10/28/2010]

Firm name	Address	Date accepted for investigation	Products
A.J. Rose Manufacturing Company .....	38000 Chester Road, Avon, OH 44011 ..	10/14/2010	The firm is a manufacturer of precision metal stamped, welded, spun, over molded and machined components.
Berkline/BenchCraft, LLC .....	1 Berkline Dr., Morristown, TN 37813 ....	10/14/2010	The firm produces upholstered household furniture. The primary manufacturing material is wood, fabric, metal & leather.
Lake Country Woodworkers Ltd .....	P.O. Box 400, 12 Clark St., Naples, NY 14512.	10/28/2010	The firm produces hardwood furniture for office and bathrooms including conference tables, occasional tables, reception stations, vanities and credenzas.
Lloyd & McKenzie Ltd. Co .....	619 Pine Ridge Road, P.O. Box 1338, Chester, SC 29706.	10/21/2010	The firm produces laminated fabric; primary materials include fabric and water-based polymeric compounds.
Stainless Fabrication, Inc .....	4455 W. Kearney Street, Springfield, MO 65801.	10/13/2010	The firm performs in-house and field fabrications of stainless steel single and double wall tanks and processing equipment including: Mixers, reactors, pressure and storage vessels, with up to 600K gallon capacity.
The Rose Corporation .....	401 North 8th Street, Reading, PA 19601.	10/12/2010	The firm is a custom manufacturer of warm air heating and air conditions equipment and supplies and industrial equipment.

Any party having a substantial interest in these proceedings may request a public hearing on the matter. A written request for a hearing must be submitted to the Trade Adjustment Assistance for Firms Division, Room 7106, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than ten (10) calendar days following publication of this notice.

Please follow the requirements set forth in EDA's regulations at 13 CFR 315.9 for procedures to request a public hearing. The Catalog of Federal Domestic Assistance official number and title for the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance for Firms.

Dated: October 28, 2010.

**Miriam J. Kearse,**

*Program Team Lead.*

[FR Doc. 2010-27798 Filed 11-2-10; 8:45 am]

**BILLING CODE 3510-24-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

**[A-351-825]**

**Stainless Steel Bar From Brazil: Preliminary Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain stainless steel bar from Brazil. The review covers one producer/exporter of the subject merchandise, Villares Metals S.A. (VMSA). The period of review (POR) is February 1, 2009, through January 31, 2010.

The Department has preliminarily determined that VMSA made U.S. sales at prices less than normal value. If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs and Border Protection (CBP) to assess antidumping duties on all appropriate entries. Interested parties are invited to comment on these preliminary results of

review. We intend to issue the final results of review no later than 120 days from the publication date of this notice.

**DATES:** *Effective Date:* November 3, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Sandra Stewart or Mino 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) 482-0768 or (202) 482-1690, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

On February 21, 1995, the Department published in the **Federal Register** an antidumping duty order on certain stainless steel bar from Brazil. *See Antidumping Duty Orders: Stainless Steel Bar from Brazil, India and Japan*, 60 FR 9661 (February 21, 1995). On February 1, 2010, the Department published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" of the order. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 75 FR 5037 (February 1, 2010).

In accordance with 19 CFR 351.213(b)(1), on February 26, 2010, the petitioners<sup>1</sup> requested that the Department conduct an administrative review of VMSEA's sales and entries of subject merchandise into the United States during the POR. In accordance with 19 CFR 351.213(b)(2), on March 1, 2010, VMSEA also requested that the Department conduct an administrative review of its sales. On March 30, 2010, the Department published a notice of initiation of the administrative review of the antidumping duty order on stainless steel bar from Brazil for the period February 1, 2009, through January 31, 2010. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 75 FR 15679 (March 30, 2010).

The Department is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

**Scope of the Order**

The scope of the order covers stainless steel bar (SSB). The term SSB with respect to the order means articles of stainless steel in straight lengths that

have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons or other convex polygons. SSB includes cold-finished SSBs that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process. Except as specified above, the term does not include stainless steel semi-finished products, cut-length flat-rolled products (*i.e.*, cut-length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness, or if 4.75 mm or more in thickness having a width which exceeds 150 mm and measures at least twice the thickness), wire (*i.e.*, cold-formed products in coils, of any uniform solid cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections. The SSB subject to the order is currently classifiable under subheadings 7222.10.0005, 7222.10.0050, 7222.20.0005, 7222.20.0045, 7222.20.0075, and 7222.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

**Fair-Value Comparison**

To determine whether VMSEA's sales of the subject merchandise from Brazil to the United States were at prices below normal value, we compared the export price (EP) to the normal value as described in the "Export Price" and "Normal Value" sections of this notice. Therefore, pursuant to section 777A(d)(2) of the Act, we compared the EP of individual U.S. transactions to the monthly weighted-average normal value of the foreign like product where there were sales made in the ordinary course of trade.

**Product Comparisons**

In accordance with section 771(16) of the Act, we considered all products covered by the "Scope of the Order" section, above, produced and sold by VMSEA in the comparison market during the POR to be foreign like product for the purposes of determining appropriate products to use in comparison to U.S. sales of subject merchandise. Specifically, in making our

comparisons, we used the following methodology. If an identical comparison-market model was reported, we made comparisons to weighted-average comparison-market prices that were based on all sales which passed the cost-of-production (COP) test of the identical product during the relevant or contemporary month. We calculated the weighted-average comparison-market prices on a level of trade-specific basis. If there were no contemporaneous sales of an identical model, we identified the most similar comparison-market model. To determine the most similar model, we matched the foreign like product based on the physical characteristics reported by the respondent in the following order of importance: general type of finish, grade, remelting process, type of final finishing operation, shape, and size.

**Export Price**

The Department based the price of all U.S. sales of subject merchandise by VMSEA on EP as defined in section 772(a) of the Act because the merchandise was sold before importation by the producer or exporter of the subject merchandise outside the United States to an unaffiliated purchaser in the United States. We calculated EP based on the packed price to unaffiliated purchasers in the United States, as appropriate. *See* section 772(c) of the Act. We made adjustments to price for billing adjustments, where applicable. We also made deductions for any movement expenses in accordance with section 772(c)(2)(A) of the Act.

**Normal Value**

*A. Home-Market Viability*

In accordance with section 773(a)(1)(C) of the Act, in order to determine whether there was a sufficient volume of sales of SSB in the home market to serve as a viable basis for calculating the normal value, we compared the volume of the respondent's home-market sales of the foreign like product to its volume of the U.S. sales of the subject merchandise. VMSEA's quantity of sales in the home market was greater than five percent of its sales to the U.S. market. Based on this comparison of the aggregate quantities sold in Brazil and to the United States and absent any information that a particular market situation in the exporting country did not permit a proper comparison, we preliminarily determine that the quantity of the foreign like product sold by the respondent in the exporting country was sufficient to permit a proper comparison with the sales of the

<sup>1</sup> Carpenter Technology Corporation, Valbruna Slater Stainless, Inc., Electralloy Corporation, a Division of G.O. Carlson, Inc., Universal Stainless & Alloy Products, Inc., and Outokumpu Stainless Bar, Inc.

subject merchandise to the United States, pursuant to section 773(a)(1) of the Act. Thus, we determine that VMSA's home market was viable during the POR. *Id.* Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based normal value for the respondent on the prices at which the foreign like product was first sold for consumption in the exporting country in the usual commercial quantities and in the ordinary course of trade and, to the extent practicable, at the same level of trade as the U.S. sales.

#### B. Cost-of-Production Analysis

In accordance with section 773(b) of the Act, in the 2007–2008 antidumping duty administrative review, the most recently completed review as of the date of the initiation of this review, we found that VMSA made sales below the COP and we disregarded VMSA's below-cost sales for the calculation of normal value. *See Stainless Steel Bar From Brazil: Preliminary Results of Antidumping Duty Administrative Review*, 74 FR 10022 (March 9, 2009).<sup>2</sup> Thus, in accordance with section 773(b)(2)(A)(ii) of the Act, the Department found reasonable grounds to believe or suspect that sales by VMSA of the foreign like product under consideration for the determination of normal value in this review may have been made at prices below the COP. Pursuant to section 773(b)(1) of the Act, we conducted a COP investigation of sales by VMSA in the home market.

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and labor employed in producing the foreign like product, the selling, general, and administrative expenses, and all costs and expenses incidental to packing the merchandise. In our COP analysis, we used the home-market sales and COP information provided by VMSA in its questionnaire responses. Based on the review of record evidence, VMSA did not appear to experience significant changes in cost of manufacturing during the period of review. Therefore, we followed our normal methodology of calculating an annual weighted-average cost.

After calculating the COP and in accordance with section 773(b)(1) of the Act, we tested whether home-market sales of the foreign like product were made at prices below the COP within an extended period of time in substantial quantities and whether such prices

permitted the recovery of all costs within a reasonable period of time. *See* section 773(b)(2) of the Act. We compared the COPs of the models represented by control numbers to the reported home-market prices less any applicable movement charges, discounts, and rebates.

Pursuant to section 773(b)(2)(C) of the Act, when less than 20 percent of VMSA's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because the below-cost sales were not made in substantial quantities within an extended period of time. When 20 percent or more of VMSA's sales of a given product during the POR were at prices less than the COP, we disregarded the below-cost sales because they were made in substantial quantities within an extended period of time pursuant to sections 773(b)(2)(B) and (C) of the Act and because, based on comparisons of prices to weighted-average COPs for the POR, we determined that these sales were at prices which would not permit recovery of all costs within a reasonable period of time in accordance with section 773(b)(2)(D) of the Act. Based on this test, we only disregarded below-cost sales that amounted to 20 percent or more of VMSA's sales of a given product. All other sales that were below cost but did not meet the 20-percent threshold were included in our calculation of normal value.

#### D. Price-to-Price Comparisons

We based normal value for VMSA on home-market sales to unaffiliated purchasers. VMSA's home-market prices were based on the packed, ex-factory, or delivered prices. When applicable, we made adjustments for differences in packing and for movement expenses in accordance with sections 773(a)(6)(A) and (B) of the Act. We also made adjustments for differences in cost attributable to differences in physical characteristics of the merchandise pursuant to section 773(a)(6)(C)(ii) of the Act and 19 CFR 351.411 and for differences in circumstances of sale in accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410. For comparisons to EP sales, we made circumstance-of-sale adjustments by deducting home-market direct selling expenses from and adding U.S. direct selling expenses to normal value. We also made adjustments, if applicable, for home-market indirect selling expenses to offset U.S. commissions in EP calculations.

In accordance with section 773(a)(1)(B)(i) of the Act, we based normal value, to the extent practicable,

on sales at the same level of trade as the EP. Consistent with section 773(a)(7)(A) of the Act, for these preliminary results, we did not make a level-of-trade adjustment in instances when normal value was calculated at a different level of trade. *See* "Level of Trade" section below.

#### Level of Trade

To the extent practicable, we determine normal value for sales at the same level of trade as EP sales. *See* section 773(a)(1)(B)(i) of the Act and 19 CFR 351.412. When there are no sales at the same level of trade, we compare EP sales to comparison-market sales at a different level of trade. The normal-value level of trade is that of the starting-price sales in the comparison market.

To determine whether home-market sales were at a different level of trade than VMSA's U.S. sales during the POR, we examined stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. Based on our analysis, we have preliminarily determined that there is one level of trade in the United States and two levels of trades in the home market; we also find that the single U.S. level of trade is at the same level as one of the levels of trade in the home market and at a less advanced stage than the second home-market level of trade. Therefore, we have compared U.S. sales to home-market sales at the same level of trade and, where there was no home-market sale at the same level of trade, at a different level of trade.

Under section 773(a)(7)(A) of the Act, we make an upward or downward adjustment to normal value for level of trade if the difference in level of trade involves the performance of different selling activities and is demonstrated to affect price comparability, based on a pattern of consistent price differences between sales at different levels of trade in the country in which normal value is determined. Here, because we have preliminarily determined that a pattern of consistent price differences is not supported by record evidence showing higher prices at one level of trade for a preponderance of models and for a preponderance of quantities sold, we did not calculate a level-of-trade adjustment based on VMSA's home-market sales of the foreign like product. For a detailed description of our level-of-trade analysis for VMSA for these preliminary results, *see* VMSA Preliminary Results Analysis Memorandum, dated October 27, 2010, on file in the Department's Central Records Unit.

<sup>2</sup> These results were unchanged in the final results of review (*Stainless Steel Bar From Brazil: Final Results of Antidumping Duty Administrative Review*, 74 FR 33995 (July 14, 2009)).

### Currency Conversion

Pursuant to section 773(A) of the Act and 19 CFR 351.415, we converted amounts expressed in foreign currencies into U.S. dollar amounts based on the exchange rates in effect on the dates of the relevant U.S. sales, as certified by the Federal Reserve Bank.

### Preliminary Results of Review

As a result of our review, we preliminarily determine that the weighted-average dumping margin for merchandise produced and exported by Villares Metals S.A. is 4.07 percent for the period February 1, 2009, through January 31, 2010.

### Disclosure and Public Comment

We will disclose the calculations used in our analysis to parties in this review within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Any interested party may request a hearing within 30 days of the publication of this notice in the **Federal Register**. See 19 CFR 351.310. If a hearing is requested, the Department will notify interested parties of the hearing schedule.

Interested parties are invited to comment on the preliminary results of this review. The Department will consider case briefs filed by interested parties within 30 days after the date of publication of this notice in the **Federal Register**. 19 CFR 351.309(c). Interested parties may file rebuttal briefs, limited to issues raised in the case briefs. See 19 CFR 351.309(d). The Department will consider rebuttal briefs filed not later than five days after the time limit for filing case briefs. Parties who submit arguments are requested to submit with each argument a statement of the issue, a brief summary of the argument, and a table of authorities cited. Further, we request that parties submitting written comments provide the Department with a diskette containing an electronic copy of the public version of such comments.

We intend to issue the final results of this administrative review, including the results of our analysis of issues raised in the written comments, within 120 days of publication of these preliminary results in the **Federal Register**.

### Assessment Rates

The Department shall determine, and CBP shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated importer/customer-specific assessment rates for these preliminary results of review. For sales where VMSA reported entered value, we divided the total dumping margins (calculated as

the difference between normal value and EP) for the reviewed sales by the total entered value of those reviewed sales for each reported importer or customer. For sales where entered value was not reported, we divided the total dumping margins for each exporter's importer or customer by the total number of units the exporter sold to that importer or customer. We will instruct CBP to assess the resulting importer/customer-specific ad-valorem rate or per-unit dollar amount, as appropriate, on all entries of subject merchandise made by the relevant importer or customer during the POR. See 19 CFR 351.212(b).

The Department clarified its "automatic assessment" regulation on May 6, 2003. This clarification will apply to entries of subject merchandise during the POR produced by VMSA for which VMSA did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries of VMSA-produced merchandise at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

The Department intends to issue liquidation instructions to CBP 15 days after the publication of the final results of review.

### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of the notice of final results of administrative review for all shipments of SSB from Brazil entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(C) of the Act: (1) The cash-deposit rate for VMSA will be the rate established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published 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 manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) if neither the exporter nor the manufacturer has its own rate, the cash-deposit rate will be the all-others rate for this proceeding, 19.43 percent. See *Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar From*

*Brazil*, 59 FR 66914 (December 28, 1994). These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice also serves as a preliminary 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

These preliminary results of administrative review are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: October 27, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 2010-27800 Filed 11-2-10; 8:45 am]

**BILLING CODE 3510-DS-P**

---

## CONSUMER PRODUCT SAFETY COMMISSION

### Notice of Teleconference of the Chronic Hazard Advisory Panel on Phthalates and Phthalate Substitutes

**AGENCY:** Consumer Product Safety Commission.

**ACTION:** Notice of meeting.

**SUMMARY:** The Consumer Product Safety Commission ("CPSC" or "Commission") is announcing a teleconference of the Chronic Hazard Advisory Panel (CHAP) on phthalates and phthalate substitutes. The Commission appointed this CHAP to study the effects on children's health of all phthalates and phthalate alternatives as used in children's toys and child care articles, pursuant to section 108 of the Consumer Product Safety Improvement Act of 2008 (CPSIA) (Pub. L. 110-314). The CHAP will discuss possible risk assessment approaches for phthalates and phthalate substitutes.

**DATES:** The teleconference will take place at 5 p.m. GMT (12 p.m. EST) on Wednesday, November 15, 2010. Interested members of the public may listen to the CHAP's discussion. Members of the public will not have the opportunity to ask questions, comment, or otherwise participate in the teleconference. Interested parties should contact the CPSC project manager,