

storing food at temperatures above 32 degrees F (0 degrees C), a freezer compartment is capable of storing food at temperatures at or below 32 degrees F (0 degrees C), and a convertible compartment is capable of operating as either a refrigerator compartment or a freezer compartment, as defined above.

Also covered are certain assemblies used in bottom mount combination refrigerator-freezers, namely: (1) Any assembled cabinets designed for use in bottom mount combination refrigerator-freezers that incorporate, at a minimum: (a) an external metal shell, (b) a back panel, (c) a deck, (d) an interior plastic liner, (e) wiring, and (f) insulation; (2) any assembled external doors designed for use in bottom mount combination refrigerator-freezers that incorporate, at a minimum: (a) an external metal shell, (b) an interior plastic liner, and (c) insulation; and (3) any assembled external drawers designed for use in bottom mount combination refrigerator-freezers that incorporate, at a minimum: (a) an external metal shell, (b) an interior plastic liner, and (c) insulation.

The products subject to the investigations are currently classifiable under subheadings 8418.10.0010, 8418.10.0020, 8418.10.0030, and 8418.10.0040 of the Harmonized Tariff System of the United States (HTSUS). Products subject to these investigations may also enter under HTSUS subheadings 8418.21.0010, 8418.21.0020, 8418.21.0030, 8418.21.0090, and 8418.99.4000, 8418.99.8050, and 8418.99.8060. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this scope is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews: Notice of Completion of Panel Review

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Completion of Panel Review of the final remand determination made by the United States International Trade Commission, in the matter of Light-Walled Rectangular Pipe and Tube from

Mexico, Secretariat File No. USA-MEX-2008-1904-04.

**SUMMARY:** Pursuant to the Order of the Binational Panel dated March 10, 2011, affirming the final remand determination described above, the panel review was completed on April 21, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Valerie Dees, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** On March 10, 2011, the Binational Panel issued an order, which affirmed the final remand determination of the United States International Trade Commission concerning Light-Walled Rectangular Pipe and Tube from Mexico. The Secretariat was instructed to issue a Notice of Completion of Panel Review on the 31st day following the issuance of the Notice of Final Panel Action, if no request for an Extraordinary Challenge Committee was filed. No such request was filed. Therefore, on the basis of the Panel Order and Rule 80 of the *Article 1904 Panel Rules*, the Panel Review was completed and the panelists were discharged from their duties effective April 21, 2011.

Dated: April 21, 2011.

**Valerie Dees,**

*United States Secretary, NAFTA Secretariat.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-570-913]

#### New Pneumatic Off-the-Road Tires From the People's Republic of China: Final Results of Countervailing Duty Administrative Review

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

**SUMMARY:** The Department of Commerce (the Department) has conducted an administrative review of Hebei Starbright Tire Co., Ltd. (Starbright) under the countervailing duty order on certain new pneumatic off-the-road tires (OTR Tires) from the People's Republic of China (PRC) for the period December 17, 2007, through December 31, 2008. Following the preliminary results, we received comments from Starbright, Titan Tire Corporation (Titan), the petitioner in the original investigation, and Bridgestone Americas, Inc. and Bridgestone Americas Tire Operations,

LLC (collectively Bridgestone), a domestic interested party in the original investigation. Based on our analysis of the comments, we have determined that no changes should be made in these final results. We determine that subsidies are being provided to Starbright for the production and export of OTR Tires from the PRC. The subsidy rate is set forth in the Final Results of Review section below.

**DATES:** *Effective Date:* April 26, 2011.

**FOR FURTHER INFORMATION CONTACT:**

Andrew Huston or Jun Jack Zhao, 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) 482-4261 and (202) 482-1396, respectively.

**SUPPLEMENTARY INFORMATION:**

#### Background

The following events have occurred since the publication of the preliminary results of this review. *See New Pneumatic Off-the-Road Tires From the People's Republic of China: Preliminary Results of Countervailing Duty Administrative Review*, 75 FR 64268 (October 19, 2010) (*Preliminary Results*). On November 18, 2010, the Department received case briefs from Starbright and Titan. On November 23, 2010, the Department received rebuttal briefs from Starbright, Titan and Bridgestone.

#### Period of Review

The period of review (POR) for which we are measuring subsidies is December 17, 2007, through December 31, 2008. Since there are only 15 days of 2007 entries covered in the review, the Department preliminarily decided to calculate a single rate for subsidies received in calendar year 2008, and apply this rate to entries made from December 17, 2007, through December 31, 2007, in addition to all of 2008, for assessment purposes. *See Preliminary Results*, 75 FR at 64271. Since we did not receive any comments on this approach, we are not changing it in these final results.

#### Scope of the Order

The products covered by the scope of the order are new pneumatic tires designed for off-the-road (OTR) and off-highway use, subject to exceptions identified below. Certain OTR tires are generally designed, manufactured and offered for sale for use on off-road or off-highway surfaces, including but not limited to, agricultural fields, forests, construction sites, factory and warehouse interiors, airport tarmacs,

ports and harbors, mines, quarries, gravel yards, and steel mills. The vehicles and equipment for which certain OTR tires are designed for use include, but are not limited to: (1) Agricultural and forestry vehicles and equipment, including agricultural tractors,<sup>1</sup> combine harvesters,<sup>2</sup> agricultural high clearance sprayers,<sup>3</sup> industrial tractors,<sup>4</sup> log-skidders,<sup>5</sup> agricultural implements, highway-towed implements, agricultural logging, and agricultural, industrial, skid-steers/mini-loaders;<sup>6</sup> (2) construction vehicles and equipment, including earthmover articulated dump products, rigid frame haul trucks,<sup>7</sup> front end loaders,<sup>8</sup> dozers,<sup>9</sup> lift trucks, straddle carriers,<sup>10</sup> graders,<sup>11</sup> mobile cranes,<sup>12</sup> compactors; and (3) industrial vehicles and equipment, including smooth floor, industrial, mining, counterbalanced lift trucks, industrial and mining vehicles other than smooth floor, skid-steers/mini-loaders, and smooth floor off-the-road counterbalanced lift trucks.<sup>13</sup> The

<sup>1</sup> Agricultural tractors are dual-axle vehicles that typically are designed to pull farming equipment in the field and that may have front tires of a different size than the rear tires.

<sup>2</sup> Combine harvesters are used to harvest crops such as corn or wheat.

<sup>3</sup> Agricultural sprayers are used to irrigate agricultural fields.

<sup>4</sup> Industrial tractors are dual-axle vehicles that typically are designed to pull industrial equipment and that may have front tires of a different size than the rear tires.

<sup>5</sup> A log-skidder has a grappling lift arm that is used to grasp, lift and move trees that have been cut down to a truck or trailer for transport to a mill or other destination.

<sup>6</sup> Skid-steer loaders are four-wheel drive vehicles with the left-side drive wheels independent of the right-side drive wheels and lift arms that lie alongside the driver with the major pivot points behind the driver's shoulders. Skid-steer loaders are used in agricultural, construction and industrial settings.

<sup>7</sup> Haul trucks, which may be either rigid frame or articulated (*i.e.*, able to bend in the middle) are typically used in mines, quarries and construction sites to haul soil, aggregate, mined ore, or debris.

<sup>8</sup> Front loaders have lift arms in front of the vehicle. They can scrape material from one location to another, carry material in their buckets, or load material into a truck or trailer.

<sup>9</sup> A dozer is a large four-wheeled vehicle with a dozer blade that is used to push large quantities of soil, sand, rubble, *etc.*, typically around construction sites. They can also be used to perform "rough grading" in road construction.

<sup>10</sup> A straddle carrier is a rigid frame, engine-powered machine that is used to load and offload containers from container vessels and load them onto (or off of) tractor trailers.

<sup>11</sup> A grader is a vehicle with a large blade used to create a flat surface. Graders are typically used to perform "finish grading." Graders are commonly used in maintenance of unpaved roads and road construction to prepare the base course onto which asphalt or other paving material will be laid.

<sup>12</sup> *i.e.*, "on-site" mobile cranes designed for off-highway use.

<sup>13</sup> A counterbalanced lift truck is a rigid framed, engine-powered machine with lift arms that has

foregoing list of vehicles and equipment generally have in common that they are used for hauling, towing, lifting, and/or loading a wide variety of equipment and materials in agricultural, construction and industrial settings. Such vehicles and equipment, and the descriptions contained in the footnotes are illustrative of the types of vehicles and equipment that use certain OTR tires, but are not necessarily all-inclusive. While the physical characteristics of certain OTR tires will vary depending on the specific applications and conditions for which the tires are designed (*e.g.*, tread pattern and depth), all of the tires within the scope have in common that they are designed for off-road and off-highway use. Except as discussed below, OTR tires included in the scope of the proceeding range in size (rim diameter) generally but not exclusively from 8 inches to 54 inches. The tires may be either tube-type<sup>14</sup> or tubeless, radial or non-radial, and intended for sale either to original equipment manufacturers or the replacement market. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 4011.20.10.25, 4011.20.10.35, 4011.20.50.30, 4011.20.50.50, 4011.61.00.00, 4011.62.00.00, 4011.63.00.00, 4011.69.00.00, 4011.92.00.00, 4011.93.40.00, 4011.93.80.00, 4011.94.40.00, and 4011.94.80.00. While HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope is dispositive.

Specifically excluded from the scope are new pneumatic tires designed, manufactured and offered for sale primarily for on-highway or on-road use, including passenger cars, race cars, station wagons, sport utility vehicles, minivans, mobile homes, motorcycles, bicycles, on-road or on-highway trailers, light trucks, and trucks and buses. Such tires generally have in common that the symbol "DOT" must appear on the sidewall, certifying that the tire conforms to applicable motor vehicle

additional weight incorporated into the back of the machine to offset or counterbalance the weight of loads that it lifts so as to prevent the vehicle from overturning. An example of a counterbalanced lift truck is a counterbalanced fork lift truck. Counterbalanced lift trucks may be designed for use on smooth floor surfaces, such as a factory or warehouse, or other surfaces, such as construction sites, mines, *etc.*

<sup>14</sup> While tube-type tires are subject to the scope of this proceeding, tubes and flaps are not subject merchandise and therefore are not covered by the scope of this proceeding, regardless of the manner in which they are sold (*e.g.* sold with or separately from subject merchandise).

safety standards. Such excluded tires may also have the following designations that are used by the Tire and Rim Association:

Prefix letter designations:

- P—Identifies a tire intended primarily for service on passenger cars;
- LT—Identifies a tire intended primarily for service on light trucks; and,
- ST—Identifies a special tire for trailers in highway service.

Suffix letter designations:

- TR—Identifies a tire for service on trucks, buses, and other vehicles with rims having specified rim diameter of nominal plus 0.156" or plus 0.250";
- MH—Identifies tires for Mobile Homes;
- HC—Identifies a heavy duty tire designated for use on "HC" 15" tapered rims used on trucks, buses, and other vehicles. This suffix is intended to differentiate among tires for light trucks, and other vehicles or other services, which use a similar designation.
- Example: 8R17.5 LT, 8R17.5 HC;
- LT—Identifies light truck tires for service on trucks, buses, trailers, and multipurpose passenger vehicles used in nominal highway service; and
- MC—Identifies tires and rims for motorcycles.

The following types of tires are also excluded from the scope: pneumatic tires that are not new, including recycled or retreaded tires and used tires; non-pneumatic tires, including solid rubber tires; tires of a kind designed for use on aircraft, all-terrain vehicles, and vehicles for turf, lawn and garden, golf and trailer applications. Also excluded from the scope are radial and bias tires of a kind designed for use in mining and construction vehicles and equipment that have a rim diameter equal to or exceeding 39 inches. Such tires may be distinguished from other tires of similar size by the number of plies that the construction and mining tires contain (minimum of 16) and the weight of such tires (minimum 1500 pounds).

#### **Application of Facts Available, Including the Application of Adverse Inferences**

For purposes of these final results, we continue to rely on facts available and have drawn adverse inferences, in accordance with sections 776(a) and (b) of the Tariff Act of 1930, as amended (the Act), with regard to Starbright's receipt of countervailable domestic subsidies under the provision of rubber, carbon black, and nylon cord for less than adequate remuneration programs, and countervailable export subsidies under the value added tax and import

duty exemptions on imported materials program. A full discussion of our decision to apply adverse facts available is presented in the *Preliminary Results* in the section “Application of Facts Available, Including the Application of Adverse Inferences,” which is unaffected by these final results. No party commented on our preliminary decision to apply facts available with adverse inferences.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Memorandum to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, entitled “Issues and Decision Memorandum for the Final Results in the Countervailing Duty Review of Certain New Pneumatic Off-the-Road Tires from the People’s Republic of China,” dated concurrently with this notice (Decision Memorandum). Attached to this notice as an Appendix is a list of the issues that parties have raised, and to which we have responded in the Decision Memorandum. The Decision Memorandum is on file in the Department’s Central Records Unit (Room 7406 in the main Department of Commerce building). In addition, a complete version of the Decision Memorandum can be accessed directly on the Internet at <http://ia.ita.doc.gov/frn/>. The paper copy and electronic version of the Decision Memorandum are identical in content.

**Final Results of Review**

After reviewing comments from all parties, we have made no adjustments to our calculations, as explained in our Decision Memorandum. Consistent with the *Preliminary Results*, and in accordance with 19 CFR 351.221(b)(5), we have calculated an individual subsidy rate for Starbright for the POR. We determine the total countervailable subsidy to be 30.87 percent *ad valorem*.

Manufacturer/Exporter	Net subsidy rate (percent)
Hebei Starbright Tire Co., Ltd. ....	30.87

**Assessment Rates/Cash Deposits**

The Department intends to issue appropriate assessment instructions to U.S. Customs and Border Protection (CBP) 15 days after the date of publication of these final results of

review. The Department will instruct CBP to liquidate shipments of subject merchandise by Starbright entered, or withdrawn from warehouse, for consumption on or after December 17, 2007, through December 31, 2008, at the *ad valorem* rate listed above. Consistent with the requirements of section 703(d) of the Act, shipments entered, or withdrawn from warehouse, for consumption on or after April 15, 2008, and on or before September 4, 2008, the period between the expiration of “provisional measures” and the publication of the final affirmative injury determination of the U.S. International Trade Commission, will be liquidated without regard to countervailing duties. We will also instruct CBP to collect cash deposits for Starbright at the countervailing duty rate indicated above on all shipments of the subject merchandise 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 from December 17, 2007, through December 31, 2008. The cash deposit rates for all companies not covered by this review are not changed by the results of this review, and remain in effect until further notice.

**Return or Destruction of Proprietary Information**

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under 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: April 18, 2011.  
**Ronald K. Lorentzen,**  
*Deputy Assistant Secretary for Import Administration.*

**Appendix**

**List of Comments in the Decision Memorandum**

- Comment 1 Application of CVD Law to the People’s Republic of China, and Non-Market Economies
- Comment 2 Application of CVD Law and Double Remedies

- Comment 3 Application of the CVD Law and the Administrative Procedures Act
- Comment 4 Starbright’s Creditworthiness for 2006

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A–570–901]

**Certain Lined Paper Products From the People’s Republic of China: Notice of Final Results of the Antidumping Duty Administrative Review and Partial Rescission**

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

**SUMMARY:** On October 18, 2010, the U.S. Department of Commerce (“the Department”) published the preliminary results of the third administrative review of the antidumping duty order on certain lined paper products (“CLPP”) from the People’s Republic of China (“PRC”). See *Certain Lined Paper Products from the People’s Republic of China: Notice of Preliminary Results of the Antidumping Duty Administrative Review*, 75 FR 63814 (October 18, 2010) (“*Preliminary Results*”). We invited parties to comment on the *Preliminary Results*. This review covers the following exporters and/or producer/exporters: Shanghai Lian Li Paper Products Co. Ltd. (“Lian Li”); Hwa Fuh Plastics Co., Ltd./Li Teng Plastics (Shenzhen) Co., Ltd. (“Hwa Fuh/Li Teng”); Leo’s Quality Products Co., Ltd./Denmax Plastic Stationery Factory (“Leo/Denmax”); and the Watanabe Group (consisting of Watanabe Paper Products (Shanghai) Co., Ltd. (“Watanabe Shanghai”); Watanabe Paper Products (Linqing) Co., Ltd. (“Watanabe Linqing”); and Hotrock Stationery (Shenzhen) Co., Ltd. (“Hotrock Shenzhen”) (hereafter referred to as “Watanabe” or the “Watanabe Group” or “Respondent”). Based on our analysis of the information and comments we received from Watanabe and petitioner<sup>1</sup> after the *Preliminary Results*, we continue to apply adverse facts available (“AFA”) to Watanabe. Further, we are rescinding the review with respect to Lian Li, Hwa Fuh/Li Teng, and Leo/Denmax.

**DATES:** *Effective Date:* April 26, 2011.

**FOR FURTHER INFORMATION CONTACT:** Cindy Lai Robinson or Stephanie Moore, AD/CVD Operations, Office 3,

<sup>1</sup> The petitioner is the Association of American School Paper Suppliers (“AASPS”).