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Dated: July 14, 2010.

Donna Wieting,

*Director, Office of Ocean and Coastal
Resource Management, National Ocean
Service, National Oceanic and Atmospheric
Administration.*

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-878]

Saccharin From the People's Republic of China: Final Results of the 2008-2009 Antidumping Duty Administrative Review

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

SUMMARY: On March 22, 2010, the Department of Commerce ("Department") published its *Preliminary Results* for the July 1, 2008, through June 30, 2009, administrative review of saccharin from the People's Republic of China ("PRC").¹ We invited interested parties to comment on our *Preliminary Results*, but no parties submitted comments. Therefore, the *Preliminary Results* are hereby adopted as the final results.

DATES: *Effective Date:* July 23, 2010.

FOR FURTHER INFORMATION CONTACT:
Brandon Petelin or Charles Riggle, AD/
CVD Operations, Office 8, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue, NW., Washington, DC 20230;
telephone: (202) 482-8173 and (202)
482-0650, respectively.

SUPPLEMENTARY INFORMATION:

Background

On March 22, 2010, the Department published its *Preliminary Results* of the review of the antidumping order on saccharin from the PRC covering the period July 1, 2008, through June 30, 2009. For the *Preliminary Results*, because Kaifeng Xinhua Fine Chemical Factory ("Kaifeng") did not respond to the Department's questionnaire, we were unable to determine if Kaifeng was eligible for a separate rate.² Further, in

accordance with sections 776(a)(2)(A) and (B) of the Tariff Act of 1930, as amended ("Act"), because the PRC-entity (including Kaifeng) failed to cooperate to the best of its ability by not responding to our questionnaire, we found it appropriate to use adverse facts available.³ Thus, the Department preliminarily determined that Kaifeng did not qualify for a separate rate and instead was part of the PRC entity.⁴ No parties commented on the *Preliminary Results*.

Scope of the Order

The product covered by this antidumping duty order is saccharin. Saccharin is defined as a non-nutritive sweetener used in beverages and foods, personal care products such as toothpaste, table top sweeteners, and animal feeds. It is also used in metalworking fluids. There are four primary chemical compositions of saccharin: (1) Sodium saccharin (American Chemical Society Chemical Abstract Service ("CAS") Registry 128-44-9); (2) calcium saccharin (CAS Registry 6485-34-3); (3) acid (or insoluble) saccharin (CAS Registry 81-07-2); and (4) research grade saccharin. Most of the U.S.-produced and imported grades of saccharin from the PRC are sodium and calcium saccharin, which are available in granular, powder, spray-dried powder, and liquid forms. The merchandise subject to this order is currently classifiable under subheading 2925.11.00 of the *Harmonized Tariff Schedule of the United States* ("HTSUS") and includes all types of saccharin imported under this HTSUS subheading, including research and specialized grades. Although the HTSUS subheading is provided for convenience and customs purposes, the Department's written description of the scope of this order remains dispositive.

Analysis of Comments Received

Because no parties commented on the *Preliminary Results*, we have adopted the *Preliminary Results* as the final results, including the margin determined therein.⁵

Final Results of Review

We find that the following weighted-average dumping margin exists for the

the antidumping duty questionnaire. On January 6, 2009, the Department placed the FedEx International Air Waybill receipt and delivery confirmation for the questionnaire issued to Kaifeng on the record of this administrative review to confirm that we mailed, and Kaifeng signed for and received, the questionnaire.

³ See *Preliminary Results*.

⁴ See *id.*

⁵ See *id.*

period July 1, 2008, through June 30, 2009:

Manufacturer/Exporter	Margin (Percent)
PRC-wide Entity*	329.94 ⁶

* The PRC-entity includes Kaifeng Xinhua Fine Chemical Factory.

⁶ See *Notice of Final Determination of Sales at Less Than Fair Value: Saccharin From the People's Republic of China*, 68 FR 27530 (May 30, 2003) ("LTFV Final Determination"); as amended by *Notice of Amended Final Determination of Sales at Less Than Fair Value*, 68 FR 35383 (June 13, 2003) ("The PRC-wide rate of 329.94 percent * * * is the correct PRC-wide rate, rather than the rate of 329.33 percent published in the LTFV Final Determination."); see also *Notice of Antidumping Duty Order: Saccharin From the People's Republic of China*, 68 FR 40906 (July 9, 2003) (establishing 329.94 percent as the PRC-wide rate).

Assessment Rates

The Department has determined, and U.S. Customs and Border Protection ("CBP") shall assess antidumping duties on all appropriate entries covered by this review. The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review.

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of subject merchandise 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) For the PRC-wide entity (which includes Kaifeng), the cash deposit rate will be 329.94 percent; (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of 329.94 percent; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements shall remain in effect until further notice.

Notification of Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of

¹ See *Saccharin From the People's Republic of China: Preliminary Results of the 2008-2009 Antidumping Duty Administrative Review*, 75 FR 13495 (March 22, 2010) ("Preliminary Results").

² On October 14, 2009, the Department confirmed that Kaifeng signed for and received our mailing of

antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties. This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation that is subject to sanction.

This notice of the final results of this administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 19, 2010.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2010-18103 Filed 7-22-10; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XX58

Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands Crab Rationalization Cost Recovery Program

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notification of fee percentage.

SUMMARY: NMFS publishes a notification of a 2.67-percent fee for cost recovery under the Bering Sea and Aleutian Islands Crab Rationalization Program. This action is intended to provide holders of crab allocations with the fee percentage for the 2010/2011 crab fishing year so they can calculate the required payment for cost recovery fees that must be submitted by July 31, 2011.

DATES: The Crab Rationalization Program Registered Crab Receiver permit holder is responsible for

submitting the fee liability payment to NMFS on or before July 31, 2011.

FOR FURTHER INFORMATION CONTACT:

Gabrielle Aberle or Gretchen Harrington, 907-586-7228.

SUPPLEMENTARY INFORMATION:

Background

NMFS Alaska Region administers the Bering Sea and Aleutian Islands Crab Rationalization Program (Program) in the North Pacific. Fishing under the Program began on August 15, 2005. Regulations implementing the Program are set forth at 50 CFR part 680.

The Program is a limited access system authorized by section 313(j) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Program includes a cost recovery provision to collect fees to recover the actual costs directly related to the management, data collection, and enforcement of the Program. NMFS developed the cost recovery provision to conform to statutory requirements and to partially reimburse the agency for the unique added costs of management, data collection, and enforcement of the Program. Section 313(j) of the Magnuson-Stevens Act provided supplementary authority to section 304(d)(2)(A) and additional detail for cost recovery provisions specific to the Program. The cost recovery provision allows collection of 133 percent of the actual management, data collection, and enforcement costs up to three percent of the ex-vessel value of crab harvested under the Program. Additionally, section 313(j) requires the harvesting and processing sectors to each pay half the cost recovery fees. Catcher/processor quota share holders are required to pay the full fee percentage for crab processed at sea.

A crab allocation holder generally incurs a cost recovery fee liability for every pound of crab landed. The crab allocations include Individual Fishing Quota, Crew Individual Fishing Quota, Individual Processing Quota, Community Development Quota, and the Adak community allocation. The Registered Crab Receiver (RCR) permit holder must collect the fee liability from the crab allocation holder who is landing crab. Additionally, the RCR permit holder must collect his or her own fee liability for all crab delivered to the RCR. The RCR permit holder is responsible for submitting this payment to NMFS on or before the due date of July 31, in the year following the crab fishing year in which landings of crab were made.

The dollar amount of the fee due is determined by multiplying the fee

percentage (not to exceed three percent) by the ex-vessel value of crab debited from the allocation. Specific details on the Program's cost recovery provision may be found in the implementing regulations set forth at 50 CFR 680.44.

Fee Percentage

Each year, NMFS calculates and publishes in the **Federal Register** the fee percentage according to the factors and methodology described in Federal regulations at § 680.44(c)(2). The formula for determining the fee percentage is the "direct program costs" divided by "value of the fishery," where "direct program costs" are the direct program costs for the Program for the previous fiscal year, and "value of the fishery" is the ex-vessel value of the catch subject to the crab cost recovery fee liability for the current year. Fee collections for any given year may be less than, or greater than, the actual costs and fishery value for that year, because, by regulation, the fee percentage is established in the first quarter of a crab fishery year based on the fishery value and the costs of the prior year.

Using this fee percentage formula, the estimated percentage of costs to value for the 2009/2010 fishery was 2.67 percent. Therefore, the fee percentage will be 2.67 percent for the 2010/2011 crab fishing year.

Authority: 16 U.S.C. 1862; Pub. L. 109-241; Pub. L. 109-479.

Dated: July 20, 2010.

Carrie Selberg,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648-XX75

Gulf of Mexico Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of a public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene a meeting of the Ad Hoc Data Collection Advisory Panel.

DATES: The meeting will convene at 9 a.m. on Tuesday, August 10, 2010 and conclude by 4:30 p.m.