

this administrative review, as provided by section 751(a)(2)(C) of the Act: 1) the cash deposit rates for each specific company listed above will be the rates shown above, except if the rate is less than 0.50 percent, and therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case the cash deposit rate will be zero; 2) for previously reviewed or investigated companies not participating in this review, 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 original LTFV 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; and 4) the cash deposit rate for all other manufacturers or exporters will be 40.18 percent, the all-others rate established in the LTFV investigation. These requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice 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 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties

This notice serves as the only 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/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 final results of review in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 3, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

#### Appendix Issues in Decision Memo

##### Hitachi

*Comment 1:* Bona Fides of Hitachi Cable's U.S. Sale

##### NKKK

*Comment 2:* Sample Sales in the U.S. Database

*Comment 3:* SAS Programming Errors  
[FR Doc. 2010-2985 Filed 2-9-10; 8:45 am]

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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 July 31, 2009, the Department of Commerce (Department) issued 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, 2007 through December 31, 2007. *See Polyethylene Terephthalate Film, Sheet, and Strip from India: Preliminary Results of Countervailing Duty Administrative Review*, 74 FR 39631 (August 7, 2009) (*Preliminary Results*). Based on the results of our analysis of the comments received, the Department has made certain revisions to the subsidy rates for the respondent, Jindal Poly Films Limited of India (Jindal), formerly named Jindal Polyester Limited (Jindal). The final subsidy rate for the reviewed company is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** February 10, 2010.

**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 issuance of the *Preliminary Results*, the following events have

occurred. The Department issued its third supplemental questionnaire to the Government of India (GOI) and to Jindal on August 6, 2009. The GOI and Jindal filed their responses on September 3, 2009, and on September 2, 2009, respectively. The Department set an initial briefing schedule on September 3, 2003, and revised it on September 8, 2009. Jindal filed a case brief on December 22, 2009, and the petitioners, Dupont Teijin Films, Mitsubishi Polyester Film of America, and Toray Plastics (America), Inc., filed a rebuttal brief on January 4, 2010.

The Department issued its Post-Preliminary Determination on Invalidated Licenses under the Advance License Program (ALP) on December 23, 2009. *See Memorandum To Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, from Barbara E. Tillman, Director, AD/CVD Operations, Office 6: Polyethylene Terephthalate Film, Sheet and Strip (PET film) from India: 2007 Administrative Review of the Countervailing Duty Order; Post-Preliminary Determination* (December 23, 2009) (*Post-Preliminary Determination Memorandum*). Although the Department invited interested parties to comment, no comments were filed on the *Post-Preliminary Determination Memorandum*.

#### 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 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 brief and rebuttal brief 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 John M. Anderson, Acting Deputy Assistant Secretary to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration* (February 3,

2010) (*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, the methodologies used to calculate the subsidy rates, and discusses any changes to 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 revised the calculations with respect to the benefit amount calculated with respect to on certain Export Promotion Capital Goods Scheme (EPCGS) licenses that the GOI issued prior to 2005. Specifically, we deducted the relevant application fees (as an offset) from the unpaid duty amounts that we use in our benefit calculations. For those EPCGS licenses treated as contingent liability loans, we will deduct the relevant application fees from the "principal" (i.e., unpaid duties). For those EPCGS licenses for which the GOI has formally waived the duties, we will deduct the relevant application fees from the amount of unpaid duties that is allocated. 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 Jindal, the only producer/exporter subject to review for the calendar year 2007, the period of review for this administrative review.

Manufacturer/Exporter	Net Subsidy Rate
Jindal Poly Films Limited of India. ....	7.17 %

### 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 Jindal entered, or withdrawn from warehouse, for consumption on or after January 1, 2007 through December 31,

2007. We will also instruct CBP to collect cash deposits of estimated countervailing duties, at the above rate, on shipments of the subject merchandise by Jindal entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results of review. 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: February 3, 2010.

**Ronald K. Lorentzen,**

*Deputy Assistant Secretary for Import Administration.*

### APPENDIX I

#### LIST OF ISSUES ADDRESSED IN THE ISSUES AND DECISION MEMORANDUM

#### Benefit Calculation For the Export Promotion Capital Goods Scheme (EPCGS)

*Comment 1:* Allocation of Benefit for License Number P/J/3092819

*Comment 2:* EPCGS Benefits on Capital Goods Used for Non-Subject Merchandise

*Comment 3:* Deduction of Certain Application Fees Paid on EPCGS Licenses

#### Value Added Tax (VAT)

*Comment 4:* Benefits Through Refunds of the VAT

#### Advanced License Program (ALP)

*Comment 5:* Countervailability of the ALP under the GOI's New Monitoring Procedures

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 9-2010]

#### Foreign-Trade Zone 33—Pittsburgh, Pennsylvania, Expansion of Manufacturing Authority, Subzone 33E—DNP IMS America Corporation (Thermal Transfer Ribbon Printer Rolls), Mount Pleasant, Pennsylvania

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Regional Industrial Development Corporation of Southwestern Pennsylvania, grantee of FTZ 33, requesting an expansion of the scope of manufacturing authority approved within Subzone 33E, on behalf of DNP IMS America Corporation (DNP) in Mount Pleasant, Pennsylvania. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on February 4, 2010.

Subzone 33E (123 employees, 360 million square meters coating capacity) currently has authority for the manufacture of thermal transfer ribbon (TTR) (A(27f)-68-2009, 11/12/2009). The subzone (135,985 sq. ft., 3.12 acres) is located at 1001 Technology Drive, Mount Pleasant, Pennsylvania.

The current request involves the production of monochrome TTR printer rolls (some 336 million square meters capacity), using foreign-sourced master rolls of TTR, representing 71-87% of the value of the finished product. The scope otherwise would remain unchanged.

FTZ procedures could exempt DNP from customs duty payments on the foreign TTR master rolls used in export production. The company anticipates that some 10 percent of the plant's shipments will be exported. On its domestic sales, DNP would be able to choose the duty rate during customs entry procedures that apply to the finished TTR printer rolls (duty-free) for the foreign TTR master rolls (3.7%). FTZ procedures would further allow DNP to realize logistical benefits through the use of certain customs procedures and duty savings on scrap and waste for the new activity. The request indicates that the savings from FTZ procedures help improve the plant's international competitiveness.

In accordance with the Board's regulations, Diane Finver of the FTZ Staff is designated examiner to evaluate and analyze the facts and information presented in the application and case