

**DEPARTMENT OF COMMERCE****International Trade Administration****[A-401-808]****Purified Carboxymethylcellulose from Sweden: Final Results of Antidumping Duty Administrative Review**

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

**SUMMARY:** On August 7, 2007, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on purified carboxymethylcellulose (CMC) from Sweden. See *Purified Carboxymethylcellulose from Sweden: Preliminary Results of Antidumping Duty Administrative Review*, 72 FR 44089 (August 7, 2007) (*Preliminary Results*). The period of review is December 27, 2004, through June 30, 2006. We received comments from interested parties and have made changes to the margin for the final results. The final margin for the respondent is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** December 10, 2007.

**FOR FURTHER INFORMATION CONTACT:** Patrick Edwards or Angelica Mendoza, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-8029 or (202) 482-3019, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On August 7, 2007, the Department published the preliminary results of the administrative review of the antidumping duty order on CMC from Sweden. See *Preliminary Results*. On August 1, 2007, prior to the publication of the *Preliminary Results*, the Department issued an additional supplemental questionnaire to CP Kelco, requesting that it report its factoring expenses on a transaction-specific basis to the Department. CP Kelco submitted its response on August 15, 2007. See Letter from Arent Fox, LLP to the Secretary of Commerce dated August 15, 2007 (Factoring Expenses Supplemental Response). For a further discussion of CP Kelco's factoring expenses, see "Changes Since the Preliminary Results" section below.

We invited interested parties to comment on the *Preliminary Results*. On September 6, 2007, petitioner filed

comments on the *Preliminary Results*.<sup>1</sup> See Letter from Haynes & Boone, LLP to the Secretary of Commerce, regarding "Demonstration of Programming Errors," dated September 6, 2007. Also on September 6, 2007, CP Kelco AB and Noviant AB, respondents in this administrative review (collectively, CP Kelco), submitted comments on the *Preliminary Results*. See Letter from Arent Fox, LLP to the Secretary of Commerce, regarding "Comments regarding August 7, 2007 Preliminary Results of Review," dated September 6, 2007 (CP Kelco Brief). On September 11, 2007, petitioner filed its rebuttal to CP Kelco's September 6, 2007, submission. See Letter from Haynes & Boone, LLP to the Secretary of Commerce, regarding Rebuttal Brief of the Aqualon Company, dated September 11, 2007 (Petitioner Rebuttal Brief). We received no requests for a public hearing from the parties.

**Scope of the Order**

The merchandise covered by this order is purified CMC, sometimes also referred to as purified sodium CMC, polyanionic cellulose, or cellulose gum, which is a white to off-white, non-toxic, odorless, biodegradable powder, comprising sodium CMC that has been refined and purified to a minimum assay of 90 percent. Purified CMC does not include unpurified or crude CMC, CMC Fluidized Polymer Suspensions, and CMC that is cross-linked through heat treatment. Purified CMC is CMC that has undergone one or more purification operations, which, at a minimum, reduce the remaining salt and other by-product portion of the product to less than ten percent. The merchandise subject to this order is currently classified in the Harmonized Tariff Schedule of the United States at subheading 3912.31.00. This tariff classification is provided for convenience and customs purposes; however, the written description of the scope of this order is dispositive.

**Analysis of Comments Received**

All issues raised in the briefs are addressed in the "Memorandum to the Assistant Secretary: Issues and Decision Memorandum for the Final Results of First Administrative Review of Purified Carboxymethylcellulose from Sweden," dated December 5, 2007 (Issues and Decision Memorandum), which is hereby adopted by this notice. A list of the issues raised, all of which are in the Issues and Decision Memorandum, is attached to this notice as Appendix I. Parties can find a complete discussion

<sup>1</sup> Petitioner in this proceeding is The Aqualon Company, a division of Hercules Incorporated.

of all issues raised in the briefs and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit (CRU), room B-099 of the main Department of Commerce building. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly on the Web at <http://www.trade.gov/ia/>. The paper copy and electronic version of the Issues and Decision Memorandum are identical in content.

**Changes Since the Preliminary Results**

Based on the comments received from the interested parties, we have made changes to the margin calculations for CP Kelco, including corrections to clerical errors made at the *Preliminary Results* with regard to foreign currency conversions. As previously stated above, CP Kelco submitted its Factoring Expenses Supplemental Response on August 15, 2007. Petitioner did not comment on these data in its case and rebuttal briefs. Following our review of these data, we have determined that it is appropriate to revise our calculation of net price using the transaction-specific factoring expenses (*i.e.*, transaction fees charged to CP Kelco by its affiliated financial institution for purchasing CP Kelco's accounts receivable and remitting payment to CP Kelco at an earlier date than payment would have otherwise been received from the invoiced customer) reported by CP Kelco in the Factoring Expenses Supplemental Response. For a discussion of all changes the Department has made to the margin calculations for CP Kelco, see "Memorandum to the File: First Antidumping Duty Administrative Review of the Antidumping Duty Order on Purified Carboxymethylcellulose for CP Kelco AB (CP Kelco)," dated December 5, 2007 (Final Analysis Memo). A public version of this memorandum is on file in the CRU.

**Final Results of Review**

In the *Preliminary Results*, we determined that CP Kelco AB is, as the company had alleged, the successor-in-interest to the former Noviant AB for purposes of this proceeding and application of the antidumping law. We received no comments on this issue, and we determine that CP Kelco AB is the successor-in-interest to Noviant AB,<sup>2</sup> and that the following antidumping duty margin exists for the period

<sup>2</sup> For a complete discussion of our successorship analysis, see *Preliminary Results* at 44090.

December 27, 2004, through June 30, 2006:

Manufacturer/Exporter	Weighted-Average Margin (Percent)
CP Kelco AB .....	3.84

#### Assessment Rates

The Department will determine, and U.S. Bureau of Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. Pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended (the Act) and 19 CFR 351.212(b), the Department calculates an assessment rate for each importer of the subject merchandise covered by the review. Upon issuance of the final results of this review, if any importer-specific assessment rates calculated in the final results are above *de minimis* (i.e., at or above 0.50 percent), we will issue appraisal instructions directly to CBP to assess antidumping duties on appropriate entries by applying the assessment rate to the entered value of the merchandise. To determine whether the duty-assessment rate covering the period is *de minimis*, in accordance with the requirement set forth in sections 733(b)(3) and 735 of the Act, and 19 CFR 351.106(c)(2), we have calculated an importer-specific assessment *ad valorem* rate by aggregating the dumping margins calculated for all U.S. sales to the importers of CP Kelco's subject merchandise and dividing this amount by the total entered value of the sales to that importer. Where the importer-specific *ad valorem* rate is greater than *de minimis* and because the respondent has reported reliable entered values, we will instruct CBP to apply the assessment rate to the entered value of the importer's entries during the period of review. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of these final results of review.

The Department clarified its "automatic assessment" regulation on May 6, 2003. *See Notice of Policy Concerning Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003) (*Assessment Policy Notice*). This clarification will apply to entries of subject merchandise during the POR produced by CP Kelco, for which CP Kelco did not know that the merchandise it sold to an intermediary (e.g., a reseller, trading company, or exporter) was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no company-specific rate for an

intermediary involved in the transaction. *See Assessment Policy Notice* for a full discussion of this clarification.

#### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of these final results of this administrative review for all shipments of CMC from Sweden that are entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results, as provided by section 751(a)(2)(C) of the Act: (1) the cash-deposit rate for CP Kelco will be 3.84 percent; (2) for merchandise exported by producers or exporters that were previously reviewed or investigated, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the producer or exporter received an individual rate; (3) if the exporter is not a firm covered in this review, a prior review, or the original 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 subject merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash-deposit rate shall be 25.29 percent, the all-others rate established in the less-than-fair-value investigation. These cash-deposit requirements 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) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the 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.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO as explained in the administrative protective order itself. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of APO.

These final results of administrative review and notice are issued and

published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: December 3, 2007.

**Stephen J. Claeyes,**

*Acting Assistant Secretary for Import Administration.*

#### Appendix I

*Comment 1:* Programming Errors regarding Foreign Currency Conversions  
*Comment 2:* Zeroing of Non-Dumping Margins

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#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

##### Proposed Information Collection; Comment Request; Fisheries Finance Program Requirements

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before February 8, 2008.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Brian C. Summers at (301) 713-2390 or [Brian.Summers@noaa.gov](mailto:Brian.Summers@noaa.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

NOAA operates a direct loan program to assist in financing certain actions relating to commercial fishing vessels, shoreside fishery facilities, aquaculture operations, and individual fishing quotas. The application information is required to determine eligibility pursuant to 50 CFR part 253 and to determine the type and amount of assistance requested by the applicant. An annual financial statement is required from the recipients to monitor the financial status of the loan.