

to *Rescind New Shipper Review*, 73 FR 32291 (June 6, 2008) (*Preliminary Intent*). As we received no comments or new information after the publication of the *Preliminary Intent*, we have made no changes to our preliminary decision to rescind the new shipper review.

EFFECTIVE DATE: July 18, 2008.

FOR FURTHER INFORMATION CONTACT: Fred Baker or Robert James, 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) 482-2924 or (202) 482-0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On June 6, 2008, the Department published the *Preliminary Intent*. We invited comments to comment on the *Preliminary Intent*, and received no comments.

Period of Review

The period of review (POR) is February 1, 2007, to July 31, 2007.

Rescission of New Shipper Review

In the *Preliminary Intent*, we stated that we intended to rescind the review with respect to Hotmetal because we had determined, based on the totality of the circumstances, that Hotmetal's U.S. sales were not *bona fide*. See *Preliminary Intent* at 32291. Hotmetal submitted no comments, and we have found no basis for changing the determination announced in the *Preliminary Intent*. Therefore we are rescinding the new shipper review.

Assessment of Antidumping Duties

A cash deposit of 162.14 percent shall be collected for any entries produced/exported by Hotmetal. The Department will issue appropriate assessment instructions directly to CBP fifteen days after the publication of this notice.

Notification to 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 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 double antidumping duties.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act.

Dated: July 14, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

A-570-877

Lawn and Garden Steel Fence Posts from the People's Republic of China: Final Results of Sunset Review and Revocation of Antidumping Duty Order

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

SUMMARY: On May 2, 2007, the Department of Commerce ("the Department") initiated the sunset review of the antidumping duty order on lawn and garden steel fence posts ("fence posts") from the People's Republic of China ("PRC"). Because the domestic interested parties did not participate in the sunset review, the Department is revoking the antidumping duty order.

EFFECTIVE DATE: June 12, 2008

FOR FURTHER INFORMATION CONTACT:

Andrea Staebler Berton or Juanita Chen AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-4037 and (202) 482-1904.

SUPPLEMENTARY INFORMATION:

Background

On June 12, 2003, the Department issued an antidumping duty order on fence posts from the PRC. See *Notice of Antidumping Duty Order: Lawn and Garden Steel Fence Posts from the People's Republic of China*, 68 FR 35197 (June 12, 2003). Pursuant to section 751(c) the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.218, the Department initiated the sunset review of this order. See *Initiation of Five-year ("Sunset") Review*, 73 FR 24222 (May 2, 2008). The Department did not receive a notice of intent to participate in the sunset review from domestic interested parties by the deadline date. See 19 CFR 351.218(d)(1)(i). As a result, the Department determined that no domestic party intends to participate in the sunset review. On May 22, 2008, the

Department notified the International Trade Commission of its intent to issue a final determination revoking this antidumping duty order.

Scope of the Order

The products covered by this order consist of all "U" shaped or "hat" shaped lawn and garden fence posts made of steel and/or any other metal, weighing 1 pound or less per foot, and produced in the PRC. The fence posts included within the scope of this order weigh up to 1 pound per foot and are made of steel and/or any other metal. Imports of these products are classified under the following categories: fence posts, studded with corrugations, knobs, studs, notches or similar protrusions with or without anchor posts and exclude round or square tubing or pipes.

These posts are normally made in two different classes, light and heavy duty. Light duty lawn and garden fence posts are normally made of 14 gauge steel (0.068 inches--0.082 inches thick), 1.75 inches wide, in 3, 4, 5, or 6 foot lengths. These posts normally weigh approximately 0.45 pounds per foot and are packaged in mini-bundles of 10 posts and master bundles of 400 posts. Heavy duty lawn and garden steel fence posts are normally made of 13 gauge steel (0.082 inches--0.095 inches thick), 3 inches wide, in 5, 6, 7, and 8 foot lengths. Heavy duty posts normally weigh approximately 0.90 pounds per foot and are packaged in mini-bundles of 5 and master bundles of 200. Both light duty and heavy duty posts are included within the scope of the order.

Imports of these products are classified under the Harmonized Tariff Schedule of the United States ("HTSUS") subheading 7326.90.85.35. Fence posts classified under subheading 7308.90 are also included within the scope of the order if the fence posts are made of steel and/or metal.

Specifically excluded from the scope are other posts made of steel and/or other metal including "tee" posts, farm posts, and sign posts, regardless of weight.¹ Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of the order is dispositive.

Determination to Revoke

Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.218(d)(1)(iii)(B)(3), if no domestic interested party responds to the notice of initiation, the Department shall issue a final

¹ Tee posts are made by rolling red hot steel into a "T" shape. These posts do not have tabs or holes to help secure fencing to them and have primarily farm and industrial uses.

determination revoking the order within 90 days after the initiation of the review. Because no domestic interested party filed a notice of intent to participate or a substantive response, the Department finds that no domestic interested party is participating in this review; therefore, we are revoking this antidumping duty order. Pursuant to section 751(c)(3)(A) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is June 12, 2008 (*i.e.*, the fifth anniversary of the date of publication in the **Federal Register** of the notice of the antidumping duty order). The Department will instruct U.S. Customs and Border Protection to terminate the suspension of liquidation and collection of cash deposits on entries of the subject merchandise entered or withdrawn from warehouse on or after June 12, 2008. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping duty deposit requirements. The Department will complete any pending administrative reviews of this order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This five-year sunset review and notice are in accordance with section 751(c)(3)(A) and published pursuant to section 777(i)(1) of the Act.

Dated: June 30, 2008.

David M. Spooner,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN: 0648-XJ12

Mid-Atlantic Fishery Management Council; Public Meetings

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

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council), its Squid, Mackerel, Butterfish Committee; its Research Set-Aside (RSA) Committee; its Bycatch/Limited Access Privilege Program (LAPP) Committee; and, its Protected Resources Committee will hold public meetings.

DATES: The meetings will be held Monday, August 4, 2008 through Thursday, August 7, 2008. See **SUPPLEMENTARY INFORMATION** for specific meeting dates and times.

ADDRESSES: Renaissance Philadelphia Hotel, 500 Stevens Drive, Philadelphia, PA 19113; telephone: (610) 521-5900.

Council address: Mid-Atlantic Fishery Management Council, 300 S. New St., Room 2115, Dover, DE 19904; telephone: (302) 674-2331.

FOR FURTHER INFORMATION CONTACT: Daniel T. Furlong, Executive Director, Mid-Atlantic Fishery Management Council; telephone: (302) 674-2331 ext. 19.

SUPPLEMENTARY INFORMATION:

Monday, August 4, 2008

8 a.m. until noon - The Squid, Mackerel, Butterfish Committee will meet.

1 p.m. until 4 p.m. - The Research Set-Aside Committee will meet in closed session with officials from NMFS.

4 p.m. until 5 p.m. - The Bycatch/LAPP Committee will meet.

Tuesday, August 5, 2008

8:30 a.m. until 10 a.m. - The Squid, Mackerel, Butterfish Committee will meet.

10 a.m. until noon - The Council will convene and receive presentations by NMFS officials regarding the Proposed Rule to modify National Standard 1 Guidelines and the outcome of the 47th Stock Assessment Review.

1 p.m. until 2:30 p.m. - The Council will consider approving Amendment 10 to the Squid, Mackerel, and Butterfish FMP for Secretarial submission.

2:30 p.m. until 5:30 p.m. - The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board.

Wednesday, August 6, 2008

8 a.m. until 5:30 p.m. - The Council will convene jointly with the Atlantic States Marine Fisheries Commission's (ASMFC) Summer Flounder, Scup, and Black Sea Bass Board.

Thursday, August 7, 2008

8 a.m. until 9 a.m. - The Protected Resources Committee will meet.

9 a.m. - The Council will convene to discuss Framework 2 to the Dogfish FMP; receive Committee reports; receive an update from NMFS officials on the Status of the Marine Recreational Information Program (MRIP); and, conduct any continuing or new business.

Agenda items by day for the Council's Committees and the Council itself are:

Monday, August 4 - the Squid, Mackerel, and Butterfish Committee will review public comments and develop preferred alternatives for Council consideration and action regarding submission of Amendment 10 for Secretarial action. The Bycatch/LAPP Committee will receive an update on the status of the draft of the bycatch pamphlet for catch and release practices, and address prioritizing bycatch information needs.

Tuesday, August 5 - The Squid, Mackerel, and Butterfish Committee will meet to review and consider qualifying criteria to be used in the mackerel limited entry system that is being addressed in Amendment 11. The Council will convene for a presentation by NMFS officials regarding the proposed rule to modify National Standard 1 guidelines for Annual Catch Limits (ACL) and Accountability Measures (AM). The Council will receive a report on the results of the 47th Stock Assessment Review including opinions of members of the Center for Independent Expertise's (CIE) regarding the SAW reports on summer flounder that served as the basis for the 47th Stock Assessment Review. The Council will vote to approve (or not) Amendment 10 to the Squid, Mackerel, and Butterfish FMP for Secretarial submission. The Council will then meet jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Boards to review the Scientific and Statistical Committee's and the Scup Monitoring Committee's recommendations regarding proposed scup harvest levels and commercial management measures for the 2009 fishing year, and then adopt its recommendations for the harvest levels and commercial management measures for the 2009 scup fishery.

Wednesday, August 6 - the Council will convene and meet jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, Black Sea Bass, and Bluefish Boards to review the Scientific and Statistical Committee's and the Summer Flounder, Black Sea Bass, and Bluefish Monitoring Committee's recommendations regarding the summer flounder, black sea bass, and bluefish proposed harvest levels and commercial management measures for the 2009 fishing year, and then adopt its recommendations for the summer flounder, scup, black sea bass, and bluefish harvest levels and commercial management measures for these fisheries in 2009.