

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

[Docket Number: AMS-ST-07-0129; ST-07-03]

#### Plant Variety Protection Board; Open Meeting

**AGENCY:** Agricultural Marketing Service, USDA.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Plant Variety Protection Board.

**DATES:** November 14–15, 2007, 8:30 a.m. to 5 p.m., open to the public.

**ADDRESSES:** The meeting will be held in the United States Department of Agriculture, National Agricultural Library, 10301 Baltimore Blvd., Beltsville, Maryland.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Janice M. Strachan, Plant Variety Protection Office, Science and Technology Programs, Agricultural Marketing Service, United States Department of Agriculture, Telephone number (301) 504–5518, fax (301) 504–5291, or e-mail [PVPOmail@usda.gov](mailto:PVPOmail@usda.gov).

**SUPPLEMENTARY INFORMATION:** Pursuant to the provisions of section 10(a) of the Federal Advisory Committee Act, (U.S.C. App.2) this notice is given regarding a Plant Variety Protection (PVP) Board meeting. The board is constituted under section 7 of the PVP Act (7 U.S.C. 2327). The proposed agenda for the meeting will include discussions of: (1) The accomplishments of the PVP Office, (2) The financial status of the PVP Office, (3) PVP Office information technology infrastructure, (4) Discussion of current program operations and long term strategic plan, and (5) Other related topics. Upon entering the National Agricultural Library Building, visitors should inform security personnel that they are

attending the PVP Board Meeting. Identification will be required to be admitted to the building. Security personnel will direct visitors to the registration table located outside of Room 1400. Registration upon arrival is necessary for all participants.

If you require accommodations, such as sign language interpreter, please contact the person listed under **FOR FURTHER INFORMATION CONTACT**. Minutes of the meeting will be available for public review 30 days following the meeting at the address listed under **FOR FURTHER INFORMATION CONTACT**. The minutes will also be posted on the Internet Web site <http://www.ams.usda.gov/science/PVPO/PVPindex.htm>.

Dated: November 1, 2007.

**Lloyd C. Day,**

*Administrator, Agricultural Marketing Service.*

[FR Doc. E7–21831 Filed 11–6–07; 8:45 am]

**BILLING CODE 3410–02–P**

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### Notice of New Fee Site; Federal Lands Recreation Enhancement Act (Title VIII, Pub. L. 108–447)

**AGENCY:** Coronado National Forest, USDA Forest Service, Tucson, AZ.

**ACTION:** Notice of New Fee Site.

**SUMMARY:** The Coronado National Forest proposes to begin charging a new \$150.00 per day fee for rental of the Half Moon Ranch located 9 miles west of Sunsites, Arizona. Rental of the Cabin includes overnight use. Rental of the cabin and other facilities within the Arizona National Forests has shown that the public appreciates and enjoys the availability of historic rental facilities. Funds from the rentals will be used for the continued operation and maintenance of the Half Moon Ranch.

**DATES:** Half Moon Ranch will become available for rent July, 2008.

**ADDRESSES:** Coronado National Forest, 300 West Congress, Tucson, AZ 85701.

**FOR FURTHER INFORMATION CONTACT:** Kathy Makansi, Archaeologist, Coronado National Forest, (520) 760–2502.

**SUPPLEMENTARY INFORMATION:** The Federal Recreation Lands Enhancement

Act (Title VII, Pub. L. 108–447) directed the Secretary of Agriculture to publish a six month advance notice in the **Federal Register** whenever new recreation fee areas are established. The Coronado National Forest currently has one other rental facility. This facility is booked regularly throughout the rental season. A business analysis for the rental of the Half Moon Ranch shows that people desire having this sort of recreation experience on the Coronado National Forest. A market analysis indicates that the \$150.00 daily fee is both reasonable and acceptable for this sort of unique recreation experience. People wanting to rent the Half Moon Ranch will need to do so through the National Recreation Reservation Service, at <http://www.recreation.gov> or by calling 1–877–444–6777. The National Recreation Reservation Service charges a \$9 fee per reservation.

Dated: November 1, 2007.

**Jeanine Derby,**

*Forest Supervisor, Coronado National Forest.*

[FR Doc. 07–5549 Filed 11–6–07; 8:45 am]

**BILLING CODE 3410–11–M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–867]

#### Certain Automotive Replacement Glass Windshields from The People's Republic of China: Notice of Decision of the Court of International Trade Not in Harmony

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

**SUMMARY:** On August 3, 2007, the United States Court of International Trade (“Court”) entered a final judgment sustaining the fourth remand results made by the Department of Commerce (“the Department”) pursuant to the Court’s remand of the antidumping duty order on Certain Automotive Replacement Glass Windshields from the People’s Republic of China (“PRC”) in *Changchun Pilkington Safety Glass Co., Ltd., et al. v. United States*, consol. Ct. No. 02–00312, Slip Op 07–118 (August 3, 2007) (“*Pilkington*”). This case arises out of the Department’s *Antidumping Duty Order: Automotive Replacement Glass Windshields from the People’s Republic*

of China, 67 FR 16087 (April 4, 2002) ("Order"). The final judgment in this case was not in harmony with the Department's *Final Determination of Sales at Less Than Fair Value: Certain Automotive Replacement Glass Windshields From the People's Republic of China*, 67 FR 6482 (February 12, 2002) ("Final Determination"), and accompanying Issues and Decisions Memorandum ("Decision Memo"), as amended at 67 FR 11670 (March 15, 2002), covering the period of investigation ("POI"), July 1, 2000 through December 31, 2000.

**EFFECTIVE DATE:** November 7, 2007.

**FOR FURTHER INFORMATION CONTACT:** Paul Stolz, 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) 482-4474.

**SUPPLEMENTARY INFORMATION:**

**Background**

In separate actions, plaintiffs, Fuyao Glass Industry Group Co., Ltd. ("Fuyao"), Xinyi Automotive Glass Co., Ltd. ("Xinyi"), Changchun Pilkington Safety Glass Co., Ltd., Guilin Pilkington Safety Glass Co., Ltd., and Wuhan Yaohua Pilkington Safety Glass Co., Ltd. (collectively "Pilkington"), and Benxun Automotive Glass Co., Ltd. ("Benxun")<sup>1</sup> contested several aspects of the *Final Determination*, including the Department's decision to disregard certain market economy inputs.<sup>2</sup> On February 15, 2006, while the cases were consolidated, the Court remanded the Department's decision regarding certain market economy inputs to the Department. See *Fuyao Glass Industry Group Co., Ltd. v. United States*, Consol. Court No. 02-00282, 2006 Ct. Int'l Trade Lexis 21, Slip Op. 2006-21 (CIT February 15, 2006) ("*Fuyao Glass III*"). In its remand to the Department, the Court concluded with respect to the standard applied in the Department's analysis that the Department must conduct its analysis "in accordance with the court's finding with respect to the use of the word 'are' rather than 'may be' when applying its subsidized price methodology." *Fuyao Glass III*, Slip Op. P. 9. The Court further directed the Department to either (1) "concur with the court's conclusions with

respect to substantial evidence, or (2) re-open the record . . ." *Fuyao Glass III*, Slip Op. P. 7. The Court concluded that it does not find the Department's determination, *i.e.*, that prices from South Korea and Indonesia are subsidized, is supported by substantial record evidence. See *Fuyao Glass III*, Slip Op. p. 16. Pursuant to the Court's ruling, and under respectful protest, the Department concurred that the record evidence does not contain substantial evidence to support a conclusion that prices from South Korea and Indonesia are subsidized. See *Viraj Group v. United States*, 343 F.3d 1371, 1376 (Fed. Cir. 2003). Because the Court found that the evidence on the record does not support the Department's determination to disregard prices from South Korea and Indonesia, in the remand results, the Department determined to calculate the dumping margin for Fuyao and Xinyi, mandatory respondents, based upon prices the plaintiffs actually paid to suppliers located in South Korea and Indonesia. As a result of its remand determination, the Department calculated zero margins for both Fuyao and Xinyi.

In *Fuyao Glass Industry Group Co. v. United States*, Consol. Court No. 02-00282, (Orders of November 2, 2006 and December 19, 2006) ("*Fuyao Glass IV*"), the Court then granted the Department's request for a voluntary remand and instructed the Department to devise a reasonable methodology to calculate an antidumping margin for Pilkington and Benxun, taking into consideration the zero margins assigned to Fuyao and Xinyi. On January 8, 2007, the Court severed Fuyao's and Xinyi's actions, Court Nos. 02-00282 and 02-00321, from the consolidated action, and designated Pilkington's action, Court No. 02-00312, as the lead case, under which Court Nos. 02-00319 and 02-00320 were consolidated. On May 10, 2007, and June 28, 2007, respectively, the Court issued final judgments in Court Nos. 02-00282 and 02-00321, wherein it affirmed the Department's third remand results with respect to Fuyao's and Xinyi's actions. The Department then completed its voluntary remand in which it devised a reasonable methodology to calculate an antidumping margin for Pilkington and Benxun, taking into consideration the zero margins assigned to Fuyao and Xinyi. Specifically, on remand, the Department identified the control numbers ("CONNUMS") shared by the Pilkington Plaintiffs, Benxun, Fuyao and Xinyi, as reported in their questionnaire responses, and "impute[d] Fuyao's and Xinyi's

CONNUM-specific margins to the matching CONNUMs of the {the Pilkington Plaintiffs} and Benxun." Commerce then weight-averaged those CONNUM-specific margins, which resulted in the *de minimis* antidumping margin of 1.47 percent for the Pilkington Plaintiffs and Benxun.

On August 3, 2007, the Court issued a final judgement, wherein it affirmed the Department's fourth remand results with respect to Pilkington and Benxun.

**Timken Notice**

In its decision in *Timken Co., v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) ("*Timken*"), the United States Court of Appeals for the Federal Circuit held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination. The Court's decision in *Pilkington* on August 3, 2007, constitutes a final decision of that court that is not in harmony with the Department's *Final Determination*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will issue an amended final determination and revised instructions to U.S. Customs and Border Protection if the Court's decision is not appealed or if it is affirmed on appeal.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: October 31, 2007.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E7-21875 Filed 11-6-07; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[A-570-867]**

**Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order Pursuant to Court Decision: Certain Automotive Replacement Glass Windshields from the People's Republic of China**

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

**EFFECTIVE DATE:** November 7, 2007.

**SUMMARY:** On June 28, 2007, the United States Court of International Trade ("Court") entered a final judgement in *Xinyi Automotive Glass v. United*

<sup>1</sup> On July 20, 2004, the Department determined that Shenzhen CSG Autoglass Co., Ltd. ("CSG") is the successor-in-interest to Benxun. The amended final results of this segment of the proceeding will apply to entries made by CSG on or subsequent to July 20, 2004.

<sup>2</sup> Court Nos. 02-00282, 02-00312, 02-00320 and 02-00321. On August 2, 2002, the Court consolidated these actions into Court No. 02-00282.