

sewn to the back cover with the outside of the polyester spine cover to the inside back cover. Both free ends (the ends not sewn to the cover and back) are stitched with a turned edge construction. Each ring within the fixture is comprised of a flexible strap portion that snaps into a stationary post which forms a closed binding ring. The ring fixture is riveted with six metal rivets and sewn to the back plastic cover and is specifically positioned on the outside back cover. The product must bear the valid trademark FiveStar Flex™.<sup>10</sup>

Currently, merchandise subject to these orders is typically imported under headings 4811.90.9035, 4811.90.9080, 4820.30.0040, 4811.90.9050, 4810.22.5044, 4811.90.9090, 4820.10.2010, 4820.10.2020, 4820.10.2030, 4820.10.2040, 4820.10.2050, 4820.10.2060 and 4820.10.4000 of the Harmonized Tariff Schedule of the United States (HTSUS). The tariff classifications are provided for convenience and customs purposes; however, the written description of the scope of the orders is dispositive.

#### Determination

As a result of the determinations by the ITC that revocation of these AD and CVD orders would not be likely to lead to continuation or recurrence of material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department is revoking the AD and CVD orders on lined paper from Indonesia. Pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is September 28, 2011 (*i.e.*, the fifth anniversary of the effective date of publication in the **Federal Register** of these orders).<sup>11</sup>

The Department will notify U.S. Customs and Border Protection, 15 days after publication of this notice, to terminate suspension of liquidation and collection of cash deposits on entries of the subject merchandise, entered or withdrawn from warehouse, on or after September 28, 2011. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping and countervailing duty deposit requirements.

<sup>10</sup> Products found to be bearing an invalidly licensed or used trademark are not excluded from the scope.

<sup>11</sup> See *Notice of Amended Final Determination of Sales at Less Than Fair Value: Certain Lined Paper Products from the People's Republic of China; Notice of Antidumping Duty Orders: Certain Lined Paper Products from India, Indonesia and the People's Republic of China; and Notice of Countervailing Duty Orders: Certain Lined Paper Products from India and Indonesia*, 71 FR 56949 (September 28, 2006).

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the return/destruction or conversion to judicial protective order of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO which may be subject to sanctions.

These five-year (sunset) reviews and notice are in accordance with section 751(d)(2) the Act and published pursuant to section 777(i)(1) of the Act.

Dated: August 24, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-827]

#### **Certain Cased Pencils From the People's Republic of China: Final Results of Antidumping Duty Changed Circumstances Review, and Determination To Revoke Order, in Part**

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

**SUMMARY:** On July 18, 2012, the Department of Commerce ("the Department") published a notice of initiation and preliminary results of a changed circumstance review and intent to revoke, in part, the antidumping duty ("AD") order of certain cased pencils from the People's Republic of China ("PRC"). The final results do not differ from the preliminary results of review, and we are revoking the order, in part, with respect to novelty drumstick pencils. This partial revocation is effective June 1, 2011.

**DATES:** *Effective Date:* June 1, 2011.

**FOR FURTHER INFORMATION CONTACT:** Mahnaz Khan at (202) 482-0914 or Yasmin Nair at (202) 482-3813; AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

#### **Background**

On December 28, 1994, the Department published in the **Federal Register** the AD order on certain cased pencils from the PRC. See *Antidumping Duty Order: Certain Cased Pencils from the People's Republic of China*, 59 FR

66909 (December 28, 1994) ("AD order"). On May 23, 2012, in accordance with section 751(b) and 751(d)(1) of the Tariff Act of 1930, as amended ("the Act"), 19 CFR 351.216(b), and 19 CFR 351.222(g)(1), ThinkGeek, a U.S. importer of subject merchandise, requested revocation, in part, of the AD order with respect to its novelty pencil, which is shaped like a drumstick. ThinkGeek's novelty drumstick pencil is made to look like a pencil, except that it is shaped as a drumstick. This pencil is longer than regular wooden pencils and does not contain an eraser. ThinkGeek requested that the Department conduct the changed circumstances review on an expedited basis pursuant to 19 CFR 351.221(c)(3)(ii).

On July 18, 2012, the Department published its concurrent initiation and preliminary results of this changed circumstances review. See *Certain Cased Pencils From the People's Republic of China: Initiation and Preliminary Results of Antidumping Duty Changed Circumstances Review, and Intent To Revoke Order in Part*, 77 FR 42276 (July 18, 2012) ("Preliminary Results"). The Department preliminary determined to revoke, in part, the AD order on certain cased pencils from the PRC with respect to novelty drumstick pencils. In the *Preliminary Results*, we stated that interested parties could submit comments to the Department no later than 14 days after the publication of the *Preliminary Results* in the **Federal Register**. No interested parties submitted comments on the changed circumstances review.

#### **Scope of the Order**

Imports covered by the order are shipments of certain cased pencils of any shape or dimension (except as described below) which are writing and/or drawing instruments that feature cores of graphite or other materials, encased in wood and/or man-made materials, whether or not decorated and whether or not tipped (*e.g.*, with erasers, *etc.*) in any fashion, and either sharpened or unsharpened. The pencils subject to the order are currently classifiable under subheading 9609.10.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Specifically excluded from the scope of the order are mechanical pencils, cosmetic pencils, pens, non-cased crayons (wax), pastels, charcoals, chalks, and pencils produced under U.S. patent number 6,217,242, from paper infused with scents by the means covered in the above-referenced patent, thereby having odors distinct from those that may emanate from pencils lacking

the scent infusion. Also excluded from the scope of the order are pencils with all of the following physical characteristics: (1) *Length*: 13.5 or more inches; (2) *sheath diameter*: not less than one-and-one quarter inches at any point (before sharpening); and (3) *core length*: not more than 15 percent of the length of the pencil.

In addition, pencils with all of the following characteristics are excluded from the order: novelty jumbo pencils that are octagonal in shape, approximately ten inches long, one inch in diameter before sharpening, and three-and-one eighth inches in circumference, composed of turned wood encasing one-and-one half inches of sharpened lead on one end and a rubber eraser on the other end. Also excluded are novelty drumstick pencils that are shaped like drumsticks, longer than regular wooden pencils, and do not contain erasers.

Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope and order is dispositive.

#### **Final Results of Changed Circumstances Review**

Based on the Department's analysis in the *Preliminary Results* (which we incorporate herein by reference) and in light of the fact that no interested parties submitted any comments on the Department's preliminary results, the Department hereby determines to revoke, in part, the AD order with respect to novelty drumstick pencils. For the reasons indicated in the *Preliminary Results*, the effective date of this determination is June 1, 2011. See *Preliminary Results*, 77 FR at 42277. In addition, the Department has modified the scope of the AD order, as reflected above, consistent with these final results.

We will instruct U.S. Customs and Border Protection ("CBP") to liquidate without regard to antidumping duties all unliquidated entries of novelty drumstick pencils entered, or withdrawn from warehouse, for consumption on or after June 1, 2011. The Department will further instruct CBP to refund with interest any estimated antidumping duties collected with respect to these entries, in accordance with section 778 of the Act and 19 CFR 351.222(g)(4).

This changed circumstances administrative review, partial revocation of the antidumping duty order and notice are in accordance with sections 751(b) and (d), 777(i), and 782(h) of the Act and 19 CFR 351.216(e) and 351.222(g).

Dated: August 27, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

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## **DEPARTMENT OF COMMERCE**

### **International Trade Administration**

**[A-580-867]**

#### **Large Power Transformers From the Republic of Korea: Antidumping Duty Order**

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

**DATES:** *Effective Date:* August 31, 2012.

**SUMMARY:** Based on affirmative final determinations by the Department of Commerce (the Department) and the International Trade Commission (ITC), the Department is issuing an antidumping duty order on large power transformers from the Republic of Korea (Korea).

**FOR FURTHER INFORMATION CONTACT:** David Cordell or Brian Davis, 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) 482-0408 or (202) 482-7924, respectively.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In accordance with sections 735(d) and 777(i)(1) of the Tariff Act of 1930, as amended (the Act), on July 11, 2012, the Department published the final determination of sales at less than fair value in the antidumping duty investigation of large power transformers from Korea. See *Large Power Transformers from the Republic of Korea: Final Determination of Sales at Less Than Fair Value*, 77 FR 40857 (July 11, 2012). On August 24, 2012, the ITC notified the Department of its affirmative determination that an industry in the United States is materially injured within the meaning of section 735(b)(1)(A)(i) of the Act by reason of less-than-fair-value imports of large power transformers from Korea. See *Large Power Transformers from Korea* (Investigation No. 731-TA-1189 (Final), USITC Publication 4346, August 2012). Pursuant to section 736(a) of the Act, the Department is publishing an antidumping duty order on the subject merchandise.

##### **Scope of the Order**

The scope of this order covers large liquid dielectric power transformers (large power transformers) having a top power handling capacity greater than or equal to 60,000 kilovolt amperes (60 megavolt amperes), whether assembled or unassembled, complete or incomplete.

Incomplete large power transformers are subassemblies consisting of the active part and any other parts attached to, imported with or invoiced with the active parts of large power transformers. The "active part" of the transformer consists of one or more of the following when attached to or otherwise assembled with one another: the steel core or shell, the windings, electrical insulation between the windings, the mechanical frame for a large power transformer.

The product definition encompasses all such large power transformers regardless of name designation, including but not limited to step-up transformers, step-down transformers, autotransformers, interconnection transformers, voltage regulator transformers, rectifier transformers, and power rectifier transformers.

The large power transformers subject to this order are currently classifiable under subheadings 8504.23.0040, 8504.23.0080 and 8504.90.9540 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

##### **Antidumping Duty Order**

As stated above, on August 24, 2012, in accordance with section 735(d) of the Act, the ITC notified the Department of its final determination in this investigation, in which it found material injury with respect to large power transformers from Korea. Because the ITC determined that imports of transformers from Korea are materially injuring a U.S. industry, all unliquidated entries of such merchandise from Korea, entered or withdrawn from warehouse, are subject to the assessment of antidumping duties.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct U.S. Customs and Border Protection (CBP) to assess, upon further instruction by the Department, antidumping duties equal to the amount by which the normal value of the merchandise exceeds the export price (or constructed export price) of the merchandise, for all relevant entries of