
**INTERNATIONAL TRADE
COMMISSION**

[Investigations Nos. 701-TA-473 (Final) and
731-TA-1173 (Final)]

**Certain Potassium Phosphate Salts
From China**

AGENCY: United States International
Trade Commission.

ACTION: Scheduling of the final phase of
countervailing duty and antidumping
investigations.

SUMMARY: The Commission hereby gives
notice of the scheduling of the final
phase of countervailing duty
investigation No. 701-TA-473 (Final)
under section 705(b) of the Tariff Act of
1930 (19 U.S.C. 1671d(b)) (the Act) and
the final phase of antidumping
investigation No. 731-TA-1173 (Final)
under section 735(b) of the Act (19
U.S.C. 1673d(b)) to determine whether
an industry in the United States is
materially injured or threatened with
material injury, or the establishment of
an industry in the United States is
materially retarded, by reason of
subsidized and less-than-fair-value
imports from China of certain potassium
phosphate salts, provided for in
subheadings 2835.24.00 and 2835.39.10
of the Harmonized Tariff Schedule of
the United States.¹

For further information concerning
the conduct of this phase of the
investigations, hearing procedures, and
rules of general application, consult the
Commission's Rules of Practice and
Procedure, part 201, subparts A through

¹ For purposes of these investigations, the
Department of Commerce has defined the subject
merchandise as anhydrous Monopotassium
Phosphate (MKP), anhydrous Dipotassium
Phosphate (DKP) and Tetrapotassium
Pyrophosphate (TKPP), whether anhydrous or in
solution (collectively "phosphate salts"). *Certain
Potassium Phosphate Salts from the People's
Republic of China: Preliminary Determination of
Sales at Less Than Fair Value*, 75 FR 12508, March
16, 2010.

E (19 CFR part 201), and part 207,
subparts A and C (19 CFR part 207).

DATES: *Effective Date:* March 16, 2010.

FOR FURTHER INFORMATION CONTACT:

Angela M. W. Newell (202-708-5409),
Office of Investigations, U.S.

International Trade Commission, 500 E
Street SW., Washington, DC 20436.

Hearing-impaired persons can obtain
information on this matter by contacting
the Commission's TDD terminal on 202-
205-1810. Persons with mobility
impairments who will need special
assistance in gaining access to the
Commission should contact the Office
of the Secretary at 202-205-2000.

General information concerning the
Commission may also be obtained by
accessing its Internet server ([http://
www.usitc.gov](http://www.usitc.gov)). The public record for
these investigations may be viewed on
the Commission's electronic docket
(EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—The final phase of
these investigations is being scheduled
as a result of affirmative preliminary
determinations by the Department of
Commerce that certain benefits which
constitute subsidies within the meaning
of section 703 of the Act (19 U.S.C.
1671b) are being provided to
manufacturers, producers, or exporters
in China of certain potassium phosphate
salts, and that such products are being
sold in the United States at less than fair
value within the meaning of section 733
of the Act (19 U.S.C. 1673b). The
investigations were requested in a
petition filed on September 29, 2009, by
ICL Performance Products, LP, St. Louis,
MO and Prayon, Inc. Augusta, GA.

*Participation in the investigations and
public service list.*—Persons, including
industrial users of the subject
merchandise and, if the merchandise is
sold at the retail level, representative
consumer organizations, wishing to
participate in the final phase of these
investigations as parties must file an
entry of appearance with the Secretary
to the Commission, as provided in
section 201.11 of the Commission's
rules, no later than 21 days prior to the
hearing date specified in this notice. A
party that filed a notice of appearance
during the preliminary phase of the
investigations need not file an
additional notice of appearance during
this final phase. The Secretary will
maintain a public service list containing
the names and addresses of all persons,
or their representatives, who are parties
to the investigations.

*Limited disclosure of business
proprietary information (BPI) under an
administrative protective order (APO)
and BPI service list.*—Pursuant to

section 207.7(a) of the Commission's rules, the Secretary will make BPI gathered in the final phase of these investigations available to authorized applicants under the APO issued in the investigations, provided that the application is made no later than 21 days prior to the hearing date specified in this notice. Authorized applicants must represent interested parties, as defined by 19 U.S.C. 1677(9), who are parties to the investigations. A party granted access to BPI in the preliminary phase of the investigations need not reapply for such access. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Staff report.—The prehearing staff report in the final phase of these investigations will be placed in the nonpublic record on May 18, 2010, and a public version will be issued thereafter, pursuant to section 207.22 of the Commission's rules.

Hearing.—The Commission will hold a hearing in connection with the final phase of these investigations beginning at 9:30 a.m. on June 2, 2010, at the U.S. International Trade Commission Building. Requests to appear at the hearing should be filed in writing with the Secretary to the Commission on or before May 26, 2010. A nonparty who has testimony that may aid the Commission's deliberations may request permission to present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on May 28, 2010, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony in camera no later than 7 business days prior to the date of the hearing.

Written submissions.—Each party who is an interested party shall submit a prehearing brief to the Commission. Prehearing briefs must conform with the provisions of section 207.23 of the Commission's rules; the deadline for filing is May 25, 2010. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules, and posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is June 9, 2010; witness testimony must be filed no later

than three days before the hearing. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations, including statements of support or opposition to the petition, on or before June 9, 2010. On June 23, 2010, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may submit final comments on this information on or before June 25, 2010, but such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain BPI must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission's rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission's rules.

By order of the Commission.

Issued: March 29, 2010.

William R. Bishop,

Acting Secretary to the Commission.

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