

S.A., et al. (Slip Op. 94-74, May 5, 1994). On September 14, 1994, the CIT affirmed our redetermination (Slip Op. 94-142). In accordance with that affirmation, we are hereby amending the final results of the countervailing duty administrative review of ceramic tile from Mexico, covering the period January 1, 1986, through December 31, 1986. During the above period, the country-wide rate for ceramic tile for the companies that are not *de minimis* is 4.02 percent *ad valorem*.

**EFFECTIVE DATE:** January 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Gayle Longest or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone:(202) 482-2786.

**SUPPLEMENTARY INFORMATION:**

**Background**

On May 9, 1989 (54 FR 19930), the Department published the final results of administrative review of the countervailing duty order on ceramic tile from Mexico, covering the period January 1, 1986, through December 31, 1986. For purposes of the final results, the Department calculated the "all others" countervailing duty rate by weight averaging the benefits received by companies, excluding zero rate and *de minimis* firms. The resultant countervailing duty rate applicable to non-*de minimis* firms was 4.28 percent *ad valorem*.

On May 5, 1994, the CIT, in *Ceramica Regiomontana S.A. v. United States* (Slip Op. 96-74, May 5, 1994), remanded to the Department for redetermination the final results of this review. The CIT ordered the Department to "recalculate the country-wide countervailing duty rate applicable to non-*de minimis* firms by weight averaging the benefits received by all companies by their proportion of exports to the United States, inclusive of zero rate firms and *de minimis* firms pursuant to the methodology set forth in *Ipsco v. United States*, 899 F.2d 1192 (Fed. Cir. 1990)."

**Final Remand Results**

On August 8, 1994, the Department filed with the CIT its final results of redetermination upon remand, in which the Department complied with the CIT's order and recalculated the "all others" countervailing duty rate by weight averaging the benefits received by all of the 42 companies, including 36 *de minimis* or zero rate firms subject to the 1986 review. The resultant "all others" rate of 4.02 percent *ad valorem*, which

included *de minimis* and zero rate firms, was assigned to the remaining six non-*de minimis* firms—Barros Tlaquepaque, Ceramica Regiomontana, Ceramica y Pisos Industriales de Culiacan, Ima Regiomontana, Industrias Intercontinental and O.H. Internacional.

**Final Results of Redetermination**

On September 14, 1994, the CIT affirmed the Department's redetermination upon remand (Slip Op. 94-142). In accordance with that affirmation, we are hereby amending the final results of the administrative review for the period January 1, 1986, through December 31, 1986. We determined that the "all others" countervailing duty rate for companies that are not *de minimis* is 4.02 percent *ad valorem*.

The Department shall determine, and the Customs Service shall assess, countervailing duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service.

This notice is in accordance with section 516(a)(e) of the Act.

Dated: December 29, 1994.

**Barbara R. Stafford,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 95-688 Filed 1-10-95; 8:45 am]

BILLING CODE 3510-DS-P

**U.S. Geological Survey, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 AM and 5:00 PM in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 94-124. *Applicant:* U.S. Geological Survey, Denver, CO 80225. *Instrument:* Open Split Interface Attachment for Mass Spectrometer. *Manufacturer:* Finnigan MAT, Germany. *Intended Use:* See notice at 59 FR 59212, November 16, 1994.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* This is a compatible accessory for an instrument previously imported for the use of the applicant. The accessory is pertinent to the intended uses and we know of no domestic

accessory which can be readily adapted to the previously imported instrument.

**Pamela Woods,**

*Acting Director, Statutory Import Programs Staff.*

[FR Doc. 95-691 Filed 1-10-95; 8:45 am]

BILLING CODE 3510-DS-F

**University of California, Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 94-125. *Applicant:* University of California, San Diego, CA 92121. *Instrument:* Seasor System. *Manufacturer:* Chelsea Instruments Ltd., United Kingdom. *Intended Use:* See notice at 59 FR 59212, November 16, 1994.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* The foreign instrument provides an instrument platform that can be towed to depths of 400 m at speeds to 10 knots with a dive/climb rate to 2.5 m/second. A university research department advised December 14, 1994 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

**Pamela Woods,**

*Acting Director, Statutory Import Programs Staff.*

[FR Doc. 95-692 Filed 1-10-95; 8:45 am]

BILLING CODE 3510-DS-F

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Establishment of a New Export Visa Arrangement, Certification Requirements and Establishment of a Guaranteed Access Level for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in El Salvador

January 6, 1995.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA).

**ACTION:** Issuing a directive to the Commissioner of Customs establishing export visa and certification requirements and a guaranteed access level.

**EFFECTIVE DATE:** January 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The Export Visa Arrangement of December 27, 1994 between the Governments of the United States and the Republic of El Salvador establishes an export visa arrangement and certification requirements for certain textile products, produced or manufactured in El Salvador and exported from El Salvador on and after January 2, 1995. Goods exported during the period January 2, 1995 through March 3, 1995 shall not be denied entry for lack of a visa. All goods exported after March 3, 1995 must be accompanied by an appropriate visa or certification.

Beginning on January 11, 1995, the U.S. Customs Service will start signing the first section of the form ITA-370P for shipments of U.S. formed and cut parts in Categories 340/640 that are destined for El Salvador and subject to the GAL established for Categories 340/640 the period beginning on January 2, 1995 and extending through December 31, 1995. These products are governed by Harmonized Tariff item number 9802.00.8015 and Chapter 61 Statistical Note 5 and Chapter 62 Statistical Note 3 of the Harmonized Tariff Schedule. Interested parties should be aware that shipments of cut parts in Categories 340/640 must be accompanied by a form ITA-370P, signed by a U.S. Customs officer, prior to export from the United

States for assembly in El Salvador in order to qualify for entry under the Special Access Program.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 59 FR 65531, published on December 20, 1994).

Requirements for participation in the Special Access Program are available in **Federal Register** notices 51 FR 21208, published on June 11, 1986; 52 FR 26057, published on July 10, 1987; and 54 FR 50425, published on December 6, 1989.

Facsimiles of the visa and certification stamps for the Government of the Republic of El Salvador are on file at the U.S. Department of Commerce, Office of Textiles and Apparel, 14th and Constitution Avenue, NW., room 3104, Washington, DC.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa and certification requirements set forth in the letter published below to the Commissioner of Customs.

#### D. Michael Hutchinson,

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

#### Committee for the Implementation of Textile Agreements

January 6, 1995.

Commissioner of Customs,  
*Department of the Treasury, Washington, DC 20229.*

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and pursuant to the Export Visa Arrangement of December 27, 1994 between the Governments of the United States and the Republic of El Salvador; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 11, 1995, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton and man made fiber textile products in Categories 340/640, produced or manufactured in El Salvador and exported from El Salvador on and after January 2, 1995 for which the Government of the Republic of El Salvador has not issued an appropriate export visa or certification fully described below. Should additional categories, merged categories or part categories be added to the bilateral agreement, the entire category(s) or part category(s) shall be included in the coverage of this arrangement on an agreed effective date. However, goods exported during the

period January 2, 1995 through March 3, 1995 shall not be denied entry for lack of a visa. All goods exported after March 3, 1995 must be accompanied by an appropriate visa or certification.

A visa must accompany each commercial shipment of the aforementioned textile products, unless under the Special Access Program. A circular stamped marking in blue ink will appear on the front of the original commercial invoice. The original visa shall not be stamped on duplicate copies of the invoice. The original invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

Each visa stamp shall include the following information:

1. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numerical digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for El Salvador is "SV"). The first two codes shall be followed by the number "1" and a five-digit serial number identifying the shipment; e.g., 5SV100002.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation, as amended.

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 340/640 may be visaed as 340/640 or if the shipment consists solely of 340 merchandise, the shipment may be visaed as "Cat. 340," but not as "Cat. 640").

The complete name and address of the actual manufacturer of the textile product must be included on the visa document. If a textile product has been processed by more than one manufacturer, the complete name and address of the last firm to substantially transform the article into a new and different article of commerce must be listed on the visa document.

U.S. Customs shall not permit entry if the shipment does not have a visa, or if the visa number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the visa is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

If the visa is not acceptable then a new visa and correct visa must be obtained from the Government of the Republic of El Salvador, or a visa waiver may be issued by the U.S.

Department of Commerce at the request of the Government of the Republic of El Salvador, and presented to the U.S. Customs Service before any portion of the shipment will be released. The waiver, if used, only waives the requirement to present a visa with the shipment. It does not waive the quota requirement.

If import quotas are in force, U.S. Customs Service shall charge only the actual quantity in the shipment to the correct category limit. If a shipment from El Salvador has been allowed entry into the commerce of the United States with either an incorrect visa or no visa, and redelivery is requested but cannot be made, U.S. Customs shall charge the shipment to the correct category limit whether or not a replacement visa or visa waiver is provided.

Each shipment of textile products which has been assembled in the Republic of El Salvador wholly from components cut in the United States from U.S.-formed fabric which is subject to the Guaranteed Access Level shall be so certified by the Government of the Republic of El Salvador. This certification shall be presented to the U.S. Customs Service before entry, or withdrawal from warehouse for consumption, into the customs territory of the United States (the 50 states, the District of Columbia and Puerto Rico).

A certification must accompany each commercial shipment of the aforementioned textile products. A rectangular stamped marking in blue ink will appear on the front of the original commercial invoice. The original certification shall not be stamped on duplicate copies of the invoice. The original invoice with the original certification stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or certification may not be used for this purpose.

Each certification shall include the following information:

1. The certification number. The certification number shall be in the standard nine digit letter format, beginning with one numerical digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO)(the code for El Salvador is "SV"). The first two codes shall be followed by the number "2" and a five-

digit serial number identifying the shipment; e.g., 5SV200002.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation, as amended.

U.S. Customs shall not permit entry if the shipment does not have a certification number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the certification is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the certification is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable level.

Entry of textile products subject to the certification system outlined above into the customs territory of the United States will be permitted only for those shipments accompanied by:

- A. A valid certification by the Government of the Republic of El Salvador.

- B. A completed copy of the CBI Export Declaration (U.S. Department of Commerce Form ITA-370P) with a proper declaration by the Republic of El Salvador assembler that the articles were subject to assembly in the Republic of El Salvador from parts described on that CBI Export Declaration; and

- C. A proper importer's declaration.

Any shipment which is not accompanied by a valid and correct certification in accordance with the foregoing provisions shall be denied entry by the Government of the United States. If U.S. Customs determines that the certification is invalid because of an error, and the remaining documentation fulfills requirements for entry under the Caribbean Basin Textile Special Access Program, then a new certification from the Government of the Republic of El Salvador must be obtained or a visa waiver issued by the U.S. Department of Commerce at the request of the Government of the Republic of El Salvador must be obtained and presented to the U.S. Customs Service before any portion of the shipment will be released.

Any shipment found not to be in compliance with the provisions of the Special Access Program relating to trade in textile products wholly assembled of U.S. components cut from U.S. formed fabrics, may be permanently denied entry under this program.

Effective on January 11, 1995, you are directed to establish a Guaranteed Access Level for cotton and man-made fiber textile products in Categories 340/640 at 1,000,000 dozen for the period beginning on January 1, 1995 and extending through December 31, 1995.

Beginning on January 11, 1995, you are directed to start signing the first section of the form ITA-370P for shipments of U.S. formed and cut parts in Categories 340/640 that are destined for El Salvador and subject to the GAL established for Categories 340/640 the January 1, 1995 through December 31, 1995 period.

Visaed merchandise and products eligible for the Caribbean Basin Textile Special Access Program may not appear on the same invoice.

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked commercial sample shipments valued at U.S.\$250 or less, do not require a visa or certification for entry and shall not be charged to agreement levels.

Facsimiles of the visa stamps are enclosed with this letter.

The actions taken concerning the Government of the Republic of El Salvador with respect to imports of textiles and textile products in the foregoing categories have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1). This letter will be published in the **Federal Register**.

Sincerely,

D. Michael Hutchinson,  
*Acting Chairman, Committee for the Implementation of Textile Agreements.*

BILLING CODE 3510-DR-F

MINISTERIO DE ECONOMIA  
REPUBLICA DE EL SALVADOR, C. A.

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**REPUBLIC OF EL SALVADOR**

NUMBER 5SV1 \_\_\_\_\_

CATEGORY: \_\_\_\_\_

QUANTITY : \_\_\_\_\_

DATE OF ISSUANCE: \_\_\_\_\_

AUTHORIZED  
SIGNATURE: \_\_\_\_\_

**TEXTILE & APPAREL VISA**

**REPUBLIC OF EL SALVADOR**

NUMBER: 5SV2 \_\_\_\_\_

CATEGORY: \_\_\_\_\_

QUANTITY: \_\_\_\_\_

DATE OF ISSUANCE: \_\_\_\_\_

AUTHORIZED SIGNATURE: \_\_\_\_\_

**TEXTILE AND APPAREL VISA**