

Last Image Hold: ... With the domestic unit, an additional cost of \$11,350 would have to be incurred by the institution.

The application is deficient for the reason that the applicant's purchase of the foreign article was based, not on grounds that the domestic instrument is not scientifically equivalent as required by 15 CFR 301.5(1), but on lower cost of the foreign article.

Pursuant to 15 CFR Part 301.2(s): 'Pertinent' specifications are those specifications necessary for the accomplishment of the specific scientific research and/or science-related educational purposes described by the applicant. Specifications or features (even if guaranteed) which afford greater convenience, satisfy personal preferences, accommodate institutional commitments or limitations, or assure lower costs of acquisition, installation, operation, servicing or maintenance are not pertinent. (Emphasis added.)

Also, 15 CFR 301.5(d)(1)(i) provides in part:

The determination of scientific equivalency shall be based on a comparison of the pertinent specifications of the foreign instrument with similar pertinent specifications of comparable domestic instruments... If the director finds that a domestic instrument possesses all of the pertinent specifications of the foreign instrument, he shall find that there is being manufactured in the United States an instrument of equivalent scientific value for such purposes as the foreign instrument is intended to be used.

Finally, the regulations provide in 15 CFR 301.5(e)(7) as follows: Information provided in a resubmission that... contradicts or conflicts with information provided in a prior submission..., shall not be considered in making the decision on an application that has been resubmitted. Accordingly, an applicant may elect to reinforce an original submission by elaborating in the resubmission on the description of the purposes contained in a prior submission and may supply additional examples, documentation and/or other clarifying detail, *but the applicant shall not introduce new purposes or other material changes in the nature of the original application.* (Emphasis added.)

Consequently, in view of the applicant's categorical statements cited above, no pertinent, scientifically relevant specifications or features independent of cost can be cited by the applicant. Accordingly, we find

pursuant to Section 301.5(d)(1)(i) that the domestic and foreign instruments are scientifically equivalent.

We conclude that affording the applicant an opportunity to resubmit its application cannot result in a statement of purpose or need consonant with the regulations. The application is denied, pursuant to Section 301.5(d)(1)(i) for the reason that "there is being manufactured in the United States an instrument of equivalent scientific value for such purposes as the foreign instrument is intended to be used.

Frank W. Creel

Director, Statutory Import Programs Staff  
[FR Doc. 95-29730 Filed 12-5-95; 8:45 am]

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#### 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 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:* 95-068. *Applicant:* University of California, Berkeley, CA 94720-3104. *Instrument:* Mass Spectrometer, Model JMS-AX505WA. *Manufacturer:* JEOL, Japan. *Intended Use:* See notice at 60 FR 48505, September 19, 1995.

*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 double focusing magnetic sector design with mass range to 1200 and resolution to 20 000.

This capability is pertinent to the applicant's intended purposes and we know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel

Director, Statutory Import Programs Staff  
[FR Doc. 95-29731 Filed 12-5-95; 8:45 am]

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C-201-505

#### Porcelain-on-Steel Cookingware from Mexico; Final Results of Countervailing Duty Administrative Review

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

**ACTION:** Notice of final results of countervailing duty administrative review.

**SUMMARY:** On September 26, 1995, the Department of Commerce (the Department) published in the Federal Register its preliminary results of administrative review of the countervailing duty order on porcelain-on-steel cookingware from Mexico for Acero Porcelanizado, S.A. de C.V. (APSA). The review covers the period January 1, 1994 through December 31, 1994. We have completed this review and determine the net subsidy to be *de minimis* for APSA. The Department will instruct the U.S. Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise from APSA exported on or after January 1, 1994, and on or before December 31, 1994.

**EFFECTIVE DATE:** December 6, 1995.

**FOR FURTHER INFORMATION CONTACT:** Norma Curtis or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2786.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 26, 1995, the Department published in the Federal Register (60 FR 49565) the preliminary results of its administrative review of the countervailing duty order on porcelain-on-steel cookingware from Mexico. The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). We invited interested parties to comment on the preliminary results. We received no comments. The review covers the period January 1, 1994 through December 31, 1994. The review involves one company and ten programs.

##### Applicable Statute and Regulations

The Department is conducting this administrative review in accordance with section 751(a) of the Act. Unless otherwise indicated, all citations to the statute and to the Department's