

include, to the extent practicable, some indication of the magnitude of the absorption.

Based on our analysis of the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the order, we preliminarily determined that we would normally determine that the margins calculated in the original investigation best reflect the behavior of producers/exporters without the discipline of the order (64 FR 46651). However, we noted that consistent with the Sunset Policy Bulletin, we were adjusting the most recent margin to account for duty absorption findings and, because the adjusted margins for Cinsa and ENASA are higher than the rates from the original investigation, we would report the adjusted rates as the margins likely to prevail were the order revoked. *Id.*

In light of the comments received, we have reconsidered our preliminary determination with respect to the magnitude of the margin likely to prevail should the order be revoked. While we agree with CHP that duty reimbursement and duty absorption are separate problems with separate remedies, we also agree with the respondents that, in this case, our stated policy of adjusting the margin to take into account the findings on duty absorption may result in an overestimation of the margin likely to prevail were the order revoked. Specifically, having determined duty reimbursement, for the purpose of calculating the export price and the constructed export price in the eleventh review, the Department deducted from the starting price the amount of antidumping duties reimbursed to CIC by Cinsa and ENASA.<sup>1</sup> This deduction for reimbursed duties had the effect of increasing the weighted-average margins found during the administrative review. The Department also found that both Cinsa and ENASA made all of their sales of the subject merchandise to the United States through an importer that is affiliated within the meaning of section 751(a)(4) of the Act. Because we determined that there was a dumping margin on 68.03 percent of Cinsa's U.S. sales during the period of review and on

98.52 percent of ENASA's sales during the period of review, we found that antidumping duties had been absorbed by the respondents on those percent of sales, respectively. *Id.* As noted above, although we agree that reimbursement and absorption may occur with respect to the same sales, because of the effect of consideration of reimbursement on the margin, we do not agree that the entire margin is absorbed such that we should double the margins calculated inclusive of reimbursement. We agree with CHP that it is not appropriate to recalculate margins from the eleventh administrative review in order to eliminate the effect of reimbursement. Rather, we believe that the calculation in the eleventh administrative review for reimbursement effectively approximates the calculation we would make to account for duty absorption. Therefore, consistent with the Sunset Policy Bulletin, for purposes of determining the magnitude of the margin likely to prevail, we considered the margins from the original investigation (*i.e.*, the margins we would otherwise report to the Commission) and the margins from the eleventh review. As provided in section II.B.3.b, where we have found duty absorption, we normally will report to the Commission the higher of the margin that the Department otherwise would have reported to the Commission or the most recent margin for that company adjusted to account for findings on duty absorption. Because the margins as calculated in the eleventh review are higher than those from the original investigation, we are reporting those as the magnitude of the margin likely to prevail were the order revoked.

#### Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping for the reasons set forth in the Preliminary Results. Additionally, as discussed in the Preliminary Results and above, we find that during the administrative review covering the period December 1, 1986 through November 20, 1997, antidumping duties were absorbed by Cinsa on 68.03 percent of its U.S. sales of subject merchandise and by ENASA on 98.52 percent of its U.S. sales of subject merchandise. Furthermore, for the reasons set forth in the Preliminary Results and as discussed above, we find that the magnitude of the margins likely to prevail if the order were revoked are as follows: 25.42 percent for Cinsa,

65.28 percent for ENASA, and 29.52 percent for "all others."

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This five-year ("sunset") review and notice are in accordance with section 751(c), 752, and 777(i)(1) of the Act.

Dated: December 28, 1999.

**Holly Kuga,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 00-98 Filed 1-3-00; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-832]

#### Pure Magnesium From the People's Republic of China: Rescission of Antidumping Duty Administrative Review

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

**ACTION:** Notice of Rescission of Antidumping Duty Administrative Review

**SUMMARY:** On June 30, 1999, the Department of Commerce published in the **Federal Register** a notice announcing the initiation of an administrative review of the antidumping duty order on pure magnesium from the People's Republic of China for one producer/exporter of pure magnesium from People's Republic of China, Taiyuan East-United Magnesium Company Ltd., covering the period May 1, 1998, through April 30, 1999. The Department of Commerce received a request for withdrawal of this review from Rossborough Manufacturing Company, a U.S. importer of subject merchandise, who requested the review. In accordance with 19 CFR 351.213(d)(1), the Department of Commerce is now terminating this review because the importer has withdrawn its request for review and no other interested parties have requested a review.

**EFFECTIVE DATE:** January 4, 2000.

<sup>1</sup> See Porcelain-on-Steel Cookware From Mexico: Preliminary Results of Antidumping Duty Administrative Review, 64 FR 1592 (January 11, 1999), Porcelain-on-Steel Cookware From Mexico: Final Results of Antidumping Duty Administrative Review, 64 FR 26934 (May 18, 1999), and Porcelain-on-Steel Cookware From Mexico: Amended Final Results of Antidumping Duty Administrative Review, 64 FR 29262 (June 1, 1999).

**FOR FURTHER INFORMATION CONTACT:** David J. Goldberger Office 2, AD/CVD Enforcement Group I, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-4136.

**SUPPLEMENTARY INFORMATION:**

*Applicable Statute and Regulations*

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended, are to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (1998).

**Background**

The Department published in the **Federal Register** on May 19, 1999, a "Notice of Opportunity to Request Administrative Review" of the antidumping duty order on pure magnesium from the People's Republic of China ("PRC"). On May 28, 1999, Rossborough Manufacturing Company L.P. ("Rossborough"), a U.S. importer, requested that the Department conduct an administrative review of the antidumping duty order on pure magnesium from the PRC produced/exported by Taiyuan East-United Magnesium Company Ltd. for the period May 1, 1998, through April 30, 1999.

On June 30, 1999, the Department initiated an administrative review (64 FR 35124). On August 5, 1999, the Department sent a questionnaire to the PRC Department of Treaty and Law, Ministry of Foreign Trade and Economic Cooperation to be transmitted to Taiyuan East-United Magnesium Company Ltd. On December 22, 1999, Rossborough withdrew its request for a review.

Section 19 CFR 351.213(d)(1) of the Department's regulations provides that the Secretary may permit a party that requests a review to withdraw the request within 90 days after the date of publication of the notice of initiation of the requested review. The regulation also states that the Secretary may extend this time limit if the Secretary decides that it is reasonable to do so. In this case, although the importer has withdrawn its request for a review more than 90 days from the date of initiation, because the Department has not yet devoted considerable time and resources to this proceeding, the Department has determined that it is reasonable to extend the time limit for

Rossborough's withdrawal of its request for a review. Moreover, no other interested party requested a review and we have received no comments regarding Rossborough's withdrawal of its request for a review. Therefore, we are terminating this review of the antidumping duty order on pure magnesium from the PRC. This notice is published in accordance with section 751 of the Act and section 19 CFR 351.213(d)(1) of the Department's regulations.

Dated: December 23, 1999.

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 00-27 Filed 1-3-00; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Application for Duty-Free Entry of Scientific Instrument**

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), we invite comments on the question of an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Application may be examined between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 99-033. Applicant: Ames Laboratory, U.S. Department of Energy, 211 TASF, Iowa State University, Ames, IA 50011-3020. Instrument: UHV Surface Analysis System, Model Multiprobe S. Manufacturer: Omicron Vakuum Physik GmbH, Germany. Intended Use: The instrument is intended to be used for the characterization and fundamental surface structural studies of a class of intermetallic materials known as quasicrystals. The objectives of the research will include the following: (1) To determine the near-atomic level structure of the clean surfaces of a variety of quasicrystalline materials as a function of surface preparation, (2) To ascertain if any of the surface preparation methods affect single phase samples to such a degree that they

become multiphase, (3) To determine metal film growth characteristics when deposited on quasicrystalline substrates and (4) To determine the effect of typical environmental gases on surface structure. Application accepted by Commissioner of Customs: December 14, 1999.

**Frank W. Creel,**

*Director, Statutory Import Programs Staff.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**[C-201-505]**

**Final Results of Full Sunset Review and Revocation of Countervailing Duty Order: Porcelain-on-Steel Cooking Ware From Mexico**

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

**ACTION:** Notice of Final Results of Full Sunset Review and Revocation of Countervailing Duty Order: Porcelain-on-Steel Cooking Ware from Mexico.

**SUMMARY:** On August 26, 1999, the Department of Commerce ("the Department") published a notice of preliminary results of the full sunset review of the countervailing duty order on porcelain-on-steel cooking ware from Mexico (64 FR 46651) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). We provided interested parties an opportunity to comment on our preliminary results. We did not receive comments from any interested party. As a result of this review, the Department finds that revocation of the countervailing duty order would not be likely to lead to continuation or recurrence of countervailable subsidy. Therefore, we are revoking this countervailing duty order effective January 1, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482-6397 or (202) 482-1560, respectively.

**EFFECTIVE DATE:** January 1, 2000.

**Statute and Regulations**

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth