

for CBCC dated July 31, 2001. We therefore determine that CBCC's short-term borrowing in this POR was not in the 'normal course of trade.' Therefore, for these preliminary results, as in the most recently completed segment of this proceeding, we have denied CBCC's reported credit expense and have used the Taxa Referential (TR) rate to calculate the expense. See 1998-1999 Silicon Metal Final.

Where commissions were paid on home market sales and no commissions were paid on U.S. sales, we increased NV by the lesser of either (1) the amount of commission paid on the home market sales or (2) the indirect selling expenses incurred on U.S. sales. See 19 CFR 351.410(e). In order to adjust for differences in packing between the two markets, we deducted HM packing costs and added U.S. packing costs, where appropriate, in accordance with sections 773(a)(6)(A) and (B) of the Act. Where home market prices were reported exclusive of VAT we made no adjustment. However, where home market prices were reported inclusive of VAT, we deducted the VAT from the gross home market price, consistent with past practice.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the following weighted-average dumping margins exist for the period July 1, 1999 through June 30, 2000, and we preliminarily determine not to revoke the order covering silicon metal from Brazil with respect to sales of subject merchandise by CBCC, RIMA and LIASA.

| Manufacturer/exporter | Weighted-average margin percentage |
|-----------------------|------------------------------------|
| CBCC | 0.00 |
| LIASA | 0.00 |
| RIMA | 0.00 |
| Minasligas | 0.00 |

Pursuant to 19 CFR 351.224(b), the Department will disclose to parties to the proceeding any calculations performed in connection with these preliminary results within 5 days of the date of publication of this notice. Any interested party may request a hearing within 30 days of the date of publication of this notice. Parties who submit arguments in this proceeding are requested to submit with each argument: (1) A statement of the issue and (2) a brief summary of the argument. Further, we would appreciate it if parties submitting written comments would provide the Department with an additional copy of

the public version of any such comments on diskette. All case briefs must be submitted within 30 days of the date of publication of this notice. Rebuttal briefs, which are limited to issues raised in the case briefs, may be filed not later than seven days after the case briefs are filed. A hearing, if requested, will be held two days after the date the rebuttal briefs are filed or the first business day thereafter.

The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of the issues raised in any written comments or at the hearing, within 120 days from the publication of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisal instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For duty assessment purposes, we calculated a per-unit customer or importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales to each customer/importer and dividing this amount by the total quantity of those sales. Where the assessment rate is above *de minimis*, we will instruct the U.S. Customs Service to assess duties on all entries of subject merchandise by that importer.

Furthermore, the following deposit requirements will be effective for all shipments of silicon metal from Brazil entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be those established in the final results of this review except if the rate is less than 0.5 percent, and therefore, *de minimis*, the cash deposit rate will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) for all other manufacturers and/or exporters of this merchandise, the cash deposit rate will continue to be 91.06 percent, the "all

others" rate established in the LTFV investigation. These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221.

Dated: July 31, 2001.

Faryar Shirzad,

Assistant Secretary for Import Administration.

[FR Doc. 01-19621 Filed 8-3-01; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Woods Hole Oceanographic Institution; 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: 01-014. *Applicant:* Woods Hole Oceanographic Institution, Woods Hole, MA 02543. *Instrument:* (2) Low-level Multicounter Systems. *Manufacturer:* Riso National Labs, Denmark. *Intended Use:* See notice at 66 FR 35224, July 3, 2001.

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: (1) Ability to detect very low levels of radioactivity (having a background count <0.25 cpm), (2) a suitable signal-to-noise ratio and (3) high durability and portability for

transport from ship to ship for operation at sea. The National Institutes of Health advises in its memorandum of July 2, 2001 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.

Gerald A. Zerdy,

Program Manager, Statutory Import Programs Staff.

[FR Doc. 01-19623 Filed 8-3-01; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-475-819]

Certain Pasta From Italy: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review

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

ACTION: Notice of preliminary results and partial rescission of countervailing duty administrative review.

SUMMARY: The Department of Commerce is conducting an administrative review of the countervailing duty order on certain pasta from Italy for the period January 1, 1999, through December 31, 1999. We have preliminarily determined that certain producers/exporters have received countervailable subsidies during the period of review. If the final results remain the same as these preliminary results, we will instruct the U.S. Customs Service to assess countervailing duties as detailed in the "Preliminary Results of Review" section of this notice.

Because the requests for review were withdrawn, we are rescinding this review for the following companies: Pastificio F.lli Pagani, Commercio-Rappresentanze-Export S.r.L., Tamma Industrie Alimentari di Capitanata. S.r.L., Molino e Pastificio, La Molisana Alimentari S.p.A., Arrighi S.p.A. Industrie Alimentari, Industria Alimentare Colavita, S.p.A., Isola del Grano S.r.L., Italpast S.p.A., Italpasta S.r.L., Labor S.r.L., Pastificio Guido Ferrara, Pastificio Campano, S.p.A., Indalco, Audisio Industrie Alimentari di Capitanata, S.p.A., Pastificio

Fabianelli, S.p.A. and Pastificio Di Martino Gaetano & F.lli S.r.l.

Interested parties are invited to comment on these preliminary results (see the "Public Comment" section of this notice).

EFFECTIVE DATE: August 6, 2001.

FOR FURTHER INFORMATION CONTACT:

Craig Matney, Sally Hastings, Andrew Covington, or Meg Weems AD/CVD Enforcement, Group I, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC. 20230; telephone (202) 482-1778, 482-3464, 482-3534, or 482-2613, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act ("URAA") effective January 1, 1995 ("the Act"). Unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (2000).

Case History

The Department published the countervailing duty order on certain pasta from Italy on July 24, 1996 (*Notice of Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination: Certain Pasta From Italy*, 61 FR 38544). On July 20, 2000, the Department published a notice of "Opportunity to Request Administrative Review" of this countervailing duty order for calendar year 1999 (*Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 65 FR 45035). We received review requests for 29 producers/exporters of Italian pasta. We initiated our review on September 6, 2000 (*Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 65 FR 53980).

Due to administrative resource constraints, the Department decided to limit the number of producers/exporters it would review. On September 18, 2000, the Department issued its "Respondent Selection Memorandum" stating that it had selected the largest 12 exporters as mandatory respondents. (See September 18, 2000 Memorandum to Deputy Assistant Secretary Richard W. Moreland regarding Respondent Selection. A public version of this memorandum is available in the Central

Records Unit ("CRU") in Room B-099 of the main Department building).

On September 21, 2000, Borden Foods Corporation (one of the original petitioners in this proceeding) withdrew its request for review of those producers/exporters that had been included in its July 31, 2000 request for review but were not selected as mandatory respondents. On October 18, 2000, Pastificio Di Martino Gaetano & F.lli s.r.l. ("Di Martino") withdrew its request for review, and on November 6, 2000, Tamma Industrie Alimentari, S.r.L. ("Tamma") withdrew its request for review. We are rescinding this administrative review for all of these companies (see, the "Partial Rescission" section, below).

Thus, this administrative review of the order covers the following producers/exporters of the subject merchandise: Agritalia, S.r.L. ("Agritalia"), F.lli De Cecco di Filippo Fara S. Martino S.p.A. ("De Cecco"), Delverde S.p.A. ("Delverde"), De Matteis Agroalimentare S.p.A. ("De Matteis"), Pastificio Antonio Pallante S.r.L. ("Pallante"), Pastificio Maltagliati S.p.A. ("Maltagliati"), P.A.M. S.r.L.—Prodotti Alimentari Meridionali ("PAM") (PAM is also responding for Pastificio Liguori dal 1820, S.p.A.), Pastificio Riscossa F.lli Mastromauro S.r.L. ("Riscossa"), N. Puglisi & F. Industria Paste Alimentari S.p.A. ("Puglisi"), Rummo S.p.A. Molino e Pastificio ("Rummo"), and 28 programs.

On September 29, 2000, we issued countervailing duty questionnaires to the Commission of the European Union ("EC") and the Government of Italy ("GOI"). We received responses to our questionnaires and issued supplemental questionnaires throughout the period October 2000 through February 2001. Responses to the supplemental questionnaires were received in January, February and March 2001.

On October 23, 2000, we were notified by a bankruptcy trustee that Maltagliati declared bankruptcy on February 9, 2000, and that its factory was closed that same month.

On April 3, 2001, the Department extended the time limit for issuing these preliminary results until no later than July 31, 2001 (*Certain Pasta From Italy and Turkey; Notice of Extension of Time Limit for Preliminary Results of Countervailing Duty Administrative Reviews*, 65 FR 17683).

Partial Rescission

As noted above, the petitioner withdrew its request for review of those producers/exporters that were included in its July 31, 2000 request for review but were not selected by the Department