

**EFFECTIVE DATE:** February 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Helen Kramer or Kristin Najdi at (202) 482-0405 or (202) 482-8221, respectively; AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

On June 1, 2004, the Department of Commerce ("the Department") published a notice of opportunity to request an administrative review of the antidumping order on stainless steel butt-weld pipe fittings from Taiwan for the period June 1, 2003, through May 31, 2004. See *Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation*, 69 FR 30873 (June 1, 2004). On June 2, 2004, the respondent Ta Chen Stainless Steel Pipe Co., Ltd. ("Ta Chen") requested that the Department conduct an administrative review of its sales to the United States during the period of review ("POR"). On June 22, 2004, Markovitz Enterprises, Inc. (Flowline Division), Gerlin, Inc., Shaw Alloy Piping Products, Inc., and Taylor Forge Stainless, Inc. (collectively "petitioners") requested an antidumping duty administrative review for Ta Chen, Liang Feng Stainless Steel Fitting Co., Ltd., Tru-Flow Industrial Co., Ltd., and PFP Taiwan Co., Ltd. On July 28, 2004, the Department published the notice initiating this antidumping duty administrative review for the period June 1, 2003, through May 31, 2004. See *Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation In Part*, 69 FR 45010 (July 28, 2004). The preliminary results are currently due not later than March 2, 2005.

**Extension of Time Limits for Preliminary Results**

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended ("the Act"), and 19 CFR 351.213(h)(2), the Department may extend the deadline for completion of the preliminary results of a review if it determines that it is not practicable to complete the preliminary results within 245 days after the last day of the anniversary month of the date of publication of the order for which the administrative review was requested. The Department has determined it is not practicable to complete this review within the originally anticipated time

limit, in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2), for the following reasons: (1) this review involves complex affiliation issues; and (2) this review involves complex constructed export price adjustments. Therefore, the Department is extending the time limits for the preliminary results by 120 days, to not later than June 30, 2005.

The deadline for the final results of this review will continue to be 120 days after publication of the preliminary results.

Dated: February 16, 2005.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5-762 Filed 2-23-05; 8:45 am]

**BILLING CODE:** 3510-DS-S

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Applications for Duty-Free Entry of Scientific Instruments**

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 whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are 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, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

*Docket Number:* 05-003. Applicant: Brigham Young University, Purchasing Department, C-144 ASB. Provo, UT 84602.

*Instrument:* Electron microscope, Model Tecnai F-20 Twin.

*Manufacturer:* FEI Company, The Netherlands. Intended Use: The instrument is intended to be used for high-resolution electron microscopy, electron crystallography, parallel and convergent beam electron diffraction and electron energy-loss spectroscopy. Phenomena at the nano-scale and properties of a variety of materials of scientific and technological significance will be studied. Application accepted by Commissioner of Customs: January 31, 2005.

*Docket Number:* 05-004. Applicant: University of Delaware, 201 duPont Hall, Dept. of Matls. and Eng., University of Delaware, Newark, DE 19716. Instrument: Electron Microscope, Model Tecnai G<sup>2</sup> 12 Twin. Manufacturer: Fei Company, Czech Republic. Intended Use: The instrument is intended to be used to study the microstructure of polymers, colloids and biomaterials and other materials from room temperature down to that of liquid nitrogen. It will be used to investigate morphology of phases, crystal structure and defects including vesicles and micelles, colloids as well as polypeptide and polymer mesoscale and nanoscale structure and structure-property relationships. Application accepted by Commissioner of Customs: January 31, 2005.

*Docket Number:* 04-005. Applicant: University of Vermont, Physics Dept., 82 University Place, (Cook Building), Burlington, VT. 05405. Instrument: Excimer Laser. Manufacturer: TUI Laser AG, Germany. Intended Use: The instrument is intended to be used to make thin film materials with scientifically interesting electrical and magnetic properties using a pulsed laser deposition process which will be subjected to a variety of measurements to determine their atomic and molecular structure as well as relevant electrical and magnetic properties in order to elucidate the fundamental properties of thin film materials.

Application accepted by Commissioner of Customs: February 7, 2005.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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**BILLING CODE** 3510-DS-P

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[C-122-839]

**Notice of Amended Final Results of Countervailing Duty Administrative Review: Certain Softwood Lumber Products from Canada**

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

**EFFECTIVE DATE:** February 24, 2005.

**FOR FURTHER INFORMATION CONTACT:** Robert Copyak (202) 482-2209, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4012, 14th Street and

Constitution Avenue, N.W.,  
Washington, D.C. 20230.

**SUPPLEMENTARY INFORMATION:** On December 13, 2004, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act), the Department of Commerce (the Department) determined that countervailable subsidies were being provided with respect to certain softwood lumber products from Canada. See *Notice of Final Results of Countervailing Duty Administrative Review and Rescission of Certain Company-Specific Reviews: Certain Softwood Lumber Products from Canada*, 69 FR 75917 (December 20, 2004) (*Final Results*). On January 10, 2005, the Coalition for Fair Lumber Imports Executive Committee (petitioners) and the Governments of Canada, Alberta, British Columbia, Manitoba, Ontario, Saskatchewan, Quebec, Northwest Territories and the Yukon Territory, the British Columbia Lumber Trade Council and its constituent associations, the Ontario Forest Industries Association, the Ontario Lumber Manufacturers Association, and the Quebec Lumber Manufacturers Association (collectively, the Canadian parties) alleged ministerial errors in the calculations of the *Final Results*. On January 14, 2005, petitioners submitted rebuttal comments regarding the allegations. As a consequence of an extension granted by the Department pursuant to 19 CFR 351.224(c)(4), these ministerial error comments were submitted timely.

#### Scope of the Order

The products covered by this order are softwood lumber, flooring and siding (softwood lumber products). Softwood lumber products include all products classified under subheadings 4407.1000, 4409.1010, 4409.1090, and 4409.1020, respectively, of the Harmonized Tariff Schedule of the United States (HTSUS), and any softwood lumber, flooring and siding described below. These softwood lumber products include:

- (1) Coniferous wood, sawn or chipped lengthwise, sliced or peeled, whether or not planed, sanded or finger-jointed, of a thickness exceeding six millimeters;
- (2) Coniferous wood siding (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed;
- (3) Other coniferous wood (including strips and friezes for parquet

flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces (other than wood moldings and wood dowel rods) whether or not planed, sanded or finger-jointed; and

- (4) Coniferous wood flooring (including strips and friezes for parquet flooring, not assembled) continuously shaped (tongued, grooved, rabbeted, chamfered, v-jointed, beaded, molded, rounded or the like) along any of its edges or faces, whether or not planed, sanded or finger-jointed.

Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise subject to this order is dispositive.

As specifically stated in the Issues and Decision Memorandum accompanying the *Notice of Final Determination of Sales at Less Than Fair Value: Certain Softwood Lumber Products from Canada*, 67 FR 15539 (April 2, 2002) (see comment 53, item D, page 116, and comment 57, item B-7, page 126), available at [www.ia.ita.doc.gov/frn](http://www.ia.ita.doc.gov/frn), drilled and notched lumber and angle cut lumber are covered by the scope of this order.

The following softwood lumber products are excluded from the scope of this order provided they meet the specified requirements detailed below:

- (1) *Stringers* (pallet components used for runners): if they have at least two notches on the side, positioned at equal distance from the center, to properly accommodate forklift blades, properly classified under HTSUS 4421.90.98.40.
- (2) *Box-spring frame kits*: if they contain the following wooden pieces - two side rails, two end (or top) rails and varying numbers of slats. The side rails and the end rails should be radius-cut at both ends. The kits should be individually packaged, they should contain the exact number of wooden components needed to make a particular box spring frame, with no further processing required. None of the components exceeds 1" in actual thickness or 83" in length.
- (3) *Radius-cut box-spring-frame components*, not exceeding 1" in actual thickness or 83" in length, ready for assembly without further processing. The radius cuts must be present on both ends of the boards and must be substantial cuts so as to completely round one corner.
- (4) *Fence pickets* requiring no further

processing and properly classified under HTSUS 4421.90.70, 1" or less in actual thickness, up to 8" wide, 6' or less in length, and have finials or decorative cuttings that clearly identify them as fence pickets. In the case of dog-eared fence pickets, the corners of the boards should be cut off so as to remove pieces of wood in the shape of isosceles right angle triangles with sides measuring 3/4 inch or more.

- (5) *U.S. origin lumber* shipped to Canada for minor processing and imported into the United States, is excluded from the scope of this order if the following conditions are met: 1) the processing occurring in Canada is limited to kiln-drying, planing to create smooth-to-size board, and sanding, and 2) if the importer establishes to the satisfaction of U.S. Customs and Border Protection (CBP) that the lumber is of U.S. origin.
- (6) *Softwood lumber products contained in single family home packages or kits*,<sup>1</sup> regardless of tariff classification, are excluded from the scope of this order if the importer certifies to items 6 A, B, C, D, and requirement 6 E is met:

- A. The imported home package or kit constitutes a full package of the number of wooden pieces specified in the plan, design or blueprint necessary to produce a home of at least 700 square feet produced to a specified plan, design or blueprint;
- B. The package or kit must contain all necessary internal and external doors and windows, nails, screws, glue, sub floor, sheathing, beams, posts, connectors, and if included in the purchase contract, decking, trim, drywall and roof shingles specified in the plan, design or blueprint.
- C. Prior to importation, the package or kit must be sold to a retailer of complete home packages or kits pursuant to a valid purchase contract referencing the particular home design plan or blueprint, and signed by a customer not affiliated with the importer;
- D. Softwood lumber products entered as part of a single family home package or kit, whether in a single entry or multiple entries on multiple days, will be used solely for the construction of the single family home specified by the home design matching the entry.

<sup>1</sup> To ensure administrability, we clarified the language of exclusion number 6 to require an importer certification and to permit single or multiple entries on multiple days as well as instructing importers to retain and make available for inspection specific documentation in support of each entry.

E. For each entry, the following documentation must be retained by the importer and made available to CBP upon request:

- i. A copy of the appropriate home design, plan, or blueprint matching the entry;
- ii. A purchase contract from a retailer of home kits or packages signed by a customer not affiliated with the importer;
- iii. A listing of inventory of all parts of the package or kit being entered that conforms to the home design package being entered;
- iv. In the case of multiple shipments on the same contract, all items listed in E(iii) which are included in the present shipment shall be identified as well.

Lumber products that CBP may classify as stringers, radius cut box-spring-frame components, and fence pickets, not conforming to the above requirements, as well as truss components, pallet components, and door and window frame parts, are covered under the scope of this order and may be classified under HTSUS subheadings 4418.90.45.90, 4421.90.70.40, and 4421.90.97.40.

Finally, as clarified throughout the course of the investigation, the following products, previously identified as Group A, remain outside the scope of this order. They are:

1. Trusses and truss kits, properly classified under HTSUS 4418.90;
2. I-joist beams;
3. Assembled box spring frames;
4. Pallets and pallet kits, properly classified under HTSUS 4415.20;
5. Garage doors;
6. Edge-glued wood, properly classified under HTSUS 4421.90.98.40;
7. Properly classified complete door frames;
8. Properly classified complete window frames;
9. Properly classified furniture.

#### Amended Final Results

In accordance with section 751(h) of the Act, we have determined that ministerial errors were made in the calculations of the *Final Results*. For a detailed discussion of the ministerial error allegations and the Department's analysis, see Memorandum to Barbara E. Tillman, Acting Deputy Assistant Secretary, "Ministerial Error Allegations Filed by Petitioners and Canadian Parties; Amendment to the *Ad Valorem* Rate Calculated in the Notice of Amended Final Results of Countervailing Duty Administrative Review: Certain Softwood Lumber Products from Canada," dated February

16, 2005, which is on file in the Central Records Unit, room B-099 of the main Department building.

In accordance with section 777(A)(e)(2)(B) of the Act, we calculated a single country-wide *ad valorem* subsidy rate of 17.18 percent in the *Final Results* to be applied to all producers and exporters of the subject merchandise from Canada, other than those producers that have been excluded from the order and those producers receiving an individual rate in this review. In accordance with section 751(h) of the Act and 19 CFR 351.224(e), we are amending the *Final Results* to correct ministerial errors. As a result of amending the calculations of the *Final Results*, the country-wide rate changed to 16.37 percent *ad valorem*.

We have determined that Fontaine Inc., Les Produits Forestiers Dube Inc., Scierie West Brome Inc., and Scierie Lapointe & Roy Ltee. each received zero or *de minimis* net subsidies during the period of review. We have also determined to rescind the reviews with respect to Bear Lumber Ltd., Bois Daaquam Inc., Cambie Cedar Products Ltd., Midway Lumber Mills Ltd., Nickel Lake Lumber, Twin Rivers Cedar Products Ltd., and Uphill Wood Supply Inc.

The Department has previously excluded the following companies from this order:

- Armand Duhamel et fils Inc.
- Bardeaux et Cedres
- Beaubois Coaticook Inc.
- Busque & Laflamme Inc.
- Carrier & Begin Inc.
- Clermond Hamel
- J.D. Irving, Ltd.
- Les Produits Forestiers D.G., Ltee
- Marcel Lauzon Inc.
- Mobilier Rustique
- Paul Vallee Inc.
- Rene Bernard, Inc.
- Roland Boulanger & Cite. Ltee
- Scierie Alexandre Lemay
- Scierie La Patrie, Inc.
- Scierie Tech, Inc.
- Wilfrid Paquet et fils, Ltee
- B. Luken Logging Ltd.
- Frontier Lumber
- Sault Forest Products Ltd.
- Interbois Inc.
- Les Moulures Jacomau
- Richard Lutes Cedar Inc.
- Boccam Inc.
- Indian River Lumber
- Sechoirs de Beauce Inc.

See Notice of Amended Final Affirmative Countervailing Duty Determination and Notice of Countervailing Duty Order: *Certain Softwood Lumber Products from Canada*, 67 FR 36068 (May 22, 2002), as corrected (67 FR 37775, May 30, 2002),

*Final Results of Countervailing Duty Expedited Reviews: Certain Softwood Lumber Products from Canada*, 68 FR 24436 (May 7, 2003), and *Final Results, Reinstatement, Partial Rescission of Countervailing Duty Expedited Reviews, and Company Exclusions: Certain Softwood Lumber Products From Canada*, 69 FR 10982 (March 9, 2004).

Finally, certain softwood lumber products from the Maritime Provinces are exempt from this countervailing duty order. This exemption, however, does not apply to softwood lumber products produced in the Maritime Provinces from Crown timber harvested in any other province.

In accordance with 19 CFR 356.8, we will instruct CBP, on or after the 41st day after publication of the amended final results of this review, to liquidate shipments of certain softwood lumber products from Canada entered, or withdrawn from warehouse, for consumption from May 22, 2002, through March 31, 2003, at the above indicated company-specific and aggregate *ad valorem* net subsidy rates. We will direct CBP to exempt from the application of the order only entries of softwood lumber products from Canada which are accompanied by an original Certificate of Origin issued by the Maritime Lumber Bureau (MLB), and those of the excluded companies listed above.

In addition, we will instruct CBP to collect cash deposits of estimated countervailing duties in the amounts indicated above of the f.o.b. price on all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these amended final results of review.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1), 751(h) and 777(i)(1) of the Act.

Dated: February 16, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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