

(CBP) shall assess, antidumping duties on all appropriate entries. We will issue appropriate assessment instructions directly to CBP on or after the 41st day after publication of these final results of review. In accordance with 19 CFR 351.212(b), we have calculated an exporter/importer-specific assessment rate. For the sales in the United States through the respondent's affiliated U.S. parties, we divided the total dumping margin for the reviewed sales by the total entered value of those reviewed sales. We will direct CBP to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of the entries during the review period (see 19 CFR 351.212(b)(1)).

The Department clarified its "automatic assessment" regulation on May 6, 2003 (68 FR 23954). This clarification will apply to entries of subject merchandise during the period of review produced by the company included in the final results of review for which the reviewed company did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see Notice of Policy Concerning Assessment of Antidumping Duties, 68 FR 23954 (May 6, 2003).

#### Cash-Deposit Requirements

As discussed in the Decision Memo in response to Comment 6, we continue to determine that it is appropriate to require a per-unit cash-deposit amount for entries of subject merchandise produced or exported by CEMEX/GCCC. The following deposit requirements shall be effective upon publication of this notice of final results of administrative review for all shipments of gray portland cement and clinker from Mexico, entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Act: (1) the cash-deposit amount for CEMEX/GCCC will be \$26.28 per metric ton; (2) for previously investigated or reviewed 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 or any previous reviews or the original less-than-fair-value (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; (4) the cash-deposit rate for all other manufacturers or

exporters will continue to be 61.85 percent, which was the "all others" rate in the LTFV investigation. See *Final Determination of Sales at Less Than Fair Value: Gray Portland Cement and Clinker from Mexico*, 55 FR 29244 (July 18, 1990). These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as a 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. Timely notification of the return or 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 are sanctionable violations.

These final results of administrative review and notice are issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: January 11, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

#### Appendix Issues in the Decision Memo

1. Revocation
2. Regional Assessment
3. Sales-Below-Cost Test
4. Bag vs. Bulk
5. Swap Sales
6. Cash-Deposit Methodology
7. Ordinary Course of Trade
8. Indirect Selling Expenses
9. Interest Revenue

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**BILLING CODE 3510-DS-S**

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### Export Trade Certificate of Review

**ACTION:** Notice of application to amend an Export Trade Certificate of Review.

**SUMMARY:** Export Trading Company Affairs ("ETCA"), International Trade

Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review ("Certificate"). This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

#### FOR FURTHER INFORMATION CONTACT:

Jeffrey Anspacher, Director, Export Trading Company Affairs, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or E-mail at [oetca@ita.doc.gov](mailto:oetca@ita.doc.gov).

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7021-B H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 85-12A18."

A summary of the application for an amendment follows.

### Summary of the Application

*Applicant:* U.S. Shippers Association ("USSA"), 3715 East Valley Drive, Missouri City, Texas 77459, Contact: John S. Chinn, Project Director, Telephone: (734) 927-4328.

*Application No.:* 85-12A18.

*Date Deemed Submitted:* January 9, 2006.

The original USSA Certificate was issued on June 3, 1986 (51 FR 20873, June 9, 1986), and last amended on November 5, 2004 (69 FR 67703, November 19, 2004).

*Proposed Amendment:* USSA seeks to amend its Certificate to:

1. Add each of the following companies as a new "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)):

(a) Atotech USA, Inc., Rockhill, South Carolina; Bostik, Inc., Wauwatosa, Wisconsin; Hutchinson FTS, Inc., Troy, Michigan; Paulstra CRC Corporation, Grand Rapids, Michigan; Sartomer Company, Inc., Exton, Pennsylvania; Total Lubricants USA, Inc., Linden, New Jersey; and Total Petrochemicals USA, Inc., Houston, Texas. The controlling entity for these seven proposed new members is Total Holdings USA, Inc., Houston, Texas;

(b) Shell Chemical LP, Houston, Texas; Shell Chemicals Americas, Inc., Calgary, Ontario, Canada; and Shell Oil Products Company LLC, Houston, Texas. The controlling entity for these three proposed new members is Royal Dutch Shell plc, The Hague, The Netherlands; and

(c) DeSantis & Associates, Inc., Missouri City, Texas;

2. Delete the following companies as "Members" of the Certificate: ConocoPhillips, Borger, Texas; Lyondell Chemicals Worldwide, Inc., Houston, Texas; and Pecten Chemicals, Inc., Houston, Texas; and

3. Change the name of the following Member: "Resolution Performance Products, LLC, Houston, Texas" to "Hexion Specialty Chemicals, Houston, Texas" (controlling entity: Apollo Management LP, New York, New York).

Dated: January 11, 2006.

**Jeffrey C. Anspacher,**

*Director, Export Trading Company Affairs.*  
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**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### National Conference on Weights and Measures: Interim Meeting

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice of a public meeting of the Conference in January 2006.

**SUMMARY:** The Interim Meeting of the 91st National Conference on Weights and Measures (NCWM) will be held January 22 through 25, 2006, at the Omni Jacksonville Hotel in Jacksonville, Florida. This meeting is open to the public. Detailed meeting agendas and information on registration requirements, fees and hotel information can be found at <http://www.ncwm.net>. The NCWM is an organization of weights and measures officials of the states, counties, and cities of the United States, Federal Agencies, and private sector representatives. This meeting brings together government officials and representatives of business, industry, trade associations, and consumer organizations to consider subjects related to the field of weights and measures technology, administration and enforcement. Pursuant to (15 U.S.C. 272(b)(6)), the National Institute of Standards and Technology (NIST) supports the NCWM as one of several means it uses to solicit comments and recommendations on revising or updating a variety of publications related to legal metrology and to promote uniformity among the States in laws, regulations, methods, and testing equipment that comprises regulatory control of commercial weighing and measuring devices and practices. Publication of this Notice by the NIST on the NCWM's behalf is being undertaken as a public service; NIST does not necessarily endorse, approve, or recommend any of the proposals contained in the notice.

**DATES:** January 22-25, 2006.

**ADDRESSES:** The Omni Jacksonville Hotel, Jacksonville, Florida.

**SUPPLEMENTARY INFORMATION:** The NCWM has the following topics scheduled for discussion and development at its Interim Meeting. At this stage, the items are proposals. This meeting includes work sessions in which Committees take public comments and develop or finalize recommendations for possible adoption in July 2006 at the 91st NCWM Annual Meeting. Committees may also withdraw or carryover items that need

additional development. Please see NCWM Publication 15, which is available on the NCWM Web site at <http://www.ncwm.net> for additional information. The following are brief descriptions of some significant agenda items that will be considered at the meeting. Comments will be taken on these items during the public comment sessions to be held at the meeting.

The NCWM Specifications and Tolerances Committee will consider proposed amendments to NIST Handbook 44, "Specifications, Tolerances, and other Technical Requirements for Weighing and Measuring Devices." Those items address weighing and measuring devices that may be used in commercial measurement applications, that is, devices that are normally used to buy from or sell to the general public or used for determining the quantity of product sold among businesses. Issues on the agenda of the NCWM Laws and Regulations Committee relate to proposals to amend NIST Handbook 130, "Uniform Laws and Regulations in the area of legal metrology and engine fuel quality," or NIST Handbook 133, "Checking the Net Contents of Packaged Goods." This notice contains information about significant items on the NCWM Committee agendas so several issues are not presented in this notice so the following items are not consecutively numbered.

#### NCWM Specifications and Tolerances Committee

The following items are proposals to amend NIST Handbook 44, "Specifications, Tolerances and other Technical Requirements for Weighing and Measuring Devices."

##### General Code

*Item 310-1.* Software for Not-Built for Purpose Devices: the issue addresses an extensive series of marking requirements for commercial measurement systems. In particular, the topic examines which marking requirements should apply to electronic instruments not specifically designed for weighing or measuring systems.

*Item 310-3.* Multiple Weighing or Measuring Elements with a Single Provision for Sealing: the proposal would require new liquid-measuring devices to identify when an adjustment is made to any measuring element which has multiple measuring elements but that is only equipped with a single provision for sealing.

*Item 310-4.* Applicable Tolerances for Type Evaluation: the issue seeks to clarify the tolerances to be applied