

and record of the case as described in section 766.22 of the Regulations.

*Seventh*, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 24th day of February, 2005.

**Wendy L. Wysong,**

*Acting Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 05-4057 Filed 3-2-05; 8:45 am]

**BILLING CODE 3510-DT-M**

## DEPARTMENT OF COMMERCE

### Bureau of Industry and Security

[03-BIS-13]

#### **Action Affecting Export Privileges; Chemical Industries Consolidated B.V. In the Matter of: Chemical Industries Consolidated b.v., Westboschlaan, 151A, 2265 EN Leidschendam, The Netherlands, Respondent; Order Relating to Chemical Industries Consolidated B.V.**

The Bureau of Industry and Security, U.S. Department of Commerce ("BIS") having initiated an administrative proceeding against Chemical Industries Consolidated b.v. ("CIC"), pursuant to section 766.3 of the Export Administration Regulations (currently codified at 15 CFR parts 730-774 (2004)) ("Regulations"),<sup>1</sup> and section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C. app. 2401-2420 (2000)) ("Act"),<sup>2</sup> by issuing a charging letter to CIC that alleged that CIC committed three violations of the Regulations. Specifically, the charges are:

1. One Violation of 15 CFR 764.2(c)—Solicitation of the Unlicensed Export of

<sup>1</sup> The charged violations occurred in 2002 and 2003. The Regulations governing the violations at issue are found in the 2002 and 2003 versions of the Code of Federal Regulations (15 CFR parts 730-774 (2002-2003)). The 2004 Regulations establish the procedures that apply to this matter.

<sup>2</sup> From August 21, 1994, through November 12, 2000, the Act was in lapse. During that period, the President, through Executive Order 12924, which had been extended by successive Presidential Notices, the last of which was August 3, 2000 (3 CFR, 2000 Comp. 397 (2001)), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C. 1701-1706 (2000)) ("IEEPA"). On November 13, 2000, the Act was reauthorized and it remained in effect through August 20, 2001. Since August 21, 2001, the Act has been in lapse and the President, through Executive Order 13222 of August 17, 2001 (3 CFR, 2001 Comp 783 (2002)), as extended by the Notice of August 6, 2004 (69 FR 48763, August 10, 2004), has continued the Regulations in effect under the IEEPA.

Items to Iran: From on or about July 15, 2002, to on or about January 28, 2003, CIC solicited the export of gas processor parts, items subject both to the Regulations (EAR99<sup>3</sup>) and the Iranian Transactions Regulations of the Treasury Department's Office of Foreign Assets Control ("OFAC") and located in the United States, to Iran through the Netherlands without the authorization from OFAC required by section 746.7 of the Regulations.

2. One Violation of 15 CFR 764.2(e)—Acting with Knowledge of a Violation: In connection with the solicitation referenced in paragraph 1 above, CIC ordered the above-described items with knowledge that a violation of the Regulations was intended to occur in connection with the items.

3. One Violation of 15 CFR 764.2(h)—Attempting To Evade the Provisions of the Regulations: In connection with the solicitation referenced in paragraph 1 above, CIC took action with the intent to evade the Regulations by urging the purported exporter to ship the items in question to the Netherlands from the United States, with the understanding that CIC would subsequently ship the items to Iran (a destination requiring an export license for these items).

*Whereas*, BIS and CIC have entered into a Settlement Agreement pursuant to section 766.18(b) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein; and

*Whereas*, I have approved of the terms of such Settlement Agreement; *It is therefore ordered*:

*First*, that for a period of five years from the date of entry of this Order, Chemical Industries Consolidated b.v., 151A, 2265 EN Leidschendam, The Netherlands, its successors or assigns, and when acting for or on behalf of CIC, its officers, representatives, agents, or employees ("Denied Person") may not, directly or indirectly, participate in any way in any transaction involving any commodity, software, or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding,

transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

*Second*, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

*Third*, that, after notice and opportunity for comment as provided in section 766.23 of the Regulations, any person, firm, corporation, or business organization related to CIC by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of the Order.

*Fourth*, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations

<sup>3</sup> The term "EAR99" refers to items subject to the Regulations that are not listed on the Commerce Control List. See 15 CFR 734.3(c).

where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

*Fifth*, that a copy of this Order shall be delivered to the United States Coast Guard ALJ Docketing Center, 40 Gay Street, Baltimore, Maryland 21202-4022, notifying that office that this case is withdrawn from adjudication, as provided by section 766.18 of the Regulations.

*Sixth*, that the charging letter, the Settlement Agreement, and this Order shall be made available to the public and record of the case as described in section 766.22 of the Regulations.

*Seventh*, that this Order shall be served on the Denied Person and on BIS, and shall be published in the **Federal Register**.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 24th day of February, 2005.

**Wendy L. Wysong,**

*Acting Assistant Secretary of Commerce for Export Enforcement.*

[FR Doc. 05-4056 Filed 3-2-05; 8:45 am]

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## 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: 05-006. Applicant:* University of Pittsburgh, S224 Biomedical Science Tower, 3550 Terrace Street, Pittsburgh, PA 15261. *Instrument:* Electron Microscope, Model JEM-1011. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* The instrument is intended to be used to perform diverse structural studies of cells including

tissues from the liver, intestine, lung, muscle as well as the immune system to support translational research which will lead to novel therapies for disease in NIH funded research. It will also be used for individual training of graduate students, fellows and clinical residents in independent NIH sponsored research programs. *Application accepted by Commissioner of Customs:* February 9, 2005.

*Docket Number: 05-007. Applicant:* Clemson University, 903 Jordan Hall, Clemson University, Clemson, SC 29634. *Instrument:* Electron Microscope, Model H-7600. *Manufacturer:* Hitachi High-Technologies Corp., Japan. *Intended Use:* The instrument is intended to be used to study:

(1) Cell structure of biological samples including grain structure and boundary interactions.

(2) The effects of temperature variation and heat treating of materials in the formation of carbon nanotubes and protein migration in oysters.

(3) Development of new materials and processes.

(4) Ultra thin section evaluation via TEM microscopy.

*Application accepted by Commissioner of Customs:* February 10, 2005.

*Docket Number: 05-008. Applicant:* Rice University, 6100 Main Street, Houston, TX 77005. *Instrument:* Electron Microscope, Model JEM-1230. *Manufacturer:* JEOL Ltd., Japan. *Intended Use:* The instrument is intended to be used to investigate the microstructures and properties of nanomaterials as well as biological materials and other types of materials at high levels of resolution and contrast. Cryo-techniques will be used for sample preparations with biological materials. The microscope will also be used for the training of undergraduate and graduate students. *Application accepted by Commissioner of Customs:* February 11, 2005.

*Docket Number: 05-009. Applicant:* Rice University, 6100 Main Street, Houston, TX 77005. *Instrument:* Electron Microscope, Model JEM 2100-F. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* The instrument is intended to be used to investigate the microstructures and properties of nanomaterials as well as biological materials and other types of materials at high levels of resolution and contrast. Cryo-techniques will be used for sample preparations with biological materials, for which the microscope will be primarily used. The microscope will also be used for the training of undergraduate and graduate students.

*Application accepted by Commissioner of Customs:* February 15, 2005.

*Docket Number: 05-010. Applicant:* Tuskegee University, 209 Kresge Building, Tuskegee University, Tuskegee, AL 36088. *Instrument:* Electron Microscope, Model JEM-2010. *Manufacturer:* Jeol, Ltd., Japan. *Intended Use:* The instrument is intended to be used to study shape, size, agglomeration, crystalline nature, and particle distribution in polymer matrices using metal, metal oxide and metal carbide nanoparticles embedded in the matrices. The microscope will also be used in the education and training of graduate students in materials science with an emphasis on nanostructures. *Application accepted by Commissioner of Customs:* February 15, 2005.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. E5-861 Filed 3-2-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-475-823]

#### Stainless Steel Plate in Coils from Italy; Final Results of the Full Sunset Review of the Countervailing Duty Order

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

**SUMMARY:** On April 1, 2004, the Department of Commerce ("the Department") initiated a sunset review of the countervailing duty ("CVD") order on stainless steel plate in coils ("SSPC") from Italy pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). *See Initiation of Five-Year (Sunset) Reviews*, 69 FR 17129 (April 1, 2004). On the basis of a notice of intent to participate and an adequate substantive response filed on behalf of the interested parties, the Department conducted a full (240-day) sunset review. As a result of this review, the Department finds that revocation of the CVD order would likely lead to continuation or recurrence of subsidies at the levels indicated in the "Final Results of Review" section of this notice.

**EFFECTIVE DATE:** March 3, 2005.

**FOR FURTHER INFORMATION CONTACT:** Hilary Sadler, Esq., Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and