

**EFFECTIVE DATE:** November 22, 2002.

**FOR FURTHER INFORMATION CONTACT:** Christian Hughes or Maureen Flannery, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482-0190 and (202) 482-3020, respectively.

**SUPPLEMENTARY INFORMATION:**

### The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the Tariff Act of 1930, as amended (the Act). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (2001).

### Background

On December 31, 2001, the Department received a timely request from Lin Fen to conduct a new shipper review of the antidumping duty order on silicon metal from the PRC. On January 31, 2002 (67 FR 5966), the Department initiated the new shipper antidumping review covering the period June 1, 2001, through November 30, 2001. On June 28, 2002, the Department received a timely request from Lin Fen to conduct an administrative review of this antidumping duty order. On July 24, 2002, the Department initiated the administrative antidumping review covering the period June 1, 2001, through May 31, 2002 (67 FR 48435).

### Postponement of New Shipper Review

On October 2, 2002, Lin Fen, in accordance with section 351.214(j)(3), agreed to waive the applicable time limits for the new shipper review so that the Department might conduct the new shipper review concurrently with the June 1, 2001 through May 31, 2002 administrative review of silicon metal from the PRC, and also requested an expansion of the new shipper review POR in order to include both sales to an unaffiliated customer and entries of subject merchandise into the United States. The Department has the discretion to expand the POR in order to cover entries of the subject merchandise. See section 351.214(f)(2)(ii) of the Department's regulations, and the preamble to the Department's regulations, which specifically discusses the Department's ability to expand the POR by 30 days or more, at 66 FR 27319-27320 (May 19, 1997). Therefore, we have decided to expand the new shipper POR by 45 days until January 14, 2002 in order to capture both sales to an unaffiliated customer and entries of subject

merchandise into the United States. Pursuant to Lin Fen's request, and in accordance with section 351.214(j)(3) the Department's regulations, we will conduct this new shipper review concurrently with the June 1, 2001 through May 31, 2002 administrative review of silicon metal from the PRC. Therefore, the preliminary results of the antidumping new shipper review, as well as the administrative review, will be due 245 days from the last day of the administrative review period, *i.e.*, March 2, 2003. See section 351.213(h) of the Department's regulations. Because this date falls on a weekend, we will issue the preliminary results of both reviews on the next business day, March 3, 2003.

This notice is published in accordance with section 751(a)(2)(B) of the Act and section 351.214(j)(3) of the Department's regulations.

Dated: November 15, 2002.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration, Group III.*

[FR Doc. 02-29788 Filed 11-21-02; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-815]

### Sulfanilic Acid From the People's Republic of China; Final Results and Partial Rescission of Antidumping Duty Administrative Review

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

**EFFECTIVE DATE:** November 22, 2002.

**SUMMARY:** On May 10, 2002, the Department of Commerce (the Department) published the preliminary results of the antidumping administrative review of sulfanilic acid from the People's Republic of China. See *Notice of Preliminary Results and Preliminary Partial Rescission of Antidumping Duty Administrative Review of Sulfanilic Acid from the People's Republic of China*, 67 FR 31770 (May 10, 2002) (*Preliminary Results*).

Based on our analysis of comments received, we have made changes to the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margin for Zhenxing Chemical Industry Company (Zhenxing) (also known as Baoding Mancheng Zhenxing Chemical Plant) is listed below in the

section entitled "Final Results of Review."

We are rescinding the review with respect to Xinyu Chemical Plant (Xinyu) (formerly known as Yude Chemical Industry Company) as explained below in the "Final Rescission" section of this notice because Xinyu did not export the subject merchandise to the United States during the period of review (POR).

**FOR FURTHER INFORMATION CONTACT:** Sean Carey or Holly Hawkins, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue N.W., Washington, D.C. 20230 at (202) 482-3964 or (202) 482-0414, respectively.

**SUPPLEMENTARY INFORMATION:**

### Applicable Statute and Regulations

All citations to the statute are references to the Tariff Act of 1930 (the Act), as amended. In addition, unless otherwise indicated, all citations to the Department's regulations are to 19 CFR part 351 (2002).

### Background

Since the *Preliminary Results*, the following events have occurred. Petitioner, Nation Ford Chemical Company (NFC), timely submitted publicly available information regarding the valuation of factors of production on May 30, 2002, in accordance with section 351.301(c)(3)(ii) of the Department's regulations. In accordance with section 351.301(c)(1), respondents submitted timely factual information on June 10, 2002 in response to the factual information submitted by petitioner on May 30, 2002.

On June 10, 2002, petitioner and respondents submitted case briefs, and respondents made a timely request for a public hearing. Petitioner and respondents submitted rebuttal briefs on June 19, 2002 after the Department granted an extension for the filing of rebuttal briefs in response to a request from respondents. On August 29, 2002, we extended the deadline for the final results of this review. See *Extension of Time Limit for Final Results of Antidumping Duty Administrative Review; Sulfanilic Acid from the People's Republic of China*, 67 FR 57220 (September 9, 2002). Respondents withdrew their request for a public hearing on October 8, 2002.

### Final Rescission

In the *Preliminary Results*, the Department noted that a query of U.S. Customs Service data on entries of sulfanilic acid from the People's

Republic of China made during the POR confirmed that Xinyu made no entries during the POR. Although in a prior decision we had found that Xinyu and Zhenxing should be treated as a single entity (see *Notice of Amendment of Final Results of Antidumping Duty Administrative Review; Sulfanilic Acid from the People's Republic of China*, 65 FR 18300, April 7, 2000), our analysis in this review has revealed no evidence that Xinyu and Zhenxing should be treated as a single entity. No new information has been presented since the *Preliminary Results* to warrant reconsideration of our determination to rescind. Therefore, we are rescinding the review with respect to Xinyu.

#### Scope of the Antidumping Duty Order

Imports covered by this antidumping duty order are all grades of sulfanilic acid, which include technical (or crude) sulfanilic acid, refined (or purified) sulfanilic acid and sodium salt of sulfanilic acid.

Sulfanilic acid is a synthetic organic chemical produced from the direct sulfonation of aniline with sulfuric acid. Sulfanilic acid is used as a raw material in the production of optical brighteners, food colors, specialty dyes, and concrete additives. The principal differences between the grades are the undesirable quantities of residual aniline and alkali insoluble materials present in the sulfanilic acid. All grades are available as dry, free flowing powders.

Technical sulfanilic acid, classifiable under the subheading 2921.42.22 of the Harmonized Tariff Schedule (HTS), contains 96 percent minimum sulfanilic acid, 1.0 percent maximum aniline, and 1.0 percent maximum alkali insoluble materials. Refined sulfanilic acid, also classifiable under the subheading 2921.42.22 of the HTS, contains 98 percent minimum sulfanilic acid, 0.5 percent maximum aniline and 0.25 percent maximum alkali insoluble materials.

Sodium salt (sodium sulfanilate), classifiable under the HTS subheading 2921.42.90, is a powder, granular or crystalline material which contains 75 percent minimum equivalent sulfanilic acid, 0.5 percent maximum aniline based on the equivalent sulfanilic acid content, and 0.25 percent maximum alkali insoluble materials based on the equivalent sulfanilic acid content.

Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

#### Analysis of the Comments Received

All issues raised in the briefs filed by parties to this administrative review are

addressed in the *Memorandum from Joseph A. Spetrini, Deputy Assistant Secretary for AD/CVD Enforcement Group III, to Faryar Shirzad, Assistant Secretary for Import Administration: Issues and Decision Memorandum for the Final Results of the Administrative Review of Sulfanilic Acid from the People's Republic of China*, dated November 15, 2002 (*Decision Memo*), which is hereby adopted by this notice.

A list of the issues which parties have raised and to which we have responded, all of which are in the *Decision Memo*, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room B-099 of the main Commerce Building. In addition, a complete version of the *Decision Memo* can be accessed directly on the internet at <http://ia.ita.doc.gov>. The paper copy and electronic version of the *Decision Memo* are identical in content.

#### Separate Rates

In the *Preliminary Results*, we found that Zhenxing met the requirements for receiving a separate rate. No new information or evidence of changed circumstances has been presented since then to warrant reconsideration of this finding. Accordingly, Zhenxing has been assigned a separate rate, the rate listed below under the section "Final Results of Review," for purposes of these final results.

#### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made certain changes in the margin calculations. A complete discussion of the changes made to these calculations can be found in the "Memorandum to the File from Sean Carey, Trade Analyst, through Dana Mermelstein, Program Manager, AD/CVD Enforcement, Office 7: Analysis for the Final Results of the 2000/2001 Administrative Review of Sulfanilic Acid from the People's Republic of China," dated November 15, 2002.

#### Final Results of Review

We determine the weighted-average dumping margin for Zhenxing for the period August 1, 2000 through July 31, 2001 to be 64.22 percent.

#### Assessment Rates

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Since the reported sales are CEP sales through a single affiliated importer, we will direct Customs to

assess the rate that was calculated using the aggregate value of the calculated antidumping duties divided by the aggregate entered customs value of the subject merchandise from Zhenxing during the POR.

#### Cash Deposit Requirements

The deposit requirement, at the rate noted above under "Final Results of Review," will be effective for all shipments of subject merchandise by Zhenxing entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice, as provided by section 751(a)(2)(C) of the Act.

For all other companies, the following rates are in effect and remain unaffected by the results of this administrative review: (1) for previously-reviewed PRC and non-PRC exporters with separate rates, the cash deposit rate will be the company-specific rate established for the most recent period; (2) for all other PRC exporters, the rate will be the current PRC-wide *ad valorem* rate, which is 85.20 percent; and (3) for all other non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

#### Notification to Parties

This notice serves as a final reminder to importers of their responsibility under section 351.402(f)(2) 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 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 section 351.305(a)(3) of the Department's regulations. Timely written notification of the 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 administrative review and notice are in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act.

Dated: November 15, 2002.

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

## APPENDIX

### List of Issues

1. Use of New Surrogate Value Information for Aniline and Sulfuric Acid
2. Supplementing or Adjusting New Surrogate Value Information for Aniline and Sulfuric Acid

[FR Doc. 02-29789 Filed 11-21-02; 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: 02-044. Applicant:* Dartmouth College, 6015 McNutt, Room 104, Hanover, NH 03755. *Instrument:* Electron Microscope, Model JEM-1010. *Manufacturer:* JEOL Ltd., Japan.

*Intended Use:* The instrument is intended to be used to study the basic principles of chromosome movement during cell division. Cells are grown in culture and at precise times during the cell cycle they are chemically fixed and embedded in acrylic polymer plastic. The cells are then cut into very thin sections and used to examine very fine mechanistic aspects of chromosome attachment to the spindle, the structure responsible for chromosome movement. *Application accepted by Commissioner of Customs:* September 27, 2002.

*Docket Number: 02-046. Applicant:* Brandeis University, Rosenstiel

Research Center (MS-029), 415 South Street, Waltham, MA 02454-9114.

*Instrument:* Electron Microscope, Model Tecnai F30 TWIN. *Manufacturer:* FEI Company, The Netherlands. *Intended Use:* The instrument is intended to be used to study biological assemblies of proteins and collect images of these complexes which are then analyzed by computer to determine three-dimensional structures. Electron scattering and image formation will also be studied. *Application accepted by Commissioner of Customs:* October 31, 2002.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### The Pennsylvania State University; 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 AM and 5 PM in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW., Washington, DC.

*Docket Number: 02-042. Applicant:* The Pennsylvania State University, University Park, PA 16802. *Instrument:* Plate Filler, Model QFill2. *Manufacturer:* Genetix Limited, United Kingdom. *Intended Use:* See notice at 67 FR 64097, October 17, 2002.

*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:* This is a compatible accessory for an existing instrument purchased for the use of the applicant. The accessory is pertinent to the intended uses and we know of no domestic accessory which can be readily adapted to the previously imported instrument.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### The Pennsylvania State University; 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 P.M. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW., Washington, DC.

*Docket Number: 02-043. Applicant:* The Pennsylvania State University, University Park, PA 16802. *Instrument:* Colony Picking/Arraying Robot, Model Q PixII. *Manufacturer:* Genetix Limited, United Kingdom. *Intended Use:* See notice at 67 FR 64097, October 17, 2002.

*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: a unique multi-tasking robotic system for both picking and spotting as well as arraying specific cell colonies with a rapid picking rate of 3500 colonies per hour and the very high throughput required for large scale gene sequencing projects. The National Institutes of Health advises in its memorandum of October 7, 2002 that (1) this capability is 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.*

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