

### Scope of Order

Imports covered by the antidumping duty order on pasta from Italy include shipments of certain non-egg dry pasta in packages of five pounds (2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this order is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of this order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded from the order on pasta from Italy are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by the Istituto Mediterraneo Di Certificazione, by Bioagricoop Scrl, by QC&I International Services, by Ecocert Italia or by Consorzio per il Controllo dei Prodotti Biologici, by Associazione Italiana per l'Agricoltura Biologica, or by Istituto per la Certificazione Etica e Ambientale ("ICEA") are also excluded from this order.

The merchandise subject to the antidumping duty order on pasta from Italy is currently classifiable under item 1902.19.20 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheading is provided for convenience and Customs purposes, the written description of the merchandise subject to the order is dispositive.

### Partial Rescission of Review

If a party that requested a review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review, the Secretary will rescind the review pursuant to 19 CFR 351.213(d)(1). In this case, petitioners, withdrew their request with respect to Arrighi within 90 days of initiation of this review. Additionally, Zara, Felicetti, Divella, and Di Martino withdrew their requests for administrative reviews within 90 days from the date of initiation. No other party requested review of these five companies. Therefore, we are rescinding this review of the antidumping duty order on certain pasta from Italy, in part, with respect to Arrighi, Zara, Felicetti, Divella, and Di Martino. This administrative review will continue with respect to Domenico

Paone fu Erasmo S.p.A., Industria Alimentare Colavita, S.p.A., P.A.M. S.p.A., Pasta Lensi, Pastificio Fratelli Pagani S.p.A., Pastificio Labor S.r.l., Pastificio Lucio Garafalo, Pastificio Riscossa F.lli Mastromauro S.r.l., Rummo S.p.A. Molino e Pastificio, and Rustichella d'Abruzzo S.p.A.

The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection ("CBP") 15 days after the publication of this notice. The Department will direct CBP to assess antidumping duties at the cash deposit rate in effect on the date of entry for entries during the period July 1, 2007, through June 30, 2008.

This notice is in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 251.213(d)(4).

Dated: May 12, 2009.

**John M. Andersen,**

*Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

[FR Doc. E9-11669 Filed 5-18-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of Utah, Consortium for Astro-Particle Research, Notice of Decision on Application for Duty-Free Entry of Scientific Instruments

This is a decision pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, as amended by Pub. L. 106-36; 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 3705, U.S. Department of Commerce, 14th and Constitution Ave, NW, Washington, D.C.

Comments: None received. Decision: Approved. We know of no instruments of equivalent scientific value to the foreign instruments described below, for such purposes as this is intended to be used, that was being manufactured in the United States at the time of its order. *Docket Number: 09-007.* Applicant: University of Utah, Consortium for Astro-Particle Research, Salt Lake City, UT 84111. Instrument: Electron Light Source (ELS) accelerator. Manufacturer: University of Tokyo, Japan. Reasons: The instrument will be used as a component of a large ground Telescope Array, which will allow the scientists to calibrate the telescopes by generating a particle beam that accurately simulates a cosmic ray shower. Specifically, this

instrument generates a precise amount of air fluorescence for the calibration of the Telescope Array's fluorescence telescopes. A unique feature of this instrument is that it must be able to calibrate the telescope with well time and energy characteristics of a cosmic ray generated extensive air shower and must be measured and stable at the 2-3% level.

Dated: May 13, 2009.

**Christopher Cassel,**

*Acting Director, Subsidies Enforcement Office, Import Administration.*

[FR Doc. E9-11646 Filed 5-18-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) 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, as amended by Pub. L. 106-36; 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 postmarked on or before June 8, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.

*Docket Number: 09-022.* Applicant: Princeton University, Department of Chemical Engineering, A217 Engineering Quadrangle, Princeton, NJ 08544. Instrument: SWAXS Dual 1D Position-Sensitive-Detector (PSD) System. Manufacturer: Hecus X-Ray System GmbH, Austria. Intended Use: The instrument will be used to acquire information regarding block copolymer microstructures. The dual system allows simultaneous acquisition of time resolved small-angle and wide-angle x-ray scattering data, which provides information regarding the morphology of both amorphous and semi-crystalline block copolymers. Justification for Duty-Free Entry: Use of any other detector system would potentially require considerable reconfiguration of the entities current x-ray system. Application accepted by Commissioner of Customs: April 28, 2009.

Dated: May 13, 2009.

**Christopher Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. E9-11670 Filed 5-18-09; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application(s) 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, as amended by Pub. L. 106-36; 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 postmarked on or before June 8, 2009. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. at the U.S. Department of Commerce in Room 3720.

Docket Number: 09-014. Applicant: Miami University, 500 E. High Street, Oxford, OH 45056. Instrument: Electron Microscope. Manufacturer: JEOL, Japan. Intended Use: The instrument will be used to characterize materials such as minerals, nano-materials, metals, ceramics, semiconductors, catalysts, and biological materials. This instrument provides improved resolution and contrast that will increase the types of samples that can be analyzed. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the United States. Application accepted by Commissioner of Customs: April 6, 2009.

Docket Number: 09-018. Applicant: Texas A & M University, College Station, TX 77843-4458. Instrument: Electron Microscope. Manufacturer: FEI Company, Czech Republic. Intended Use: The instrument will be used to perform ultrastructural analysis of a variety of animal cells and tissues involved in research investigations and for more limited diagnostic purposes. The materials to be investigated will be fixed and embedded animal tissues and cells. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the

United States. Application accepted by Commissioner of Customs: April 27, 2009.

Docket Number: 09-020. Applicant: Columbia University, Department of Biochemistry, 650 W. 168<sup>th</sup> St., New York, NY 10032. Instrument: Electron Microscope. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument will be used study in cell-free in vitro systems, the structure and binding constellations of macromolecules and their ligands engaged in complex processes in the cell, such as translation, transcription, splicing, etc. Justification for Duty-Free Entry: No instrument of the same general category is manufactured within the United States. Application accepted by Commissioner of Customs: April 24, 2009.

Dated: May 13, 2009.

**Christopher Cassel,**

*Acting Director, IA Subsidies Enforcement Office.*

[FR Doc. E9-11676 Filed 5-18-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 21-2009]

#### Foreign-Trade Zone 124—Gramercy, LA, Application for Subzone, Excalibar Minerals LLC (Barite Milling), New Iberia, LA

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Port of South Louisiana, grantee of Foreign-Trade Zone (FTZ) 124, requesting special-purpose subzone status for the barite milling facility of Excalibar Minerals LLC (Excalibar), located in New Iberia, Louisiana. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR Part 400). It was formally filed on May 6, 2009.

The Excalibar facility (20 employees, 16 acres, 350,000 ton capacity for ground barite) is located at 4602 South Lewis Street, in New Iberia. The facility is used for activities related to the milling (heating, grinding, crushing), storage and distribution of ground barite, primarily for the U.S. market. The material that would be purchased from abroad (representing approximately 75 to 85 percent of the finished product's value) is raw barite (HTSUS number 2511.10), dutiable at \$1.25 per metric ton.

FTZ procedures could exempt the company from customs duty payments

on the foreign component used in export production. The company anticipates that less than 1 percent of the plant's shipments will be exported. On its domestic sales, Excalibar would be able to choose the duty rate during customs entry procedures that applies to the ground barite (duty-free) for the foreign input noted above. FTZ designation would further allow Excalibar to realize logistical benefits through the use of weekly customs entry procedures, as well as savings from the elimination of duties on materials that become scrap/waste during manufacturing. The application indicates that the FTZ-related savings would help improve the facility's international competitiveness.

In accordance with the Board's regulations, Christopher Kemp of the FTZ staff is designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address listed below. The closing period for their receipt is July 20, 2009. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to August 3, 2009).

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 2111, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via <http://www.trade.gov/ftz>. For further information, contact Christopher Kemp at [Christopher\\_Kemp@ita.doc.gov](mailto:Christopher_Kemp@ita.doc.gov) or (202) 482-0862.

Dated: May 6, 2009.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. E9-11671 Filed 5-18-09; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

**University of North Carolina at Charlotte, et al.**

#### Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational,