

desulfurization, and chemical reduction industries. In addition, pure primary magnesium is used as an input in producing magnesium alloy. Pure primary magnesium encompasses products (including, but not limited to, butt-ends, stubs, crowns and crystals) with the following primary magnesium contents: (1) Products that contain at least 99.95 percent primary magnesium, by weight (generally referred to as "ultra-pure" magnesium); (2) Products that contain less than 99.95 percent but not less than 99.8 percent primary magnesium, by weight (generally referred to as "pure" magnesium); and (3) Products (generally referred to as "off-specification pure" magnesium) that contain 50 percent or greater, but less than 99.8 percent primary magnesium, by weight, and that do not conform to ASTM specifications for alloy magnesium. "Off-specification pure" magnesium is pure primary magnesium containing magnesium scrap, secondary magnesium, oxidized magnesium or impurities (whether or not intentionally added) that cause the primary magnesium content to fall below 99.8 percent by weight. It generally does not contain, individually or in combination, 1.5 percent or more, by weight, of the following alloying elements: aluminum, manganese, zinc, silicon, thorium, zirconium and rare earths.

Since the antidumping duty order was issued, we have clarified that the scope of the original order includes, but is not limited to, butt ends, stubs, crowns and crystals. See May 22, 1997, instructions to U.S. Customs and November 14, 1997, Final Scope Ruling of Antidumping Duty Order on Pure Magnesium from China.

Excluded from the scope of this order are alloy primary magnesium (that meets specifications for alloy magnesium), primary magnesium anodes, granular primary magnesium (including turnings, chips and powder), having a maximum physical dimension (*i.e.*, length or diameter) of one inch or less, secondary magnesium (which has pure primary magnesium content of less than 50 percent by weight), and remelted magnesium whose pure primary magnesium content is less than 50 percent by weight. Pure magnesium products covered by this order are currently classifiable under the Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 8104.11.00, 8104.19.00, 8104.20.00, 8104.30.00, 8104.90.00, 3824.90.11, 3824.90.19 and 9817.00.90. Although the HTSUS subheadings are provided for convenience and customs purposes,

our written description of the scope is dispositive.

#### Analysis of Comments Received

All issues raised in this review are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Stephen J. Claeys, Deputy Assistant Secretary for Import Administration, to Joseph A. Spetrini, Acting Assistant Secretary for Import Administration, dated December 29, 2005, which is hereby adopted by this notice. The issues discussed in the Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the order were revoked. Interested 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 room B-099 of the main Commerce building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/>. The paper copy and electronic version of the Decision Memo are identical in content.

#### Final Results of Review

We determine that revocation of the antidumping duty order on pure magnesium from China would be likely to lead to continuation or recurrence of dumping at the following weighted-average percentage margin:

Manufacturers/ Exporters/Producers	Weighted Average Margin (percent)
China-wide Rate .....	108.26

This notice also serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with section 351.305 of the Department's regulations. 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 terms of an APO is a violation which is subject to sanction.

We are issuing and publishing these results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: December 29, 2005.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

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**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-821-801 and A-823-801]

#### Notice of Continuation of Antidumping Duty Orders: Solid Urea from the Russian Federation and Ukraine

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

**SUMMARY:** As a result of the determinations by the Department of Commerce ("Department") and the International Trade Commission ("Commission") that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department hereby orders the continuation of the antidumping duty orders on solid urea from the Russian Federation ("Russia") and Ukraine. The Department is publishing notice of the continuation of these antidumping duty orders.

**EFFECTIVE DATE:** January 5, 2006.

#### FOR FURTHER INFORMATION CONTACT:

Hilary E. Sadler, Esq. or Maureen Flannery, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4340 or 482-3020, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 1, 2004, the Department initiated and the Commission instituted sunset reviews of the antidumping duty orders on solid urea from Russia and Ukraine pursuant to section 751(c) of the Act.<sup>1</sup> As a result of its reviews, the Department found that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margins likely to prevail were the orders to be revoked.<sup>2</sup>

On November 17, 2005, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty orders on solid urea from Russia and Ukraine would be

<sup>1</sup> See *Initiation of Five-Year ("Sunset") Reviews*, 69 FR 58890 (October 1, 2004).

<sup>2</sup> See *Solid Urea from Ukraine; Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 70 FR 24394 (May 9, 2005) and *Solid Urea from the Russian Federation; Final Results of the Expedited Sunset Review of the Antidumping Duty Order*, 70 FR 24528 (May 10, 2005).

likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *See Solid Urea from Russia and Ukraine*, 70 FR 74846 (December 16, 2005), USITC Publication 3821 (December 2005) (Investigations Nos. 731-TA-340-E & H (Second Review)).

**Scope of the Orders**

The merchandise covered by these orders is solid urea, a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. The product is currently classified under the Harmonized Tariff Schedules of the United States Annotated (“HTS”) item 3102.10.00.00. During previous reviews such merchandise was classified under item number 480.3000 of the Tariff Schedules of the United States. The HTS item number is provided for convenience and customs purposes. The written description remains dispositive as to the scope of the product coverage.

**Determination**

As a result of the determinations by the Department and the Commission that revocation of these antidumping duty orders would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty orders on solid urea from Russia and Ukraine.

The Department will instruct U.S. Customs and Border Protection to continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise. The effective date of the continuation for these orders is the date

of publication in the **Federal Register** of this Notice of Continuation. Pursuant to section 751(c)(2) of the Act, the Department intends to initiate the next five-year review of these antidumping orders not later than December 2010.

These sunset reviews and this Notice of Continuation are in accordance with section 751(c) of the Act and published pursuant to 777(i) of the Act.

Dated: December 23, 2005.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E5-8326 Filed 1-4-06; 8:45 am]

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty**

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

**EFFECTIVE DATE:** January 5, 2006.

**FOR FURTHER INFORMATION CONTACT:** Tipten Troidl or Eric Greynolds, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., N.W., Washington, D.C. 20230, telephone: (202) 482-1767 or (202) 482-6071.

**SUPPLEMENTARY INFORMATION:** Section 702 of the Trade Agreements Act of 1979 (as amended) (“the Act”) requires the Department of Commerce (the “Department”) to determine, in consultation with the Secretary of Agriculture, whether any foreign

government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(h) of the Act, and to publish an annual list and quarterly updates of the type and amount of those subsidies. We hereby provide the Department’s annual list of subsidies on articles of cheese that were imported during the period October 1, 2004, through September 30, 2005.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702(h) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available. The Department will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed.

The Department encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: December 29, 2005.

**Stephen J. Claeys,**

*Acting Assistant Secretary for Import Administration.*

**APPENDIX**

**SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY**

Country	Program(s)	Gross <sup>1</sup> Subsidy (\$/lb)	Net <sup>2</sup> Subsidy (\$/lb)
Austria .....	European Union Restitution Payments	\$ 0.00	\$ 0.00
Belgium .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Canada .....	Export Assistance on Certain Types of Cheese	\$ 0.29	\$ 0.29
Denmark .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Finland .....	EU Restitution Payments	\$ 0.00	\$ 0.00
France .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Germany .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Greece .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Ireland .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Italy .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Luxembourg .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Netherlands .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Norway .....	Indirect (Milk) Subsidy	\$ 0.00	\$ 0.00
.....	Consumer Subsidy	\$ 0.00	\$ 0.00
.....	Total	\$ 0.00	\$ 0.00
Portugal .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Spain .....	EU Restitution Payments	\$ 0.00	\$ 0.00
Switzerland .....	Deficiency Payments	\$ 0.00	\$ 0.00