

Manufacturer/exporter	Margin (percent)
China First Pencil Company, Ltd.	2.66
(which includes its affiliates China First Pencil Fang Zheng Co.,)	2.66
Shanghai First Writing Instrument Co., Ltd.,	2.66
Shanghai Great Wall Pencil Co., Ltd., and	2.66
Shanghai Three Star Stationery Industry Corp.) ⁶	2.66
Beijing Dixon Stationery Company, Ltd.	2.66
Shandong Rongxin Import & Export Co., Ltd.	2.66

⁶As noted in the *Preliminary Results* for this review, we have determined China First Pencil Company, Ltd., China First Pencil Fang Zheng Co., Shanghai First Writing Instrument Co., Ltd., Shanghai Great Wall Pencil Co., Ltd., and Shanghai Three Star Stationery Industry Corp. constitute a single entity. See also *Certain Cased Pencils from the People's Republic of China; Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 70 FR 42301 (July 22, 2005) (no change in amended final determination).

Assessment Rates

The Department has determined, and U.S. Customs and Border Protection (“CBP”) shall assess, antidumping duties on all appropriate entries. For CFP–Three Star, we calculated customer–specific antidumping duty assessment amounts based on the ratio of the total amount of antidumping duties calculated for the examined sales of subject merchandise to the total quantity of subject merchandise sold in those transactions. We calculated assessment amounts in this fashion, as opposed to calculating importer–specific *ad valorem* rates in accordance with 19 CFR 351.212(b)(1), because the entered values and importers of record for CFP–Three Star’s reported U.S. sales are not on the record. Where the customer–specific assessment rate is above *de minimis*, we will instruct CBP to assess the customer–specific rate uniformly on the entered customs value of all POR entries of subject merchandise sold to the customer. To determine whether the per–unit duty assessment rates were *de minimis* (*i.e.*, less than 0.50 percent *ad valorem*), in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we calculated customer–specific *ad valorem* ratios based on the export prices. For Dixon and Shandong Rongxin (respondents that are being assigned the dumping margin calculated for CFP–Three Star), we will instruct CBP to assess antidumping duties on entries of merchandise from these companies equal to the dumping margin these companies have received in these final results of review, regardless of the importer of, or customer who purchased, their subject merchandise. The Department intends to issue assessment instructions to CBP 15 days after the date of publication of the final results of this review.

Cash–Deposit Requirements

The following deposit requirements will apply to all shipments of certain cased pencils from the PRC entered, or withdrawn from warehouse, for

consumption on or after the publication date of this notice of final results of administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the companies listed in the “Final Results of Review” section above will be the rates for those firms established in the final results of this administrative review; (2) for any previously reviewed or investigated PRC or non–PRC exporter, not covered in this review, with a separate rate, the cash deposit rate will be the company–specific rate established in the most recent segment of this proceeding; (3) for all other PRC exporters, the cash deposit rate will be the PRC–wide rate, which is 114.9 percent; and (4) the cash deposit rate for any non–PRC exporter of subject merchandise from the PRC will be the rate applicable to the PRC exporter that supplied that exporter. These cash deposit requirements shall remain in effect until further notice.

Reimbursement of Duties

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 the antidumping duties occurred and the subsequent assessment of double antidumping duties.

Administrative Protective Orders

This notice also serves as a reminder to parties subject to administrative protective orders (“APO”) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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 terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 3, 2007.

David M. Spooner,
Assistant Secretary for Import Administration.

APPENDIX

List of Issues in the Issues and Decision Memorandum

- Comment 1:* Whether the Department Used the Appropriate Size of Lumber as a Surrogate for Pencil Slats
- Comment 2:* Whether the Department Should Adjust the Pencil Slat Surrogate Value to Account for Wood Loss
- Comment 3:* Whether the Department Should Use the Price of Kiln–Dried or Green Lumber to Value Pencil Slats
- Comment 4:* Whether the Department Used the Appropriate Surrogate Financial Ratios
- Comment 5:* Whether the Department Properly Accounted for Labor–Related Expenses in Calculating Financial Ratios
- Comment 6:* Whether the Department Used an Appropriate Labor Rate
- Comment 7:* Whether the Department Used an Appropriate Surrogate Value for Brokerage and Handling Services
- Comment 8:* Whether the Department Used an Appropriate Surrogate Value for Paper Wrap
- Comment 9:* Selection of the Appropriate Rate to Assign to a Separate Rate/Section A Respondent

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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, 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 4, 2007. Address written comments to Statutory Import Programs Staff, Room 2104, U.S. Department of Commerce, Washington, DC 20230. Applications may be examined between 8:30 a.m. and 5 p.m. at the U.S. Department of Commerce in Room 2104.

Docket Number: 07-023. Applicant: University of Miami, Biology Department, 1301 Memorial Drive, Room 215, Coral Gables, FL 33146. Instrument: Electron Microscope, Model JEM-1400. Manufacturer: JEOL, USA, Inc., Japan. Intended Use: The instrument is intended to be used to study the ultrastructure of defensive glandular structures in the sea hare. *Aplysia californica* is to be studied. Structures to be examined include the ink gland, opaline gland and white skin vesicles. Also, studied will be the digestive gland and gill ultrastructure. The objectives are to attempt to determine if there is a link between food sources and the structure of the various glands described above. Application accepted by Commissioner of Customs: April 18, 2007.

Docket Number: 07-024. Applicant: Shriners Hospitals for Children, 3101 S.W. Sam Jackson Park Road, Portland, OR 97239. Instrument: Transmission Electron Microscope. Manufacturer: FEI, Company, The Netherlands. Intended Use: The instrument is intended to be used to examine sections from normal and diseased tissues, particularly in connective tissue, in an effort to determine the consequence of disease. Molecules and tissues will be analyzed in two and three dimensions using electron tomography for a better understanding of their structure and relationships to neighboring tissues and molecules. The distribution of molecules in normal and diseased tissues and the dimensional structure within cells and tissues will provide a better understanding of how they react in a tissue environment with other matrix molecules. Application accepted by Commissioner of Customs: April 27, 2007.

Docket Number: 07-027. Applicant: University of Missouri-Columbia, Veterinary Medicine Building, Room W122, 1600 East Rollins, Columbia, MD 65211. Instrument: Transmission Electron Microscope, Model JEM-1400.

Manufacturer: JEOL, Japan. Intended Use: The instrument is intended to be used in a central facility by an average of 50 different groups per year including faculty, staff and students to study the ultrastructure of a wide variety of biological and material samples including animal and plant tissues, microorganisms, and geological and engineering samples. The majority of use will be for biomedical research, agricultural questions and engineering problems. Materials developed for nanomedicine, pathogenic organisms, animal models of human disease, gene therapy and new devices and processes in engineering will be highlighted by 3D tomography. Application accepted by Commissioner of Customs: April 27, 2007.

Docket Number: 07-028. Applicant: Vanderbilt University, Center for Structural Biology, 465 21st Avenue South, MRB III, Suite 5140, Nashville, TN 37232. Instrument: Transmission Electron Microscope, Model FP 5005/05. Manufacturer: FEI, Brno, Czech Republic. Intended Use: The instrument is intended to be used to study purified biological macromolecular complexes such as the spliceosome and the anaphase promoting complex, composed of protein and RNA components. The objective is to determine the three dimensional structures of large macromolecular complexes. Application accepted by Commissioner of Customs: April 27, 2007.

Faye Robinson,

Director, Statutory Import Programs Staff.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 041307A]

Small Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Construction and Operation of an LNG Facility Off Massachusetts

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of an incidental harassment authorization.

SUMMARY: In accordance with provisions of the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that an Incidental

Harassment Authorization (IHA) to take marine mammals, by harassment, incidental to construction and operation of an offshore liquefied natural gas (LNG) facility in the Massachusetts Bay, has been issued to Northeast Gateway Energy Bridge™ L.L.C. (Northeast Gateway) and Algonquin Gas Transmission, L.L.C. (Algonquin) for a period of 1 year.

DATES: This authorization is effective from May 8, 2007, until May 7, 2008.

ADDRESSES: A copy of the application, IHA, and a list of references used in this document may be obtained by writing to P. Michael Payne, Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910-3225. A copy of the application may be obtained by writing to this address or by telephoning the contact listed here and is also available at: <http://www.nmfs.noaa.gov/pr/permits/incidental.htm#iha>. The Maritime Administration (MARAD) and U.S. Coast Guard (USCG) Final Environmental Impact Statement (Final EIS) on the Northeast Gateway Energy Bridge LNG Deepwater Port license application is available for viewing at <http://dms.dot.gov> under the docket number 22219.

FOR FURTHER INFORMATION CONTACT: Kenneth Hollingshead, Office of Protected Resources, NMFS, (301) 713-2289, ext 128.

SUPPLEMENTARY INFORMATION:

Background

Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are issued or, if the taking is limited to harassment, a notice of a proposed authorization is provided to the public for review.

An authorization shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s), will not have an unmitigable adverse impact on the availability of the species or stock(s) for certain subsistence uses, and that the permissible methods of taking and requirements pertaining to the mitigation, monitoring and reporting of such takings are set forth. NMFS has defined "negligible impact" in 50 CFR 216.103 as "...an impact resulting from