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### The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department of Commerce's (Department's) regulations are to 19 CFR Part 351 (1997).

### SUPPLEMENTARY INFORMATION:

#### Background

On June 26, 2000, the United States Court of International Trade (CIT) remanded to the Department the final results in the January 19, 1996, through June 30, 1997, antidumping duty administrative review of certain pasta from Italy. *See World Finer Foods, Inc., et al. v. United States*, 886 F. Supp. 23 (CIT 2000) (*see also Notice of Final Results and Partial Rescission of Antidumping Duty Administrative Review; Certain Pasta from Italy*, 64 FR 6615 (February 10, 1999)). In its remand, the CIT instructed the Department to reconsider the information provided by World Finer Foods, Inc., and determine an appropriate facts available rate for Arrighi. The CIT further instructed the Department to consider information submitted by La Molisana that would identify the name of the importer of record for certain U.S. sales transactions reported by La Molisana and to recalculate the applicable assessment rates for La Molisana. With regard to Barilla, the CIT instructed the Department to determine a margin that, although adverse, bears a "rational relationship" to the current level of dumping in the industry and provide corroboration explaining the probative value of the data used in determining the adverse facts available margin. On September 15, 2000, the Department filed its results of redetermination pursuant to the CIT's order. On November 3, 2000, the CIT affirmed the final revised remand determination in *World Finer Foods, Inc., et al. v. United States*, 120 F. Supp.2d 1331.

In light of the final and conclusive court decision in this action, we are amending the cash deposit rate for Arrighi from 71.49 percent to 19.09 percent ad valorem and the cash deposit rate for Barilla from 71.49 percent to 45.49 percent ad valorem. In addition, we are amending the assessment rates for merchandise produced by Arrighi and imported by World Finer Foods,

Inc., and the merchandise produced by La Molisana and Barilla.

### Amended Final Determination

As there is now a final and conclusive court decision in this action, we are amending the final results of the administrative review on certain pasta from Italy covering the period January 19, 1996, through June 30, 1997, pursuant to section 516A(e) of the Act. As a result of this remand redetermination, the recalculated final weighted-average margins are as follows:

Manufacturer/producer	Margin percentage
Arrighi .....	10.09
Barilla .....	45.49

The cash deposit rates for Arrighi of 19.09% ad valorem and for Barilla of 45.49% ad valorem will be effective upon publication of this notice of amended final results on all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date. The cash deposit rate for La Molisana will continue to be based on the margins found to exist in the most recently completed review.

Accordingly, the Department will determine, and the Customs Service will assess, antidumping duties on all entries of subject merchandise from Arrighi, Barilla, and La Molisana during the period January 19, 1996, through June 30, 1997, in accordance with these amended final results. For Barilla, this decision also affects the enjoined entries for the period July 1, 1998, through June 30, 1999. In accordance with 19 CFR 351.212(b), we have calculated exporter/importer-specific assessment rates by aggregating the dumping margins for all U.S. sales to each importer and dividing the amount by the total entered value of the sales to that importer. Where the importer-specific assessment rate is above de minimis, we will instruct Customs to assess antidumping duties on that importer's entries of subject merchandise. We will direct Customs to assess the resulting percentage margins against the entered Customs values for the subject merchandise on each of that importer's entries under the order during the period of review.

These amended final results and notice are in accordance with sections 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 351.221. Effective January 20, 2001, Bernard T. Carreau is fulfilling the duties of the Assistant Secretary for Import Administration.

Dated: April 17, 2001.

**Bernard T. Carreau,**

*Deputy Assistant Secretary, Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Application for Duty-Free Entry of Scientific Instrument

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 an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is 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 Room 4211, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC.

*Docket Number:* 01-009. *Applicant:* University of Virginia, Department of Psychology, 102 Gilmer Hall, P. O. Box 400400, Charlottesville, VA 22904-4400. *Instrument:* Electron Microscope, Model JEM-1010. *Manufacturer:* JEOL Ltd., Japan.

*Intended Use:* The instrument is intended to be used for ultrastructural examination of animal or postmortem human neural material prepared for basic neurobiology research and teaching purposes. In addition, the instrument will be used in training graduate and undergraduate students on ultrastructural approaches in neurobiology. *Application accepted by Commissioner of Customs:* April 2, 2001.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

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