

the merchandise subject to this review in accordance with 19 CFR 351.212(b)(1).<sup>122</sup> In this and future reviews, we will direct CBP to assess importer-specific assessment rates based on the resulting per-unit (*i.e.*, per-kilogram) rates by the weight in kilograms of each entry of the subject merchandise during the POR. Where an importer (or customer)-specific per-unit rate is greater than *de minimis*, we will apply the assessment rate to the entered value of the importer's/customer's entries during the POR. See 19 CFR 351.212(b)(1). Where an importer (or customer)-specific per-unit rate is zero or *de minimis*, we will instruct CBP to liquidate appropriate entries without regard to antidumping duties. See 19 CFR 351.106(c)(2).

For the companies receiving a separate rate that were not selected for individual review, we will assign an assessment rate based on the rate we calculated for the mandatory respondent whose rate was not *de minimis*, as discussed above. We intend to instruct CBP to liquidate entries containing subject merchandise exported by the PRC-wide entity (including Dapu) at the PRC-wide rate. Finally, for those companies for which this review has been preliminarily rescinded, the Department intends to assess antidumping duties at rates equal to the cash deposit of estimated antidumping duties required at the time of entry, or withdrawal from warehouse, for consumption, in accordance with 19 CFR 351.212(c)(2), if the review is rescinded for these companies.

### Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For the exporters listed above, the cash deposit rate will be established in the final results of this review (except, if the rate is zero or *de minimis*, *i.e.*, less than 0.5 percent, no cash deposit will be required for that company); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that have separate rates, the cash deposit rate will continue to be the

exporter-specific rate published for the most recent period; (3) for all PRC exporters of subject merchandise which have not been found to be entitled to a separate rate, the cash deposit rate will be the PRC-wide rate of \$2.42 per kilogram<sup>123</sup>; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporters that supplied that non-PRC exporter. These deposit requirements, when imposed, shall remain in effect until further notice.

### Notification to Importers

This notice also serves as a preliminary 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: April 27, 2012.

**Paul Piquado,**

*Assistant Secretary for Import Administration.*

[FR Doc. 2012-10838 Filed 5-3-12; 8:45 am]

**BILLING CODE 3510-DS-P**

## 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 May 24, 2012. Address written comments to Statutory Import Programs Staff, Room 3720, U.S. Department of Commerce,

Washington, DC 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:* 12-013. *Applicant:* Washington University in St. Louis, 1 Brookings Dr., Saint Louis, MO 63130. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used for research on primitive solar system materials extracted from meteorites as well as on samples from NASA sample return missions, such as STARDUST. The instrument will be used for the preparation of TEM thin sections of micron-sized stardust grains as well as samples extracted from STARDUST Al foils, to increase the understanding of the chemical origin of the solar system and the processes by which its small bodies evolved. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* March 29, 2012.

*Docket Number:* 12-018. *Applicant:* The Regents of the University of California, 1 Cyclotron Rd., MS 46R0125, Berkeley, CA 94720. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to investigate the structure and composition of micro- and nano-materials that will be used as light absorbers, catalysts, and membranes in photoelectrochemical devices that are engineered to convert solar energy to fuel. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs:* March 28, 2012.

*Docket Number:* 12-019. *Applicant:* Schepens Eye Research Institute, 20 Staniford St., Boston MA, 02114. *Instrument:* Electron Microscope. *Manufacturer:* FEI Company, Czech Republic. *Intended Use:* The instrument will be used to investigate the genes and proteins that underlie normal and pathologic processes associated with human vision, to allow the repair, prevention, and cure of sight-threatening pathologies. The instrument will be used to examine the ultra structure of biological specimens including eye tissues, using conventional observation as well as immune-electron microscopy. *Justification for Duty-Free Entry:* There are no instruments of the same general category manufactured in the United States. *Application accepted by*

<sup>122</sup> In these preliminary results, the Department applied the assessment rate calculation method adopted in *Final Modification for Reviews*, *i.e.* on the basis of monthly average-to-average comparisons using only the transactions associated with that importer with offsets being provided for non-dumped comparisons.

<sup>123</sup> See *AR2 Carbon* 70208, 70209 and accompanying Issues and Decisions Memorandum at Comment 3.

*Commissioner of Customs*: March 28, 2012.

*Docket Number*: 12–020. *Applicant*: Howard Hughes Medical Institute, 4000 Jones Bridge Rd., Chevy Chase, MD 20815. *Instrument*: Electron Microscope. *Manufacturer*: FEI Company, Czech Republic. *Intended Use*: The instrument will be used to examine the ultrastructural organization of biological specimens such as protein complexes, noninfectious virus and small cells at high resolution to help elucidate their functions. *Justification for Duty-Free Entry*: There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs*: April 6, 2012.

*Docket Number*: 12–021. *Applicant*: Rice University, ECE Department MS 378 6100 Main Houston, TX. *Instrument*: Electron Microscope. *Manufacturer*: FEI Company, Czech Republic. *Intended Use*: The instrument will be used to fabricate, image, and characterize novel metallic nanostructures, using high resolution imaging, lithography and electron beam assisted gas deposition. The instrument will be used to study the plasmonic properties of chemically synthesized nanoparticles and lithographically synthesized nanostructures. *Justification for Duty-Free Entry*: There are no instruments of the same general category manufactured in the United States. *Application accepted by Commissioner of Customs*: April 18, 2012.

Dated: April 25, 2012.

**Gregory W. Campbell,**

*Director of Subsidies Enforcement, Import Administration.*

[FR Doc. 2012–10592 Filed 5–3–12; 8:45 am]

**BILLING CODE 3510–DS–M**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–912]

#### Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Initiation of New Shipper Review

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

**DATES**: May 4, 2012.

**SUMMARY**: The Department of Commerce (the “Department”) has determined that a request for a new shipper review of the antidumping duty order on certain new pneumatic off-the-road tires (“tires”) from the People's Republic of

China (“PRC”), received on March 30, 2012, meets the statutory and regulatory requirements for initiation. The period of review (“POR”) of this new shipper review is September 1, 2011, through February 29, 2012.

**FOR FURTHER INFORMATION CONTACT**: Wendy Frankel or Raquel Silva, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5849 and (202) 482–6475, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice announcing the antidumping duty order on tires from the PRC was published in the **Federal Register** on September 4, 2008.<sup>1</sup> On March 30, 2012, we received a timely request for a new shipper review from Trelleborg Wheel Systems (Xingtai) China Co. Ltd. (“TWS China”).<sup>2</sup> On April 16, 2012, the Department requested further information regarding discrepant and incomplete information in TWS China's request.<sup>3</sup> On April 18, 2012, TWS China submitted its response, which included documentation demonstrating that it has requested to file a corrected 7501 Entry form with U.S. Customs and Border Protection (“CBP”) to correct the manufacturer identification number and name on this form.<sup>4</sup> TWS China has certified that it produced all of the tires it exported, which is the basis for its request for a new shipper review.<sup>5</sup>

Pursuant to the requirements set forth in 19 CFR 351.214(b)(2)(i), 19 CFR 351.214(b)(2)(iii)(A) and 19 CFR 351.214(b)(2)(iii)(B), in its request for a new shipper review, TWS China, as an exporter and producer, certified that: (1) It did not export tires to the United States during the period of investigation

(“POI”);<sup>6</sup> (2) since the initiation of the investigation, TWS China has never been affiliated with any company that exported subject merchandise to the United States during the POI;<sup>7</sup> and (3) its export activities were not controlled by the central government of the PRC.<sup>8</sup> In accordance with 19 CFR 351.214(b)(2)(iv), TWS China submitted documentation establishing the following: (1) The date on which it first shipped tires for export to the United States and the date on which the tires were first entered, or withdrawn from warehouse, for consumption;<sup>9</sup> (2) the volume of its first shipment;<sup>10</sup> and (3) the date of its first sale to an unaffiliated customer in the United States.<sup>11</sup>

##### Initiation of New Shipper Review

Pursuant to section 751(a)(2)(B) of the Tariff Act of 1930, as amended (the “Act”) and 19 CFR 351.214(d)(1), we find that the request submitted by TWS China meets the threshold requirements for initiation of a new shipper review for shipments of tires from the PRC produced and exported by TWS China, pending its correction of the information discussed above.<sup>12</sup> Accordingly, TWS China must correct the manufacturer identification number and name on the 7501 Entry form with CBP in an appropriate amount of time to avoid rescission of this review. Furthermore, if the information supplied by TWS China is later found to be incorrect or insufficient during the course of this proceeding, the Department may rescind the review or apply adverse facts available, depending upon the facts on record. The POR is September 1, 2011, through February 29, 2012.<sup>13</sup> The Department will conduct this review according to the deadlines set forth in section 751(a)(2)(B)(iv) of the Act.

It is the Department's usual practice, in cases involving non-market economies, to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide evidence of *de jure* and *de facto* absence of government control over the company's export activities. Accordingly, included in our questionnaire will be specific

<sup>6</sup> See NSR Request, at Exhibit 2.

<sup>7</sup> See NSR Request, at Exhibit 3.

<sup>8</sup> See NSR Request, at Exhibit 4.

<sup>9</sup> See NSR Request, at Exhibit 1.

<sup>10</sup> See Id.

<sup>11</sup> See Id.

<sup>12</sup> See Memorandum to the File through Wendy J. Frankel entitled, “Certain New Pneumatic Off-the-Road Tires from the People's Republic of China: Initiation of AD New Shipper Review for Trelleborg Wheel Systems (Xingtai) China, Co. Ltd.,” dated April 23, 2012.

<sup>13</sup> See 19 CFR 351.214(g)(1)(i)(B).

<sup>1</sup> See *Certain New Pneumatic Off-the-Road Tires From the People's Republic of China: Notice of Amended Final Affirmative Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 73 FR 51624 (September 4, 2008).

<sup>2</sup> See Letter from TWS China entitled “New Shipper Review Request of Trelleborg Wheel Systems (Xingtai) China, Co. Ltd.: New Pneumatic Off-The-Road Tires from the People's Republic of China,” dated March 29, 2012 (“NSR Request”).

<sup>3</sup> See Letter from the Department entitled “New Shipper Review of the Antidumping Duty Order on Certain New Pneumatic Off-the Road Tires from the People's Republic of China: Request for Further Information,” dated April 16, 2012.

<sup>4</sup> See Letter from TWS China entitled “New Shipper Review Request of Trelleborg Wheel Systems (Xingtai) China, Co. Ltd.: New Pneumatic Off-The-Road Tires from the People's Republic of China; Response To April 16, 2012 Supplemental Questionnaire,” dated April 18, 2012.

<sup>5</sup> See NSR Request, at pg 1.