

## Continuation of Suspension of Liquidation

In accordance with section 735(c)(1)(B)(ii) of the Act, we are directing the U.S. Customs and Border Protection ("CBP") to continue to suspend liquidation of all imports of subject merchandise from Canada, except merchandise produced and exported by Hytek, that are entered, or withdrawn from warehouse, for consumption on or after October 20, 2004, the date of publication of the *Preliminary Determination* in the **Federal Register**. The CBP shall continue to require a cash deposit or the posting of a bond equal to the weighted-average amount by which the NV exceeds the EP, as indicated in the chart below. For Hytek, because its estimated weighted-average final dumping margin is *de minimis*, we are directing CBP to terminate suspension of liquidation of Hytek's entries and refund all bonds and cash deposits posted on subject merchandise produced by Hytek. These suspension-of-liquidation instructions will remain in effect until further notice. The weighted-average dumping margins are as follows:

| Exporter/manufacturer                    | Weighted-average margin             |
|------------------------------------------|-------------------------------------|
| Ontario Pork Producers' Marketing Board. | 12.68 percent.                      |
| Hytek, Inc .....                         | 0.53 percent ( <i>de minimis</i> ). |
| Premium Pork Canada, Inc.                | 18.87 percent (AFA).                |
| Excel Swine Services, Inc.               | 4.64 percent.                       |
| All Others .....                         | 10.63 percent. <sup>4</sup>         |

<sup>4</sup>We excluded the *de minimis* margin and the margin based on adverse facts available from the calculation of the all-others rate. See Section 735(c)(5)(A) of the Act.

## ITC Notification

In accordance with section 735(d) of the Act, we have notified the International Trade Commission ("ITC") of our determination. As our final determination is affirmative, the ITC will, within 45 days, determine whether these imports are materially injuring, or threatening material injury to, the U.S. industry. If the ITC determines that material injury, or threat of material injury, does not exist, the proceeding will be terminated and all securities posted will be refunded or canceled. If the ITC determines that such injury does exist, the Department will issue an antidumping duty order.

This notice also serves as a reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the

disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305. Timely notification of return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: March 4, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

## Appendix

### General Issues

- Comment 1: Perishable Agricultural Products
- Comment 2: Net Income Stabilization Account
- Comment 3: Allocation of Total Production Costs

### Company Specific Issues

#### Premium Pork

- Comment 4: Premium Pork Withdrawal

#### Ontario Pork

- Comment 5: Monthly Price-Averaging
- Comment 6: Advertising Expenses
- Comment 7: Bank Charges
- Comment 8: Credit Expenses
- Comment 9: Freight Expenses
- Ontario Pork Farm A
  - Comment 10: Cost of Feed
  - Comment 11: Imputed Labor Costs
  - Comment 12: Cost of Breeding Stock
  - Comment 13: Denominator Used for the General and Administrative Expense Ratio
  - Comment 14: Breeding Stock Salvage Value
  - Comment 15: Sows Supplied by Affiliates
  - Comment 16: Hogs Used for Personal Consumption
  - Comment 17: Per-unit Finishing Costs Adjusted by the Feeders Sold
  - Comment 18: Farm A's Change in Inventory Values
  - Comment 19: Livestock Purchases in the Indirect Cost Allocation
- Comment 20: Lease of Crop Land
- Comment 21: Optional Inventory Adjustment
- Comment 22: Additional Accrued Cost Items
- Comment 23: G&A Expenses
- Comment 24: Interest Rates
- Ontario Pork Farm B
  - Comment 25: Affiliated Feed Company
  - Comment 26: Tile Drainage
  - Comment 27: Interest Income Earned on NISA and Risk Management Funding
  - Comment 28: Prepaid Feed Costs
  - Comment 29: Donated Hogs
  - Comment 30: Misallocated Costs
  - Comment 31: Reconciliation Error
  - Comment 32: Imputed Labor
  - Comment 33: Interest Expense for Loan
  - Comment 34: Interest Income
- Ontario Pork Farm C
  - Comment 35: Claimed Offsets for Subsidies

- Comment 36: Failure to Report all Feed Costs
- Comment 37: Capitalized Feed Costs
- Comment 38: Errors Revealed During Verification Should be Corrected
- Comment 39: Proper Treatment of "Credit to Barn Quality" Account
- Comment 40: G&A Expenses
- Comment 41: Collapsing the Operations of Affiliated Suppliers
- Ontario Pork Farm D
  - Comment 42: Costs Related to Transporting Hogs to the Farm
  - Comment 43: Vaccination Costs of Resold Isoweans
  - Comment 44: Cost of Feed Produced by the Partners
  - Comment 45: Price of Corn Set by the Partners for November and December 2003
  - Comment 46: Depreciation Cost
  - Comment 47: G&A Offset for Land Rental Income
  - Comment 48: Labor Allocation
  - Comment 49: G&A Expenses Related to Fines

#### Excel

- Comment 50: Mandatory Respondent Status
- Comment 51: Sales Exclusions
- Comment 52: Fertilizer as a Credit to the Cost of Producing Live Swine

#### Excel Rainbow Colony

- Comment 53: Production Quantity
- Comment 54: Insurance Premiums
- Comment 55: Accrued Labor Costs
- Comment 56: Productive Assets Quantity
- Comment 57: Disputed Fertilizer Purchases
- Comment 58: Startup Adjustment
- Excel Riverbend Colony
  - Comment 59: Foreign Exchange Expense
  - Comment 60: GST Audit Adjustment
  - Comment 61: Labor
- Excel Big Boulder
  - Comment 62: Rental Income G&A Offset
  - Comment 63: Fiscal Year G&A and Financial Expense Ratios
  - Comment 64: Insurance and Donations

#### Hytek

- Comment 65: CEP Profit
- Comment 66: Further Manufacturing Costs
- Comment 67: Certain Payments to Owners
- Comment 68: Interest Income

[FR Doc. E5-1029 Filed 3-10-05; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-351-806]

### Silicon Metal From Brazil: Notice of Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review

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

**DATES:** Effective Date: March 11, 2005.

**FOR FURTHER INFORMATION CONTACT:** Maisha Cryor or Steven Ryan, at (202)

482–5831 or (202) 482–0065, respectively; Import Administration, AD/CVD Operations, Office 4, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

### Background

On August 24, 2004, the Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on silicon metal from Brazil. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 69 FR 52857 (August 30, 2004). The period of review is July 1, 2003, through June 30, 2004.

### Extension of Time Limit for Preliminary Results of Review

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), the Department shall make a preliminary determination in an administrative review of an antidumping duty order within 245 days after the last day of the anniversary month of the date of publication of the order. The Act further provides, however, that the Department may extend that 245-day period to 365 days if it determines it is not practicable to complete the review within the foregoing time period. The preliminary results of this antidumping duty administrative review of silicon metal from Brazil are currently scheduled to be completed on April 2, 2005. However, the Department finds that it is not practicable to complete the preliminary results in this administrative review of silicon metal from Brazil within this time limit because additional time is needed to fully address issues relating to affiliation, treatment of value added taxes, reconciliation of costs to financial statements and the calculation of the total cost of manufacturing, as well as to conduct mandatory verifications of the questionnaire responses and supplemental questionnaire responses.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for completion of the preliminary results of this review until August 1, 2005, which is the next business day after 365 days from the last day of the anniversary month of the date of publication of the order. The deadline for the final results of this administrative review continues to be 120 days after the publication of the preliminary results.

This notice is issued and published in accordance with section 751(a)(3)(A) of the Act.

Dated: March 7, 2005.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5–1027 Filed 3–10–05; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–122–851]

### Final Negative Countervailing Duty Determination: Live Swine from Canada

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

**SUMMARY:** The Department of Commerce has made a final determination that countervailable subsidies are not being provided to producers or exporters of live swine from Canada.

**EFFECTIVE DATE:** March 11, 2005.

**FOR FURTHER INFORMATION CONTACT:** Melani Miller Harig, Stephen Cho, Daniel J. Alexy, and Marc Rivitz, AD/CVD Operations, Office 1, Import Administration, U.S. Department of Commerce, Room 3099, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–0116, (202) 482–3798, (202) 482–1540, and (202) 482–1382, respectively.

### SUPPLEMENTARY INFORMATION:

#### Petitioners

The petitioners in this investigation are the Illinois Pork Producers Association, the Indiana Pork Advocacy Coalition, the Iowa Pork Producers Association, the Minnesota Pork Producers Association, the Missouri Pork Association, the Nebraska Pork Producers Association, Inc., the North Carolina Pork Council, Inc., the Ohio Pork Producers Council, and 119 individual producers of live swine<sup>1</sup> (collectively, “the petitioners”).

<sup>1</sup> Alan Christensen, Alicia Prill-Adams, Aulis Farms, Baarsch Pork Farm, Inc., Bailey Terra Nova Farms, Bartling Brothers Inc., Belstra Milling Co. Inc., Berend Bros. Hog Farm LLC, Bill Tempel, BK Pork Inc., Blue Wing Farm, Bornhorst Bros, Brandt Bros., Bredehoeft Farms, Inc., Bruce Samson, Bryant Premium Pork LLC, Buhl's Ridge View Farm, Charles Rossow, Cheney Farms, Chinn Hog Farm, Circle K Family Farms LLC, Cleland Farm, Clougherty Packing Company, Coharie Hog Farm, County Line Swine Inc., Craig Mensick, Daniel J. Pung, David Hansen, De Young Hog Farm LLC, Dean Schrag, Dean Vantiger, Dennis Geinger, Double “M” Inc., Dykhuis Farms, Inc., E & L Harrison Enterprises, Inc., Erle Lockhart, Ernest Smith, F & D Farms, Fisher Hog Farm, Fitzke Farm, Fultz Farms, Gary and Warren Oberdiek Partnership, Geneseo Pork, Inc., GLM Farms, Greenway Farms, H & H Feed and Grain, H & K Enterprises, LTD, Ham Hill Farms, Inc., Harrison

### Case History

The following events have occurred since the publication of the preliminary determination in the **Federal Register** on August 23, 2004. *See Preliminary Negative Countervailing Duty Determination and Alignment of Final Countervailing Duty Determination With Final Antidumping Duty Determination: Live Swine from Canada*, 69 FR 51800 (August 23, 2004) (“Preliminary Determination”).

On September 9, 2004, the petitioners submitted comments on the upcoming verifications.

On September 14, 2004, the petitioners submitted arguments relating to certain requests made by the Government of Canada (“GOC”) for business proprietary treatment in its questionnaire responses. The GOC filed a response to this submission on September 22, 2004.

On September 17 and 27, 2004, Sureleen–Albion Agra Inc. (“Sureleen”)/Bujet Sow Group (“BSG”) and Hytek Ltd. (“Hytek”), respectively, submitted new factual information and corrections to their previous responses. The GOC also submitted revised information from its questionnaire responses on October 5, 2004.

From September 27, 2004 through October 8, 2004, and October 18, 2004 through October 21, 2004, we conducted verification of the questionnaire responses submitted by the GOC; the Governments of Ontario, Manitoba, Saskatchewan, and Alberta; Sureleen/BSG; Hytek; Premium Pork Canada Inc.; Hart Feeds Limited; Elite Swine Inc./Maple Leaf Foods Inc.; Park View Colony Farms Ltd.; and Willow Creek

Creek Farm, Harty Hog Farms, Heartland Pork LLC, Heritage Swine, High Lean Pork, Inc., Hilman Schroeder, Holden Farms Inc., Huron Pork, LLC, Hurst AgriQuest, J D Howerton and Sons, J. L. Ledger, Inc., Jack Rodibaugh & Sons, Inc., JC Howard Farms, Jesina Farms, Inc., Jim Kemper, Jorgensen Farm, Keith Berry Farms, Kellogg Farms, Kendale Farm, Kessler Farms, L.L. Murphrey Company, Lange Farms LLC, Larson Bros Dairy Inc., Levelvue Pork Shop, Long Ranch Inc., Lou Stoller & Sons, Inc., Luckey Farm, Mac-O-Cheek, Inc., Martin Gingerich, Marvin Larrick, Max Schmidt, Maxwell Foods, Inc., Mckenzie-Reed Farms, Meier Family Farms Inc., MFA Inc., Michael Farm, Mike Bayes, Mike Wehler, Murphy Brown LLC, Ned Black and Sons, Ness Farms, Next Generation Pork, Inc., Noecker Farms, Oaklane Colony, Orangeburg Foods, Oregon Pork, Pitstick Pork Farms Inc., Prairie Lake Farms, Inc., Premium Standard Farms, Inc., Prestage Farms, Inc., R Hogs LLC, Rehmeier Farms, Rodger Schamberg, Scott W. Tapper, Sheets Farm, Smith-Healy Farms, Inc., Square Butte Farm, Steven A. Gay, Sunnycrest Inc., Trails End Far, Inc., TruLine Genetics, Two Mile Pork, Valley View Farm, Van Dell Farms, Inc., Vollmer Farms, Walters Farms LLP, Watertown Weaners, Inc., Wen Mar Farms, Inc., William Walter Farm, Willow Ridge Farm LLC, Wolf Farms, Wondraful Pork Systems, Inc., Wooden Purebred Swine Farms, Woodlawn Farms, and Zimmerman Hog Farms.