

merchandise during the period of review produced by AVISMA and for which AVISMA did not know its merchandise was destined for the United States. In such instances, we will instruct CBP to liquidate un-reviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion of this clarification, see Assessment of Antidumping Duties.

Because we are relying on total adverse facts available to establish the dumping margin for SMW, we will instruct CBP to apply a dumping margin of 21.71 percent to all entries of subject merchandise during the POR that were produced and/or exported by SMW.

#### Cash-Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, consistent with section 751(a)(2)(C) of the Act: (1) the cash-deposit rates for the reviewed companies will be the rates shown above; (2) for previously reviewed or investigated companies not listed above, the cash-deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) the cash-deposit rate for all other manufacturers or exporters will continue to be the all-others rate established in the LTFV investigation, which is 21.01 percent. See *Notice of Antidumping Duty Order: Magnesium Metal from the Russian Federation*, 70 FR 19930 (April 15, 2005). These deposit requirements shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

#### Notification Regarding APOs

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(a)(3). 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 the terms of an APO is a sanctionable violation.

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

Dated: September 2, 2008.

**David M. Spooner,**  
*Assistant Secretary for Import Administration.*

#### Appendix

1. Calculation of Cost of Production and Constructed Value
  - A. Joint-Cost Allocation - Overview
  - B. Magnesium as a Byproduct
  - C. Magnesium as a Main Product
  - D. Valuation of Chlorine at the Split-off Point
  - E. The Use of an Appropriate Cost Database
  - F. Chlorine-Disposal Costs
  - G. Constructed-Value Profit
2. Constructed Export-Price Offset
3. Selection of an Adverse Facts-Available Rate

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

#### Application 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 filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce 14th and Constitution Ave., NW, Room 2104 Washington, D.C. 20230. Applications may be examined between 8:30 A.M.

and 5:00 P.M. in Room 2104, U.S. Department of Commerce.

*Docket Number: 08-040.* Applicant: New Mexico Institute of Mining and Technology; Magdalena Ridge Observatory, 801 Leroy Place, Socorro, New Mexico 87801. Instrument: Unit Telescope. Manufacturer: Advanced Mechanical and Optical Systems SA (AMOS), Belgium. Intended Use: The instrument is intended to be used to study star formation and the earliest stages of planet formation, fundamental astrophysical phenomena like mass accretion, mass transfer and convection in single and binary star systems, and the surroundings of the centers of nearby galaxies. These phenomena will be studied at optical and near infrared wavelengths from about 0.5 to 2.5 microns. The instrument must be able to be relocated and the functions of the instrument must be controlled and monitored over a network connection. Another unique feature of this instrument is that it must have an aperture greater than one-meter. Application accepted by Commissioner of Customs: July 25, 2008.

*Docket Number: 08-042.* Applicant: University of Alabama at Birmingham, 701 South 20th St., Birmingham, AL 35294. Instrument: FIE Vitrobot. Manufacturer: FEI Company, the Netherlands. Intended Use: The instrument is intended to be used to prepare a range of biological samples for imaging by cryo-electron microscopy. Samples to be studied include viruses and virus-related particles, protein complexes, protein-nucleic acid, lipid-containing samples, filamentous structures, subcellular organelles, and entire prokaryotic and eukaryotic cells. A unique feature of this instrument is that it must have a controlled environmental chamber and have the capability of fully automated operation. Application accepted by Commissioner of Customs: August 12, 2008.

Dated: September 4, 2008.

**Faye Robinson,**

*Director, Statutory Import Programs Staff, Import Administration.*

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