

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-823-810]

Antidumping Duty Order: Solid Agricultural Grade Ammonium Nitrate From Ukraine

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

ACTION: Notice of antidumping duty order.

EFFECTIVE DATE: September 12, 2001.

FOR FURTHER INFORMATION CONTACT: Jarrod Goldfeder, Melani Miller, or Anthony Grasso, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-0189, (202) 482-0116, or (202) 482-3853, respectively.

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 ("the Department") regulations are to the regulations at 19 CFR part 351 (April 2000).

Scope of Order

The products covered by this antidumping duty order are solid, fertilizer grade ammonium nitrate ("ammonium nitrate" or "subject merchandise") products, whether prilled, granular or in other solid form, with or without additives or coating, and with a bulk density equal to or greater than 53 pounds per cubic foot. Specifically excluded from this scope is solid ammonium nitrate with a bulk density less than 53 pounds per cubic foot (commonly referred to as industrial or explosive grade ammonium nitrate). The merchandise subject to this investigation is classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 3102.30.00.00. Although the HTSUS subheadings are provided for convenience and for purposes of the Customs Service, the written description of the merchandise under investigation is dispositive.

Antidumping Duty Order

On July 25, 2001, the Department published in the **Federal Register** the

Notice of Final Determination of Sales At Less Than Fair Value: Solid Agricultural Grade Ammonium Nitrate From Ukraine, 66 FR 38632 (July 25, 2001) ("Final Determination").

On August 31, 2001, in accordance with section 735(d) of the Act, the U.S. International Trade Commission ("ITC") notified the Department that a U.S. industry is "materially injured," within the meaning of section 735(b)(1)(A)(i) of the Act, by reason of less-than-fair-value imports of ammonium nitrate from Ukraine.

Therefore, in accordance with section 736(a)(1) of the Act, the Department will direct the Customs Service to assess, upon further advice by the Department, antidumping duties equal to the amount by which the normal value of the subject merchandise exceeds the export price or constructed export price of the subject merchandise for all entries of ammonium nitrate from Ukraine.

Antidumping duties will be assessed on all unliquidated entries of ammonium nitrate from Ukraine entered, or withdrawn from warehouse, for consumption on or after March 5, 2001, the date of publication of the Department's preliminary determination in the **Federal Register**. See *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Solid Agricultural Grade Ammonium Nitrate From Ukraine*, 66 FR 13286 (March 5, 2001).

The ITC further found that critical circumstances do not exist with respect to imports of the subject merchandise from Ukraine. As a result, the Department will direct Customs officers to refund any cash deposits made, or bonds posted, pursuant to the Department's affirmative determination of critical circumstances for all merchandise produced/exported by all Ukrainian companies which were entered on or after December 5, 2000 (which is 90 days prior to the Department's preliminary determination publication date of March 5, 2001) and before March 5, 2001.

On or after the date of publication of this notice in the **Federal Register**, Customs officers must require, at the same time as importers would normally deposit estimated duties, cash deposits for the subject merchandise equal to the weighted-average antidumping duty margins as noted below. The "Ukraine-wide Rate" applies to all exporters of ammonium nitrate not specifically listed below:

Exporter/manufacture	Weighted-average margin percentage
J.S.C. "Concern" Strol	156.29
Ukraine-wide Rate	156.29

This notice constitutes the antidumping duty order with respect to ammonium nitrate from Ukraine, pursuant to section 735(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with sections 736(a) and 19 CFR 351.211.

Dated: September 6, 2001.

Richard W. Moreland,
Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE**National Institute of Standards and Technology****Judges Panel of the Malcolm Baldrige National Quality Award**

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that there will be a closed meeting of the Judges Panel of the Malcolm Baldrige National Quality Award on Thursday, September 20, 2001. The Judges Panel is composed of nine members prominent in the field of quality management and appointed by the Secretary of Commerce. The purpose of this meeting is to review the consensus process, select applicants for site visits, determine possible conflict of interest for site visited companies, begin stage III of the judging process, review feedback to first stage applicants, a debriefing on the State and Local Workshop, an E-Baldrige demonstration, and 2001 Regionals Sign-Up. The applications under review contain trade secrets and proprietary commercial information submitted to the Government in confidence.

DATES: The meeting will convene September 20, 2001 at 9 a.m. and adjourn at 4:30 p.m. on September 20, 2001. The entire meeting will be closed.

ADDRESSES: The meeting will be held at the National Institute of Standards and