(CIT 1988), *Aff'd* 884 F.2d 556 (Fed Cir. 1989), the Department may not amend an administrative result while it is under the CIT's exclusive jurisdiction unless it has leave of the CIT.

On November 2, 1998, pursuant to the order issued in *Rajinder Pipes Ltd.* v. *United States*, Court No. 98–07–02504, the CIT granted the Department leave to correct the clerical error in the calculation of RSL's weighted-average margin. Therefore, we are correcting the calculation, in accordance with section 751(h) of the Act.

Clerical-Error Allegation

RSL alleges that, while making corrections to the final results, the Department caused another clerical error to occur inadvertently. Specifically, RSL asserts that, after the Department corrected the clerical error regarding the home market credit-expense adjustment for direct sales, it did not deduct the excise duty when making comparisons to U.S. price.

We agree with RSL and have made the appropriate change in the margin program so that we have deducted excise duty from home market price before making a comparison to U.S. price. This was an inadvertent error in our computer programming.

Amended Final Results of Review

As a result of the amended margin calculations, the following weighted-average percentage margin exists for the period May 1, 1996, through April 30, 1997:

Manufacturer/exporter	Percentage margin
RSL	14.05

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We have calculated, wherever possible, an exporter/importer-specific assessment rate for RSL's sales to the United States. We will also direct the Customs Service to collect cash deposits of estimated antidumping duties on all appropriate entries in accordance with the procedures discussed in the final results of review (63 FR 32825, 32833) and as amended by this notice. The amended deposit requirements are effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 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 doubled antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(h) and 777(i) of the Act and 19 CFR 353.28(c).

Dated: November 18, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–31982 Filed 11–30–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–475–819]

Certain Pasta from Italy: Final Results of New Shipper Countervailing Duty Administrative Review

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

ACTION: Notice of Final Results of New Shipper Countervailing Duty Administrative Review.

SUMMARY: On Septmember 1, 1998, the Department of Commerce published in the **Federal Register** the preliminary results of its new shipper administrative review of the countervailing duty order on certain pasta from Italy for the period January 1, 1997, through December 31, 1997. We have now completed this review and determine the net subsidy to be 0.95 percent *ad valorem*. We will instruct the Customs Service to assess countervailing duties with respect to all shipments of the subject merchandise by Co. R. EX. S.r.L., the new shipper to this review, entered during this period.

EFFECTIVE DATE: December 1, 1998.

FOR FURTHER INFORMATION CONTACT: Vincent Kane or Sally Hastings, Office of AD/CVD Enforcement, Group I, Import Administration, U.S. Department of Commerce, Room 3099, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–2815 or 482–3464, respectively.

Applicable Statute: Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (URAA), effective January 1, 1995 (the Act). The Department of Commerce (the Department) is conducting this administrative review in accordance with section 751(a) of the Act. All other references are to the Department's regulations codified at 19 CFR Part 351 *et seq.* Antidumping Duties; Countervailing Duties; Final Rule 62 FR 27296 (May 19, 1997), unless otherwise indicated.

SUPPLEMENTARY INFORMATION:

Background

On September 1, 1998, the Department published in the **Federal Register** (63 FR 46411) the preliminary results of the new shipper administrative review of the countervailing duty order on certain pasta from Italy. The Department has now completed this new shipper administrative review pursuant to section 751(a)(2)(B) of the Act, and in accordance with 19 CFR 351.214. We invited interested parties to comment on the preliminary results. We received no comments. The review covers CO.R.EX., an exporter of the subject merchandise, and CO.R.EX.'s subcontractor. (CO.R.EX. does not produce pasta but has a subcontractor produce pasta for it from semolina supplied by Co.R.EX.) This review covers 24 programs.

Scope of the Review

The merchandise under review consists of certain non-egg dry pasta in packages of five pounds (or 2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons or polyethyelen or polypropylene bags, of varying dimensions.

Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by one of the following agencies: Instituto Mediterraneo Di Certificazione, Bioagricoop Scrl pasta imported in kitchen display bottles of decorative glass, which are sealed with cork or paraffin and bound with raffia, is excluded from the scope of this review.

The merchandise under review is currently classified under item 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, or written description of the scope of this review is dispositive.

Furthermore, on July 30, 1998, the Department issued a scope ruling that multipacks consisting of six one-pound packages of pasta, which are shrink wrapped into a single package, are within the scope of the orders. (*See* July 30, 1998, letter from Susan H. Kunbach, Acting Deputy Assistant Secretary for Import Administration, to Barbara P. Sidari, Vice President, Joseph A. Sidari Company, Inc.)

Period of Review

The period of review (''POR'') for which we are measuring subsidies is calendar year 1997.

Subsidies Valuation Information

Benchmark for Long-term Loans and Discount Rate: The companies under review did not take out any long-term, fixed-rate, lira-denominated loans or other debt obligations which could be used as benchmarks in any of the years in which grants were received or government loans under investigation were given. In the *Final Affirmative Countervailing Duty Determination; Certain Stainless Steel Wire Rod from Italy,* 63 FR 87077 (July 29, 1998), the Department determined, based on information gathered during verification, that the Italian Bankers' Association (ABI) prime rate is the most suitable benchmark for long-term financing to Italian companies. Therefore, we used the Italian ABI prime rate increased by the average spread over the ABI prime rate charged by banks on loans to commercial customers as the benchmark for long-term loans and the discount rate.

Allocation Period: In *British Steel plc.* v. *United States,* 879 F. Supp. 1254, 1289 (CIT 1955), *aff'd in part and rev'd in part on other grounds,* 127 F.3d 1471 (Fed. Cir. 1997), the U.S. Court of International Trade (the Court) ruled against the allocation methodology for non-recurring subsidies that the Department had employed for the past decade, which was articulated in the *General Issues Appendix,* appended to the *Final Countervailing Duty Determination; Certain Steel Products from Austria,* 58 FR 37225 (July 9, 1993) (''*GIA*''). In accordance with the Court's remand order, the Department determined that the most reasonable method of deriving the allocation period for nonrecurring subsidies is a company-specific average useful life (''AUL'') of non-renewable physical assets. This remand determination was affirmed by the Court on July 4, 1996. *See British Steel plc* v. *United States,* 929 F. Supp 426, 439 (CIT 1996). Accordingly, the Department has applied this method to determine the appropriate allocation period in this review.

Consistent with our approach in the investigation segment of this proceeding, *Final Affirmative Countervailing Duty Determination: Certain Pasta (''Pasta'') from Italy* (61 FR 30288, June 14, 1996) (''*Pasta from Italy*''), we determined that the Law 64/86 grant received by CO.R.EX.'s subcontractor was non-recurring. For purposes of allocating the Law 64/86 grant, CO.R.EX.'s subcontractor submitted an AUL calculation based on depreciation and asset values of productive assets reported in its financial statements. This AUL was derived by dividing the sum of average gross book value of depreciable fixed assets over the past ten years by the average depreciation charges over this period. We found this calculation to be reasonable and consistent with our company-specific AUL objective. In this manner, we calculated an AUL for CO.R.EX.'s subcontractor. We have used this calculated AUL for the allocation period for the Law 64/86 industrial development grant, the only non-recurring subsidy received by respondents.

Analysis of Programs

I. Programs Conferring Subsidies

Based upon our analysis of the responses to our questionnaires and the record of this review, we determine the following:

Programs Previously Determined to Confer Subsidies

In the preliminary results, we found that the programs listed below conferred countervailable benefits on the subject merchandise. We did not receive any comments on these programs from interested parties. Our review of the record, however, has led us to modify the calculations for each of these programs. First, we revised the denominator used to calculate the subsidy rate for each of the programs listed below. For the preliminary results, we based the denominator on f.o.b. sales values calculated on the basis of estimates of inland freight charges. For these final results, we have used actual inland freight charges in calculating f.o.b. sales values. These revised f.o.b. sales values served as the denominators for calculating the subsidy rate for each of these programs.

Further, we corrected an error in the calculation of the discount rate used to allocate the benefit amount for a Law 64/86 industrial development grant to CO.R.EX.'s subcontractor and for the Law 341/95 consolidation loan received by CO.R.EX. For a further discussion of this correction, see Memorandum to File: Calculation Notes for Final Results, dated November 22, 1998 (a public version of which is on file in room B099 of the main Commerce Building).

As a result of the calculation changes described above, the subsidy rates for the programs listed below changed as follows:

A. Industrial Development Grants Under Law 64/86

The subsidy rate for this program decreased from 0.18 percent to 0.15 percent *ad valorem*.

B. Social Security Reductions and Exemptions

1. Sgravi Benefits

The subsidy rate for this program decreased from 0.01 percent to 0.00 percent *ad valorem*.

2. Fiscalizzazione Benefits

The subsidy rate for this program decreased from 0.06 percent to 0.04 percent *ad valorem*.

3. Law 407/90 Benefits

The subsidy rate for this program decreased from 0.06 percent to 0.04 percent *ad valorem*.

4. Law 863 Benefits

The subsidy rate for this program decreased from 0.03 percent to 0.01 percent *ad valorem*.

Program Determined in This Review to Confer Subsidies

In the preliminary results, we found that the program listed below conferred countervailable benefits on the subject merchandise. We did not receive any comments on this program from interested parties. Our review of the record, however, has led us to modify the calculations for this program, as described above in the section.

Programs Previously Determined to Confer Subsidies

Debt Consolidation Law 341/95

The subsidy rate for this program decreased from 0.93 percent to 0.88 percent *ad valorem*.

II. Programs Determined To Be Not Used

We determine that CO.R.EX. and its subcontractor did not apply for or

receive benefits under the following programs during the POR:

A. VAT Reductions
B. Export Credits Under Law 227/77
C. Capital Grants Under Law 675/77
D. Retraining Grants Under Law 675/77
E. Interest Contributions on Bank Loans Under Law 675/77
F. Interest Grants Financed by IRI Bonds
G. Preferential Financing for Export Promotion Under Law 394/81
H. Corporate Income Tax (IRPEG) Exemptions
I. European Agricultural Guidance and Guarantee Fund
J. Urban Redevelopment Under Law 181
K. Local Income Tax (ILOR) Exemptions
L. Industrial Development Loans Under Law 64/86
M. Export Marketing Grants Under Law 304/90
N. Lump-Sum Interest Payment Under the Sabatini Law for Companies in Southern Italy
O. Remission of Taxes on Export Credit Insurance under Article 33 of Law 227/77
P. European Social Fund
Q. European Regional Development Fund
R. Export Restitution Payments

We did not receive any comments on these programs from the interested parties and our review of the record has not led us to change our findings from the preliminary results.

Final Results of Review

For the period January 1, 1997 through December 31, 1997, we determine the net subsidy for CO.R.EX. to be 0.95 percent *ad valorem*. We will instruct the Customs Service to assess countervailing duties at this net subsidy rate on all entries of the subject merchandise from CO.R.EX. entered, or withdraw from warehouse, for consumption on or after January 1, 1997 and on or before December 31, 1997.

The Department also intends to instruct the Customs Service to collect a cash deposit of estimated countervailing duties of 0.95 percent of the f.o.b. invoice value on all shipments of the subject merchandise from CO.R.EX. entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this new shipper review. The cash deposit rates for all other producers/exporters remain unchanged from the last completed administrative review (see *Final Results of Countervailing Duty Administrative Review: Certain Pasta from Italy* 63 FR 35665 (August 14, 1998)).

This administrative review and notice are in accordance with sections 751(a)(2)(B) and 777(i)(1) of the Act and 19 CFR 351.214.

Dated: November 23, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–31983 Filed 11–30–98; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 111398E]

Eligibility To Participate in the 1999 Directed Pollock Fishery in the Bering Sea and Aleutian Islands Management Area and Eligibility To Be Considered for Disbursement of Funds Pursuant to the American Fisheries Act

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Solicitation of applications.

SUMMARY: NMFS invites owners of vessels that meet the requirements in either section 208(b)(8) or (e)(21) of the American Fisheries Act (AFA) to apply for eligibility to participate in the offshore directed pollock fishery in the Bering Sea and Aleutian Islands Management Area (BSAI) after January 1, 1999. Section 208(b)(8) requirements apply to catcher vessels that deliver to catcher/processors in the offshore component. Section 208(e)(21) requirements apply to catcher/processors in the offshore component. Owners of vessels that are not specifically named in section 208(b) or (e) must apply to participate in the offshore directed pollock fishery in the BSAI after January 1, 1999.

NMFS also invites owners of vessels that meet the requirements in either section 207(d)(2)(A) or (B) to apply for consideration of the disbursement of funds. If a contract for a cooperative pursuant to section 210(a) is filed by vessels listed in section 208(e), then vessels listed in section 208(e)(10) through (14) will receive the disbursement of funds. However, if no such contract is under section 208(b) or 208(e)(1) through (20) that provide applications will be considered for the disbursement of funds.

Vessel owners may use a single application for both purposes; however, applications for the disbursement of funds must be received by NMFS prior to December 15, 1998. This action is necessary to meet the statutory deadline of December 31, 1998, specified in the AFA and is intended to meet the objectives of the U.S. Congress for vessels participating in the directed pollock fishery in the BSAI.

DATES: Effective November 25, 1998.

ADDRESSES: Applications should be addressed to Philip J. Smith, Administrator, Restricted Access Management, Alaska Region. NMFS, 709 West 9th Street, Room 453, Juneau, AK 99801, or P.O. Box 21668, Juneau, AK 99802. Copies of the relevant portions of the AFA also are available at the above address. Comments regarding the collection of information burden can be sent to the above address and to the Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503, Attention: NOAA Desk Officer.

FOR FURTHER INFORMATION CONTACT: John Lepore, 907–586–7228.

SUPPLEMENTARY INFORMATION:

1. General Information

The AFA, Pub. L. 105–277, was signed into law on October 21, 1998. Section 208 of the AFA specifies which vessels and processors are eligible to harvest pollock in the directed pollock fishery in the BSAI, either by directly naming the eligible vessels or processors, or by providing criteria to determine eligibility. Section 208(h) provides that in the event that the Secretary of Commerce (Secretary) is unable to make a final determination about the eligibility of a vessel under section 208(b)(8) or (e)(21) before January 1, 1999, such vessels, upon the filing of an application asserting eligibility, shall be eligible to participate in the directed pollock fishery in the BSAI pending a final determination by the Secretary.

2. Eligibility Under Section 208(b)(8) To Participate in the Directed Pollock Fishery in the BSAI

Section 208(b)(8) sets out three requirements that must be met by catcher vessels not specifically named in section 208(b)(1) through (7) in order for those vessels to deliver to catcher/processor vessels fish harvested in the directed pollock fishery after January 1, 1999. First, a catcher vessel must have delivered at least 250 metric tons (mt) of pollock in the directed pollock fishery in 1997. Second, at least 75 percent of the pollock harvested by a catcher vessel must have been delivered to a catcher/processor for processing by the offshore component. Third, a catcher vessel must be eligible to harvest pollock in the directed pollock fishery under the License Limitation Program (LLP) (63 FR 52642, October 1,