

moisture basis would be similar to protein reporting procedures used by other major wheat exporting countries. This proposal was announced in the May 30, 1986, **Federal Register** (51 FR 19556) and solicited industry comment on this action.

Comments on the May 30, 1986, proposal were generally in favor of a constant moisture basis for protein determination. Some commentors suggested using either a dry matter (0.0 percent moisture basis) or a 14.0 percent moisture basis as the constant. The dry matter and 14.0 percent moisture bases are frequently used in European and American flour mill specifications, respectively. However, the majority of commentors, including foreign buyers, supported the proposal to certificate protein on a constant 12.0 percent moisture basis. Further, since protein content on any other moisture basis can be easily calculated, it was decided that the practice of allowing any moisture basis to be specified by an applicant should be discontinued. Based on the comments received, FGIS published a document announcing this change in the August 26, 1986, **Federal Register** (51 FR 30323) which became effective May 1, 1987.

Moving to a constant 12.0 percent moisture basis solved the problem of varying protein results caused by fluctuating wheat moisture levels, as well as helped to eliminate concerns with regard to confusion over protein results. However, the 12.0 percent moisture basis was still different than moisture bases used by other exporting countries and many of our foreign customers. As examples, Canada uses a 13.5 percent moisture basis, Australia uses either 11.0 percent or "as-is," England and Sweden use 15.0 percent, and many Eastern European and other countries around the world, use the dry matter basis. Further, to date GIPSA has maintained its policy of only certifying protein results on the 12.0 percent moisture basis.

Since implementing the required 12.0 percent moisture basis requirement for protein analysis in wheat, it appears that this may not be fully facilitating the marketing of export wheat, even though wheat protein measurements have been standardized. A number of importers of U.S. wheat have requested that GIPSA provide an option to certify wheat protein content results on any specified moisture basis requested by applicants, in addition to certifying results on the current 12.0 percent moisture basis.

To address this concern, GIPSA proposes to introduce flexible certification in its protein testing program, in addition to maintaining its

standardization of results. GIPSA believes that allowing certification on the 12.0 percent moisture basis and including the option to also certify on a moisture basis requested by the receiver, would provide sufficient information on the inspection certificate to facilitate the marketing of wheat. Although this certification option is developed to address an export market need, GIPSA also believes this option could be used for domestic movements. This would be especially true in situations when an exporter is originating wheat to fulfill an export contract that requires a moisture basis other than 12.0 percent. Therefore, this certification option would be available from GIPSA field offices, delegated States, and designated agencies.

Adopting this action will allow GIPSA and the grain industry the greatest flexibility in the certification of wheat protein. Protein results will continue to be certified on a constant 12.0 percent moisture basis on all certificates, but the option would allow GIPSA the flexibility to meet a customer's request for additional information. GIPSA field offices, delegated States, and designated agencies will be responsible for the applicable mathematical calculations for certification using the following industry recognized formula:

$$X = [P/100 - 12] \times 100 \times [100 - PX/100]$$

Where:

X = the protein content at a moisture basis other than 12.0 percent requested by an applicant.

P = the protein content determined at a 12.0 percent moisture basis.

PX = the moisture basis specified by the applicant.

For example, if an applicant requests protein results also be certified to a 14.0 percent moisture basis and the protein content of the lot was determined to be 13.5 percent on a 12.0 percent moisture basis, the following calculation would be used to obtain the alternate protein result:

$$X = [13.5/100 - 12] \times 100 \times [100 - 14/100]$$

$$X = [13.5/88] \times 100 \times [86/100]$$

$$X = 0.1534 \times 100 \times 0.86$$

$$X = 15.34 \times 0.86$$

$$X = 13.2$$

Therefore, in this example, protein content would be certified as 13.5 percent on a 12.0 percent moisture basis, and as 13.2 percent on a 14.0 percent moisture basis.

Final action concerning this proposal will be announced in the **Federal Register** at a later date after the close of the comment period.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*)

Dated: September 23, 1998.

**James R. Baker,**

*Administrator, Grain Inspection, Packers and Stockyards Administration.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Pilot Programs

**AGENCY:** Grain Inspection, Packers and Stockyards Administration (GIPSA).

**ACTION:** Notice.

**SUMMARY:** GIPSA is currently running three pilot programs; timely service, open season, and barge, under one of the 1993 amendments to the United States Grain Standards Act, as amended (Act). This amendment provides that GIPSA may conduct pilot programs allowing more than one official agency to provide official services within a single geographic area. These pilot programs are scheduled to end October 31, 1999. Participation in the pilot programs has been light, especially during the first 2 years, and GIPSA believes it needs additional time to collect information. Accordingly, GIPSA is extending the pilot programs to September 30, 2000, the end of fiscal year 1999.

**EFFECTIVE DATE:** November 1, 1998.

**ADDRESSES:** USDA, GIPSA, Neil E. Porter, Director, Compliance Division, STOP 3604, 1400 Independence Avenue SW, Washington, DC 20250-3604. Internet and GroupWise users may respond to [nporter@fgisdc.usda.gov](mailto:nporter@fgisdc.usda.gov).

**FOR FURTHER INFORMATION CONTACT:** Neil E. Porter, telephone 202-720-8262.

**SUPPLEMENTARY INFORMATION:** Sections 7(f) and 7A of the Act was amended by the U.S. Grain Standards Act Amendments of 1993 (Pub. L. 103-156) on November 24, 1993, to authorize GIPSA'S Administrator to conduct pilot programs allowing more than one official agency to provide official services within a single geographic area without undermining the declared policy of the Act. The purpose of the pilot programs is to evaluate the impact of allowing more than one official agency to provide official services within a single geographic area.

GIPSA considered several possible pilot programs as announced in the March 14, 1994, **Federal Register** (59 FR 11759) and the March 10, 1995, **Federal Register** (60 FR 13113). In the September 27, 1995, **Federal Register** (60 FR 49828) GIPSA announced the

following two pilot programs starting on November 1, 1995, and ending on October 31, 1996.

1. **Timely Service.** This pilot program allows official agencies to provide official services to facilities outside their assigned geographic area on a case-by-case basis when these official services cannot be provided in a timely manner by the official agency designated to serve that area.

2. **Open Season.** This pilot program allows official agencies to offer their services to facilities outside their assigned geographic area where no official sample-lot or official weighing services have been provided in the previous 6 months.

In the October 3, 1996, **Federal Register** (61 FR 51674) GIPSA extended the pilot programs to October 31, 1999.

In the January 15, 1998, **Federal Register** (63 FR 2360) GIPSA announced a pilot program allowing barges on all rivers to be sampled by probe by any official agency effective March 1, 1998, and ending October 31, 1999, concurrently with the two existing pilot programs.

GIPSA has evaluated these three pilot programs and believes that they have not had an adverse impact on the official system. However, participation in the pilot programs has been light, especially during the first 2 years. Participation in the third year of the pilot programs is already greater than the total of the first 2 years combined. GIPSA is still collecting and analyzing information to determine if exclusive

boundaries should be maintained as they are, eliminated, or modified. GIPSA believes that it needs additional time to evaluate the impact of allowing more than one official inspection agency to operate in a geographic area. Accordingly, GIPSA is extending the pilot programs to September 30, 2000, the end of the 1999 fiscal year.

The three pilot program provisions will remain the same as announced in the September 27, 1995, and January 15, 1998, **Federal Register's**.

GIPSA will continue to monitor and evaluate the pilot programs. If, at any time, GIPSA determines that any pilot program is having a negative impact on the official system or is not working as intended, the program may be modified or discontinued.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: September 22, 1998.

**Neil E. Porter,**

*Director, Compliance Division.*

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**SUMMARY:** In accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department of Commerce ("the Department") is automatically initiating five-year ("sunset") reviews of the antidumping and countervailing duty orders, findings, and/or suspended investigations listed below. The International Trade Commission ("the Commission") is publishing concurrently with this notice its notices of *Institution of Five-Year Reviews* covering these same orders and/or suspended investigations.

**FOR FURTHER INFORMATION CONTACT:**

Melissa G. Skinner, Scott E. Smith, or Martha V. Douthit, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, at (202) 482-1560, (202) 482-6397 or (202) 482-3207, respectively, or Vera Libeau, Office of Investigations, U.S. International Trade Commission, at (202) 205-3176.

**SUPPLEMENTARY INFORMATION:**

**Initiation of Reviews**

In accordance with 19 CFR 351.218 (see *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998)), we are initiating sunset reviews of the following antidumping and countervailing duty orders, findings, or suspended investigations:

**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Notice of Initiation of Five-Year ("Sunset") Reviews**

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

DOC Case No.	ITC Case No.	Country	Product
C-408-046	C4-7	EC	Sugar.
A-423-077	AA-198	Belgium	Sugar.
A-427-078	AA-199	France	Sugar.
A-428-082	AA-200	Germany	Sugar.
A-122-085	A-3	Canada	Sugar & Syrups.
A-588-015	AA-66	Japan	Television Receivers.
A-580-008	A-134	Korea (South)	Color Television Receivers.
A-583-009	A-135	Taiwan	Color Television Receivers.
A-588-090	A-7	Japan	Small Electric Motors (SA).
A-427-098	A-25	France	Anhydrous Sodium Metasilicate.
A-427-001	A-44	France	Sorbitol.
A-588-005	A-48	Japan	High Power Microwave Amplifiers.
A-428-061	A-31	Germany	Barium Carbonate.
A-570-007	A-149	China, PR	Barium Chloride.

**Statute and Regulations**

Pursuant to sections 751(c) and 752 of the Act, an antidumping ("AD") or countervailing duty ("CVD") order will be revoked, or the suspended investigation will be terminated, unless revocation or termination would be likely to lead to continuation or recurrence of (1) dumping or a

countervailable subsidy, and (2) material injury to the domestic industry.

The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("Sunset Regulations"). Guidance on methodological or analytical issues

relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").