

**DEPARTMENT OF COMMERCE****Foreign-Trade Zones Board****[Docket 57-2005]****Foreign-Trade Zone No. 181,  
Application for Expansion,  
Amendment of Application**

Notice is hereby given that the application of the Northeast Ohio Trade & Economic Consortium (NEOTEC), grantee of FTZ 181, for authority to expand and reorganize FTZ 181 in the Akron/Canton, Ohio area (Doc. 57-2005, 70 FR 71085, 11/25/05), has been amended to delete the proposed transfer of a parcel within the Cuyahoga Falls Industrial Park to leaving the 12 acres in the northwestern and central portions of the Park as part of the zone. The application otherwise remains unchanged.

Comments on the change may be submitted to the Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave., NW., Washington, DC 20230, by February 17, 2006.

**Dennis Puccinelli,**  
*Executive Secretary.*

[FR Doc. E6-1417 Filed 2-1-06; 8:45 am]

BILLING CODE 3510-DS-S

**DEPARTMENT OF COMMERCE****International Trade Administration****North American Free-Trade  
Agreement, Article 1904; NAFTA Panel  
Reviews; Request for Panel Review**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of First Request for Panel Review.

**SUMMARY:** On January 25, 2006, CEMEX, S.A. de C.V. ("CEMEX") filed a First Request for Panel Review with the United States Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the 14th administrative review made by the International Trade Administration, respecting Gray Portland Cement and Clinker from Mexico. A second request for panel review was filed on January 25, 2006 on behalf of GCC Cementos, S.A. de C.V. ("GCC"). This determination was published in the **Federal Register** (71 FR 2909) on January 18, 2006. The NAFTA Secretariat has assigned Case

Number USA-MEX-2006-1904-03 to this request.

**FOR FURTHER INFORMATION CONTACT:**

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the United States Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on January 25, 2006, requesting panel review of the determination described above.

*The Rules provide that:*

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is February 24, 2006);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is March 13, 2006); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: January 26, 2006.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*  
[FR Doc. E6-1359 Filed 2-1-06; 8:45 am]

BILLING CODE 3510-GT-P

**DEPARTMENT OF COMMERCE****International Trade Administration****North American Free-Trade Agreement  
(NAFTA), Article 1904 Binational Panel  
Reviews**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of Decision of Panel.

**SUMMARY:** On January 27, 2006, the binational panel issued its decision in the review of the final determination made by the International Trade Administration, respecting Oil Country Tubular Goods from Mexico Final Antidumping Duty Administrative Review and Determination not to Revoke, Secretariat File No. USA-MEX-2001-1904-05. The binational panel affirmed in part and remanded in part to the International Trade Administration. Copies of the panel decision are available from the U.S. Section of the NAFTA Secretariat.

**FOR FURTHER INFORMATION CONTACT:**

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of the final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

*Panel Decision:* The Panel concluded and ordered the Department as follows:

(1) The Panel affirms the Department's decision to deny TAMSA's request for revocation of the antidumping order.

(2) The Panel affirms the decision of the Department as it relates to Hylsa regarding the treatment of export insurance as a direct expense, and in rejecting Hylsa's challenge to the Department's "zeroing practice".

(3) The Panel remands the case as it relates to Hylsa to the Department to recalculate the final antidumping margins by:

1. Recalculating the packing costs by (a) taking into account that the cost for automation was captured as an overhead fixed asset; (b) not averaging the packing costs from cost center 2052 for the entire POR because it is not reasonable; and (c) taking into consideration only the packing costs reported by Hylsa for cost center 2052 and only for the two months in which OCTG products were packed.

2. Recalculating the cost of production by averaging the costs of production for both sizes of pipe and for both months to determine a single average cost given the absence of any basis in the record justifying different production costs based on size.

(4) In the event the recalculation results in a zero or *de minimus* antidumping margin, the Panel directs the Department to address Hylsa's request for revocation of the antidumping order.

The Department was directed to report the results of its remand decision within 45 days of the date of the opinion, or not later than March 13, 2006.

Dated: January 27, 2006.

**Caratina L. Alston,**

*United States Secretary, NAFTA Secretariat.*  
[FR Doc. E6-1361 Filed 2-1-06; 8:45 am]

**BILLING CODE 3510-GT-P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Scope Rulings

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

**EFFECTIVE DATE:** February 2, 2006.

**SUMMARY:** The Department of Commerce (the Department) hereby publishes a list of scope rulings completed between October 1, 2005, and December 31, 2005. In conjunction with this list, the Department is also publishing a list of requests for scope rulings and

anticircumvention determinations pending as of December 31, 2005. We intend to publish future lists after the close of the next calendar quarter.

#### FOR FURTHER INFORMATION CONTACT:

Alice Gibbons, AD/CVD Operations, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0498.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department's regulations provide that the Secretary will publish in the **Federal Register** a list of scope rulings on a quarterly basis. See 19 CFR 351.225(o). Our most recent "Notice of Scope Rulings" was published on November 23, 2005. See 70 FR 70785.

The instant notice covers all scope rulings and anticircumvention determinations completed by Import Administration between October 1, 2005, and December 31, 2005, inclusive. It also lists any scope or anticircumvention inquiries pending as of December 31, 2005, as well as scope rulings inadvertently omitted from prior published lists. As described below, subsequent lists will follow after the close of each calendar quarter.

#### Scope Rulings Completed Between October 1, 2005 and December 31, 2005:

##### People's Republic of China

*A-570-803: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China*

Requestor: Avalanche Industries LLC; its "Mean Green Splitting Machine" (also known as the "Smart Splitter") is included within the scope of the bars and wedges antidumping duty order; October 14, 2005.

*A-570-803: Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China*

Requestor: Tianjin Machinery Import & Export Corporation; On September 22, 2005, the Court of International Trade upheld the Department's remand redetermination, which found that cast picks are outside the scope of the antidumping duty order on picks/mattocks; Because no party appealed this decision, this decision became final and conclusive on November 22, 2005.

*A-570-890: Wooden Bedroom Furniture from the People's Republic of China*

Requestor: Dorel Asia; infant (baby) armoires and toy boxes and chests are

within the scope of the antidumping duty order; November 14, 2005.

*A-570-890: Wooden Bedroom Furniture from the People's Republic of China*

Requestor: Leggett & Platt; three-sided wooden daybeds with the back being longer than the two sides and are designed for use with a metal daybed link spring support (also known as a "top spring") are within the scope of the antidumping duty order; November 21, 2005.

*A-570-890: Wooden Bedroom Furniture from the People's Republic of China*

Requestor: LumiSource, Inc.; its cell phone stash chair, whale stash chair, dolphin stash chair, and stash cube are excluded from the antidumping duty order; December 15, 2005.

#### Anti-circumvention Determinations Completed Between October 1, 2005 and December 31, 2005:

None.

#### Anti-circumvention Inquiries Terminated Between October 1, 2005 and December 31, 2005:

None.

#### Scope Inquiries Terminated Between October 1, 2005 and December 31, 2005:

##### People's Republic of China

*A-570-898: Chlorinated Isocyanurates from the People's Republic of China*

Requestor: Enviro Tech Chemical Services, Inc.; whether powdered trichlorisocyanuric acid should be considered a separate like product; requested October 10, 2005; terminated November 4, 2005.

#### Scope Inquiries Pending as of December 31, 2005:

##### Canada

*A-122-838: Certain Softwood Lumber Products from Canada*

Requestor: Coalition for Fair Lumber Imports Executive Committee; whether lumber entering under the HTSUS number 4409.10.05 is within the scope of the order; requested December 19, 2005.

People's Republic of China

*A-570-504: Petroleum Wax Candles from the People's Republic of China*

Requestor: Design Ideas, Ltd.; whether its "Lumanae" and "Lounge Light" candles are within the scope of the antidumping duty order; requested December 29, 2005.