

increased market share while eliminating dumping, we preliminarily determine that the margins from the original investigation are probative of the behavior of exporter without the discipline of the order.

Based on the above analysis, we preliminarily intend to report to the Commission the margins contained in the Preliminary Results of Review of this notice.

Preliminary Results of Review

As a result of this review, the Department preliminarily finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the levels indicated below.

Manufacturer/Exporter	Margin (percent)
Komatsu, Ltd. (Komatsu)	15.16
Aida Engineering, Ltd	(¹)
All Others	14.51

¹Revoked.

Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Any hearing, if requested will be held on February 16, 2000, in accordance with 19 CFR 351.310(d). Interested parties may submit case briefs no later than February 7, 2000, in accordance with 19 CFR 351.309(c)(1)(i). We invite interested parties to submit arguments and, as an exception to our normal practice, factual evidence related to the issues identified in these preliminary results. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than February 14, 2000. Rebuttal briefs also may contain factual evidence to rebut, clarify, or correct factual evidence submitted in other parties' case briefs. The Department will issue a notice of final results of this sunset review no later than April 26, 2000.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: December 28, 1999.

Holly Kuga,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-357-804]

Silicon Metal From Argentina; Antidumping Duty Administrative Review: Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of Rescission of Antidumping Duty Administrative Review.

SUMMARY: On November 4, 1999, the Department of Commerce ("the Department") published in the **Federal Register** (64 FR 60161) a notice announcing the initiation of an administrative review of the antidumping duty order on silicon metal from Argentina. This administrative review covered one Argentine manufacturer and exporter of silicon metal, Electrometalurgica Andina S.A.I.C. ("Andina"), for the period of September 1, 1998 through August 31, 1999. The Department has now rescinded this review as a result of the absence of Andina's shipments and entries into the United States of subject merchandise during the period of review.

EFFECTIVE DATE: January 6, 2000.

FOR FURTHER INFORMATION CONTACT: Helen Kramer or Linda Ludwig, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-0405 or 482-3833, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended, are to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (1999).

Scope of Review

The product covered by this review is silicon metal. During the less-than-fair-value (LTFV) investigation, silicon metal was described as containing at least 96.00 percent, but less than 99.99 percent, silicon by weight. In response

to a request by the petitioners for clarification of the scope of the antidumping duty order on silicon metal from the People's Republic of China, the Department determined that material with a higher aluminum content containing between 89 and 96 percent silicon by weight is the same class or kind of merchandise as silicon metal described in the LTFV investigation. See Final Scope Rulings—Antidumping Duty Orders on Silicon Metal From the People's Republic of China, Brazil and Argentina (February 3, 1993). Therefore, such material is within the scope of the orders on silicon metal from the PRC, Brazil and Argentina. Silicon metal is currently provided for under subheadings 2804.69.10 and 2804.69.50 of the Harmonized Tariff Schedule (HTS) and is commonly referred to as a metal. Semiconductor-grade silicon (silicon metal containing by weight not less than 99.99 percent of silicon and provided for in subheading 2804.61.00 of the HTS) is not subject to this review. These HTS subheadings are provided for convenience and U.S. Customs purposes. Our written description of the scope of the proceeding is dispositive.

Background

On September 9, 1999, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on silicon metal from Argentina (64 FR 48890). On September 30, 1999, petitioners in this proceeding, requested a review of sales made by Andina during the period September 1, 1998 through August 31, 1999. On November 4, 1999, the Department initiated an administrative review (64 FR 60161).

On November 23, 1999, Andina submitted a certification to the Department that it did not, directly or indirectly, enter for consumption, or sell, export, or ship for entry for consumption in the United States subject merchandise during the period of review. The Department performed a customs query for entries from Argentina classified under HTS numbers 2804.69.10 and 2804.69.50 during the period of review and found no entries during that time period. In response to a telephone inquiry, counsel for petitioners stated they had no information to the contrary. See Memorandum to the File from Helen M. Kramer dated November 30, 1999. Therefore, we have determined that Andina made no entries of the subject merchandise into the customs territory of the United States during the period of review.

Pursuant to 19 CFR 351.213(d)(3), the Department may rescind an administrative review, in whole or only with respect to a particular exporter or producer, if the Secretary concludes that, during the period covered by the review, there were no entries, exports, or sales of the subject merchandise. In light of the fact that we determined that Andina did not export the subject merchandise into the territory of the United States during the POR in question, and there were no entries made by any other exporter or producer in Argentina, we are rescinding this review. This notice is published in accordance with 19 CFR 351.213(d)(4).

Dated: December 29, 1999.

Richard O. Weible,

*Acting Deputy Assistant Secretary,
Enforcement Group III.*

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DEPARTMENT OF COMMERCE

International Trade Administration

Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

ACTION: Publication of Annual Listing of Foreign Government Subsidies on

Articles of Cheese Subject to an In-Quota Rate of Duty.

SUMMARY: The Department of Commerce, in consultation with the Secretary of Agriculture, has prepared its annual list of foreign government subsidies on articles of cheese subject to an in-quota rate of duty during the period October 1, 1998 through September 30, 1999. We are publishing the current listing of those subsidies that we have determined exist.

EFFECTIVE DATE: January 1, 2000.

FOR FURTHER INFORMATION CONTACT:

Tipten Troidl, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230, telephone: (202) 482-2786.

SUPPLEMENTAL INFORMATION: Section 702(a) of the Trade Agreements Act of 1979 (as amended) ("the Act") requires the Department of Commerce ("the Department") to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(g)(b)(4) of the Act, and to publish an annual list and quarterly updates of the type and amount of those subsidies. We hereby provide the Department's annual list of subsidies on

articles of cheese that were imported during the period October 1, 1998 through September 30, 1999.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702 (g)(b)(2) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amounts of each subsidy for which information is currently available.

The Department will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed.

The Department encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: December 29, 1999.

Holly A. Kuga,

Acting Assistant Secretary for Import Administration.

APPENDIX—SUBSIDY PROGRAMS ON CHEESE SUBJECT TO AN IN-QUOTA RATE OF DUTY

Country	Program(s)	Gross ¹ subsidy (\$/lb)	Net ² subsidy (\$/lb)
Austria	European Union Restitution Payments	0.19	0.19
Belgium	EU Restitution Payments	0.07	0.07
Canada	Export Assistance on Certain Types of Cheese	0.23	0.23
Denmark	EU Restitution Payments	0.17	0.17
Finland	EU Restitution Payments	0.26	0.26
France	EU Restitution Payments	0.15	0.15
Germany	EU Restitution Payments	0.19	0.19
Greece	EU Restitution Payments	0.00	0.00
Ireland	EU Restitution Payments	0.10	0.10
Italy	EU Restitution Payments	0.13	0.13
Luxembourg	EU Restitution Payments	0.07	0.07
Netherlands	EU Restitution Payments	0.10	0.10
Norway	Indirect (Milk) Subsidy	0.34	0.34
	Consumer Subsidy	0.14	0.14
Total	0.48	0.48
Portugal	EU Restitution Payments	0.10	0.10
Spain	EU Restitution Payments	0.11	0.11
Switzerland	Deficiency Payments	0.25	0.25
U.K.	EU Restitution Payments	0.13	0.13

¹ Defined in 19 U.S.C. 1677(5).

² Defined in 19 U.S.C. 1677(6).