to collect a reasonable approximation of the antidumping duties which would have been determined if the Department had reviewed those sales of merchandise actually entered during the POR. The Department will issue appropriate appraisement instructions directly to the Customs Service upon completion of the review.

Furthermore, the following deposit requirements will be effective upon completion of the final results if these administrative reviews for all shipments of TRBs from Japan entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided by section 751(a)(1) of the Act:

(1) The cash deposit rates for the reviewed companies will be those rates established in the final results of these reviews;

(2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in these reviews, a prior review, or the LTFV investigations, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in these or any previous reviews conducted by the Department, the cash deposit rate for the A–588–054 case will be 18.07 percent, and 36.52 percent for the A–588–604 case *(see Preliminary Results of Antidumping Duty Administrative Reviews; Tapered Roller Bearings, Finished and Unfinished, and Parts Thereof, from Japan and Tapered Roller Bearings, Four Inches or less in Outside Diameter, and Components Thereof, From Japan*, 58 FR 51061 (September 30, 1993)).

This notice serves as a preliminary reminder to importers of their responsibility 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 double antidumping duties. These administrative reviews and this notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: September 2, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97–23852 Filed 9–8–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–810]

Certain Welded Stainless Steel Pipe From Korea; Termination of Antidumping Duty Administrative Review

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

ACTION: Notice of termination of antidumping duty administrative review.

SUMMARY: In response to a request from petitioners, the Department of Commerce (the Department) published in the **Federal Register** (62 FR 9413, March 3, 1997) the notice of initiation of the administrative review of the antidumping duty order on certain welded stainless steel pipe from Korea, for the period December 1, 1995 through November 30, 1996. On May 6, 1997, we received a request for withdrawal of this review from petitioners. Because this request was timely submitted and because no other interested party requested a review, we are terminating this review.

EFFECTIVE DATE: September 9, 1997.

FOR FURTHER INFORMATION CONTACT: G. Leon McNeill or Maureen Flannery, AD/CVD Enforcement, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–4733.

Applicable Regulations: Unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 353 (April 1, 1997).

SUPPLEMENTARY INFORMATION:

Background

On December 31, 1996, petitioners [1] requested an administrative review pursuant to 19 CFR 353.22(a) with respect to the following manufacturers/exporters: Hyundai Pipe Co., Ltd.; L.G. Metals; Pusan Steel Pipe Co., Ltd.; Sammi Metal Products Co., Ltd.; and SEAH Steel Corporation. On March 3, 1997, in accordance with 19 CFR 353.22(c), we initiated an administrative review of this order. On May 6, 1997, we received a timely withdrawal of request for review from petitioners.

Pursuant to 19 CFR 353.22(a)(5) of the Department's regulations, the Department may allow a party that requests an administrative review to withdraw such request not later than 90 days after the date of publication of the notice of initiation of the administrative review.

Because petitioners' request for termination was submitted within the 90-day time limit and there were no requests for review from other interested parties, we are terminating this review.

This termination of administrative review and notice are in accordance with 19 CFR 353.22(a)(5).

Dated: September 3, 1997.

Roland L. MacDonald,

Acting Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 97–23854 Filed 9–8–97; 8:45 am]

BILLING CODE 3510–DS–P

[1] Avesta Sheffield Inc.; Bristol Metals; Damascus Tube Division, Damascus-Bishop Tube Co.; Trent Tube Division, Crucible Materials Corporation; and United Steelworkers of America (AFL–CIO/CLC).

DEPARTMENT OF COMMERCE

International Trade Administration

[C–122–404]

Live Swine From Canada; Preliminary Results of Countervailing Duty Administrative Review

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

ACTION: Notice of Preliminary Results of Countervailing Duty Administrative Review.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty order on live swine from Canada for the period April 1, 1995 through March 31, 1996. For information on the net subsidy for all producers covered by this order, see the *Preliminary Results of Review* section of this notice. If the final results remain the same as these preliminary results of administrative review, we will instruct the U.S. Customs Service to assess countervailing duties as detailed in the *Preliminary Results of Review* section of this notice. Interested parties are invited to comment on these preliminary results. *See Public Comment* section of this notice.

EFFECTIVE DATE: September 9, 1997.

FOR FURTHER INFORMATION CONTACT: Gayle Longest or Lorenza Olivas, Office

CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

On August 15, 1985, the Department published in the **Federal Register** (50 FR 32880) the countervailing duty order on live swine from Canada. On August 12, 1996, the Department published a notice of ''Opportunity to Request Administrative Review'' (61 FR 41768) of this countervailing duty order. We received timely requests for review and we initiated the review, covering the period April 1, 1995 through March 31, 1996, on September 17, 1996 (61 FR 48884).

The Department has determined that it is not practicable to conduct a company-specific review of this order because a large number of producers and exporters requested the review. Therefore, pursuant to section 777A(e)(2)(B) of the Tariff Act of 1930, as amended (the Act), we are conducting a review of all producers and exporters of subject merchandise covered by this order on the basis of aggregate data. This review covers 26 programs.

On April 28, 1997, we extended the period for completion of the preliminary results pursuant to section 751(a)(3) of the Act. *See Live Swine from Canada; Extension of Time Limit for Countervailing Duty Administrative Review,* 62 FR 23220. Therefore, the deadline for these preliminary results is no later than September 2, 1997, and the deadline for the final results of this review is no later than 120 days from the date on which these preliminary results are published in the **Federal Register**.

Applicable Statute and Regulations

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 is conducting this administrative review in accordance with section 751(a) of the Act.

Scope of the Review

The merchandise covered by this order is live swine, except U.S. Department of Agriculture (USDA) certified purebred breeding swine, slaughter sows and boars, and weanlings, (weanlings are swine weighing up to 27 kilograms or 59.5 pounds) from Canada. The merchandise subject to the order is classifiable under the *Harmonized Tariff Schedule* (HTS) item numbers 0103.91.00 and 0103.92.00. The HTS item numbers are provided for convenience and U.S. Customs Service (Customs) purposes. The written description of the scope remains dispositive.

Verification

As provided in section 782(i) of the Act, we verified information submitted by the Government of Canada (GOC) and the Government of Quebec (GOQ) related to their claim for ''green box'' treatment pursuant to section 771(5B)(F) of the Act, of the programs covered by the Canada/Quebec Subsidiary Agreement on Agri-Food Development (Agri-Food) (see discussion under ''Analysis of Programs'' section below). We followed standard verification procedures, including meeting with government officials and examining relevant accounting and financial records and other original source documents. Our verification results are outlined in the public version of the *Verification Report,* dated August 27, 1997, which is on file in the Central Records Unit (Room B–099 of the Main Commerce Building).

Analysis of Programs

Allocation Methodology

In *British Steel plc.* v. *United States,* 879 F. Supp. 1254 (February 9, 1995) (*British Steel*), the U.S. Court of International Trade (the Court) ruled against the allocation period methodology for non-recurring subsidies that the Department has employed for the past decade, a methodology that was articulated in the *Final Affirmative Countervailing Duty Determination: Certain Steel Products from Austria (General Issues Appendix*), 58 FR 37217, 37226 (July 9, 1993) (*General Issues Appendix*). In accordance with the Court's decision on remand, the Department determined that the most reasonable method of deriving the allocation period for non-recurring subsidies is a company-specific average useful life (AUL). This remand determination was affirmed by the Court on June 4, 1996. *British Steel,* 929 F. Supp. 426, 439 (CIT 1996). Accordingly, the Department has decided to acquiesce to the *British Steel* decision where reasonable and practicable. In *Live Swine from Canada; Preliminary Results of Countervailing Duty Administrative Review* (62 FR 52426; October 7, 1996) and *Live Swine from Canada; Final Results of Countervailing Duty Administrative Review* (62 FR 18087; April 14, 1997) (*Swine Tenth Review Results*), the Department determined that it is not reasonable and practicable to allocate non-recurring subsidies using company-specific AUL data because it is not possible to apply a company-specific AUL in an aggregate case (such as the case at hand). Accordingly, in this review, the Department has continued to use as the allocation period the average useful life of depreciable assets used in the swine industry, as set forth in the U.S. Internal Revenue Service (IRS) Class Life Asset Depreciation Range System (*see Swine Tenth Review Results*). We invite the parties to comment on the selection of this methodology and to provide any other reasonable and practicable approaches for complying with the Court's ruling.

Calculation Methodology for Assessment and Cash Deposit Purposes

For the period of review (POR), we calculated the net subsidy on a country-wide basis by determining the subsidy rate for each program subject to the administrative review in the following manner. We first calculated the subsidy rate on a province by province basis; we then weight-averaged the rate received by each province using the province's share of total Canadian exports to the United States of market hogs (which excludes slaughter sows and boars). We then summed the individual provinces' weight-averaged rates to determine the subsidy rate of each program. To obtain the country-wide rate, we then summed the subsidy rates from all programs.

Respondents' Claim for ''Green Box'' Treatment of the Canada/Quebec Subsidiary Agreement on Agri-Food Development (Agri-Food Agreement)

On November 5, 1996, the GOQ made a submission pursuant to section 771(5B)(F) of the Act claiming that the Agri-Food Agreement met the criteria for ''green box'' treatment under Annex 2 of the Agreement on Agriculture of the World Trade Organization (WTO). On January 21, 1997, the GOQ indicated that the GOC also supported the green box claim.

Under section 771(5B)(F) of the Act, the domestic support measures provided with respect to the agricultural products listed in Annex 1 to the 1994 WTO Agreement on Agriculture shall be treated as non-countervailable if the Department determines that the measures conform fully with the provisions of Annex 2. Accordingly, the GOQ and the GOC posited that funding under the Agri-Food Agreement should be noncountervailable pursuant to section 771(5B)(F) of the Act.

The initial Agri-Food Agreement was signed on February 17, 1987 and remained in effect from 1987 to 1991. On August 26, 1993, a new Agri-Food Agreement was enacted by the governments of Canada and Quebec covering the period April 1, 1993 through March 31, 1998. Funding for this agreement is shared 50/50 by the federal and provincial governments. Through this Agreement, grants are made to private businesses and academic organizations to fund projects under the following program areas:

(1) *Research:* The purpose of this program area is to increase and diversify scientific and technical expertise, in both the area of industrial production and in university-based studies. Specific areas of expertise to be covered include: food production, processing, storage and marketing.

(2) *Technology Innovation:* The purpose of this program area is to speed up the rate of adoption and dissemination of technologies and innovation and the development of new products. This program operates through awarding financial assistance and technical support to groups wishing to carry out testing projects or develop new technologies to promote agri-food development.

(3) *Support for Strategic Alliances:* The purpose of this program area is to stimulate cooperation and promote strategic activities intended to improve competitiveness in domestic and foreign markets. Funding for projects is made available to an ''industry network'' (which includes all stakeholders in an agri-food industry, from the producer of the raw material to the final processor), through an application and approval process.

The Department has previously examined each of the three components under the Agri-Food Agreement (Research, Technology Innovation, and Support for Strategic Alliances) as three separate programs. *See Swine Tenth Review Results* (62 FR 52433). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of that finding.

With regard to the GOQ's and the GOC's claim from green box treatment, we preliminarily determine that it is not necessary to reach a decision on whether the Agri-Food Agreement and its component programs qualify for green box status, and are, therefore, non-countervailable because none of the component programs has any impact on the overall subsidy rate attributable to the subject merchandise during the POR.

Specifically, with regard to the Research program under the Agri-Food Agreement, as discussed below in the section II. A., we have preliminarily determined that this program does not confer countervailable subsidies because the results of the research are publicly available. As such, there is no need to address whether it is non-countervailable in the context of section 771(5B)(F). Further, with regard to the Technology Innovation program, although we found this program to be specific in the last administrative review (see section I.A.2.c. below), the benefit under this program is so small (Can$ 0. 00000045 per kilogram) that it has no impact on the overall subsidy rate calculated for this POR. Similarly, even though we have never made a decision with regard to the specificity of the Support for Strategic Alliance (SSA) program (see section II.B. below), any benefit to the subject merchandise under the SSA program would be so small (Can$ 0.00000055 per kilogram) that there would be no impact on the overall subsidy rate. Because neither the Technology Innovations program nor the Support for Strategic Alliances program (either separately or collectively) affect the overall subsidy rate calculated for this review, there is no reason to consider whether these two programs meet the green box criteria pursuant to section 771(5B)(F).

Under these circumstances, an analysis of whether the programs under the Agri-Food Agreement qualify for green box treatment is not warranted because any decision we would render would not change the overall subsidy rate. *(See, e.g., Certain Carbon Steel Products from Sweden; Preliminary Results of Countervailing Duty Administrative Review* (61 FR 64062, 64065; December 3, 1996) and *Certain Carbon Steel Products from Sweden; Final Results of Countervailing Duty Administrative Review* (62 FR 16549; April 7, 1997); *Final Negative Countervailing Duty Determination: Certain Laminated Hardwood Trailer Flooring (''LHF'') From Canada* (62 FR 5201; February 4, 1997); *Industrial Phosphoric Acid From Israel; Preliminary Results of Countervailing Duty Administrative Review* (61 FR 28845; June 6, 1996) and *Industrial Phosphoric Acid From Israel; Final Results of Countervailing Duty Administrative Review* (61 FR 53351; October 11, 1996).

I. Programs Conferring Subsidies

A. Programs Previously Determined to Confer Subsidies

1. Federal Program: Feed Freight Assistance Program

The Feed Freight Assistance Program (FFA) is administered by the Livestock Feed Board of Canada (the Board) under the Livestock Feed Assistance Act of 1966 (LFA). The Board acts to ensure: (1) The availability of feed grain to meet the needs of livestock feeders; (2) the availability of adequate storage space in Eastern Canada to meet the needs of livestock feeders; (3) reasonable stability in the price of feed grain in Eastern Canada to meet the needs of livestock feeders; and (4) equalization of feed grain prices to livestock feeders in Eastern Canada, British Columbia, the Yukon Territory and the Northwest Territories. Although this program is clearly designed to benefit livestock feeders, FFA payments are also made to grain mills that transform the feed grain into livestock feed whenever these mills are the first purchasers of this grain. The Board makes payments related to the cost of feed grain storage in Eastern Canada, and payments related to the cost of feed grain transportation to, or for the benefit of, livestock feeders in Eastern Canada, British Columbia, the Yukon Territory and the Northwest Territories, in accordance with the regulations of the LFA.

In *Live Swine from Canada; Preliminary Results of Countervailing Duty Administrative Review* (55 FR 20812; May 21, 1990) and *Live Swine from Canada; Final Results of Countervailing Duty Administrative Review* (56 FR 10410; March 12, 1991) (*Swine Second and Third Review Results*), the Department found this program *de jure* specific, and thus countervailable, because, based on the language of the LFA, benefits are only available to a specific group of enterprises or industries (livestock feeders and feed mills). Subsequently, a U.S.-Canada Free Trade Agreement binational panel (*see In the Matter of Live Swine From Canada*, USA–91–1904–03 (June 11, 1993) at 33–36) affirmed the Department's determination in *Live Swine from Canada; Preliminary Results of Countervailing Duty Administrative Review* (56 FR 29224; June 26, 1991), and *Live Swine from Canada; Final Results of Countervailing Duty Administrative Review* (56 FR 50560; October 7, 1991) (*Swine Fifth Review Results*), regarding the countervailability of this program. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To determine the FFA benefit in the POR, we first calculated a benefit per kilogram of live swine within each province eligible for FFA assistance using each province's total production. Next, we adjusted each province's rate per kilogram based on each province's share of total Canadian exports of market hogs to the United States during the POR. Finally, these individual provincial rates were summed to obtain a total rate for the FFA program. On this basis, we preliminarily determine the net subsidy for this program to be less than Can$0.0001 per kilogram for the POR.

The FAA was terminated effective January 9, 1996. The last date for which a producer could claim benefits was February 15, 1996, and the last date by which payments could be received was March 31, 1996. Therefore, we consider this program terminated. Moreover, there is no evidence on the record which would indicate that residual benefits are being bestowed or that a substitute program has been implemented. Accordingly, because of this program-wide change, the cash deposit rate will be adjusted to zero for this program. *See e.g., Swine Tenth Review Results* at 18098 and *Final Affirmative Countervailing Duty Determination: Certain Pasta from Turkey,* 61 FR 30366, 30370; June 14, 1996 (*Pasta from Turkey*).

2. *Federal/Provincial Programs*

a. *National Tripartite Stabilization Scheme for Hogs*

The National Tripartite Stabilization Program (NTSP) was created in 1985 by an amendment to the Agricultural Stabilization Act (ASA). This amendment, codified at section 10.1 of the ASA, provides for the introduction of cost-sharing tripartite or bipartite stabilization schemes involving the producer, the federal government, and the provinces. Pursuant to this amendment, federal and provincial ministers signed NTSP agreements covering specific commodities.

The general terms of the NTSP for Hogs are as follows: all participating hog producers receive the same level of support per market-hog unit; the cost of the scheme is shared equally between the federal government, the provincial government, and the producers; producer participation in the scheme is voluntary; the provinces may not offer separate stabilization plans or other *ad hoc* assistance for hogs (with the exception of Quebec's Farm Income Stabilization Insurance Program); the federal government may not offer compensation to swine producers in a province not party to an agreement; and the scheme must operate at a level that limits losses but does not stimulate over-production.

Stabilization payments are made when the market price falls below the calculated support price. The difference between the support price and the market price is the amount of the stabilization payment. Hogs eligible for stabilization payments under NTSP must index above 80 on a hog carcass grading scale.

In Live Swine From Canada; Preliminary Results of Countervailing Duty Administrative Review (58 FR 54112; October 20, 1993) and *Live Swine From Canada; Final Results of Countervailing Duty Administrative Review* (59 FR 12243; March 16, 1994) (*Swine Sixth Review Results*), the Department determined that NTSP was *de facto* specific. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

NTSP Agreement Amendment No. 3 terminated the plan as of July 2, 1994, but allowed provinces to terminate their participation in the plan effective April 2, 1994. The plan ended with a surplus. Under the terms of the NTSP, this surplus was to be distributed in equal shares (33.3 percent) among the federal and provincial governments and the producers, because each was to have contributed one-third of the funds.

In *Swine Tenth Review Results,* we examined the NTSP—Hogs Schedule of Operations (Schedule of Operations) which showed the federal and provincial governments' and the producers' contributions to the NTSP Hog Plan for the period January 1986 through May 29, 1996. This Schedule of Operations showed that the federal government contributed 36.6 percent and the producers and provinces contributed 31.7 percent each, of the total tripartite contributions during this ten-year period. Thus, the producers received a share of the surplus which is in excess of their actual contributions to the plan.

Accordingly, the Department found that the retroactive surplus payments constitute a benefit conferred under NTSP in the form of a grant to producers in the amount of the difference between what the producers actually are receiving, 33.3 percent of the surplus, and what they should have received, 31.7 percent of the surplus (the percentage producers actually contributed to NTSP). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding. During the POR, producers received NTSP surplus payments in the following provinces which exported live swine: Alberta, Manitoba, and Quebec.

To calculate the subsidy, we used the methodology applied in *Swine Tenth Review Results* (61 FR 52426). We subtracted the amount that the producer should have received (31.7 percent) from the amount that they actually received (33.3 percent). The difference is the amount of the grant. The Department's policy with respect to grants is (1) to expense recurring grants in the year of receipt, or (2) to allocate non-recurring grants over the average useful life of assets in the industry, unless the sum of grants provided under a particular program is less than 0.50 percent of a firm's total or export sales (depending on whether the program is a domestic or export subsidy) in the year in which the grants were received. (*See General Issues Appendix* at 37226). In determining whether a grant is recurring or non-recurring, we apply a test set out in the *General Issues Appendix* at 37226. We consider grants to be non-recurring if the benefits are exceptional, the recipient cannot expect to receive benefits on an ongoing basis from POR to POR, and the provision of funds by the government must be approved every year. In *Swine Tenth Review Results,* the Department found that this grant is non-recurring because the benefit is exceptional, and the recipient cannot expect to receive benefits on an ongoing basis. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

During this review, the benefit received from this program was less than 0.50 percent of the value of total live swine sales in those provinces receiving benefits under this program. On this basis, we are allocating the benefit to the year of receipt (*See General Issues Appendix* 58 FR 37226). We divided each province's benefit by the total weight of market hogs produced in that province. We used only the weight of market hogs because only market hogs were eligible to receive NTSP payments. We then weight-averaged the benefits by each province's share of total Canadian exports of market hogs to the United States during the POR and then summed the weighted averages. On this basis, we preliminarily determine the net subsidy for this program to be less than Can$0.0001 per kilogram for the POR. Because the NTSP program has been terminated, there is no evidence on the record which would indicate that residual benefits continue to be provided or received, and there is no evidence that a substitute program has been implemented, the cash deposit rate will continue to be zero for this program.

b. *National Transition Scheme for Hogs*

After termination of the NTSP for Hogs in July 1994, hog producers became eligible to participate in the National Transition Scheme for Hogs (Transition Scheme), which provided for one-time payments to producers of hogs marketed between April 3, 1994 through December 31, 1994. The Transition Scheme provided payments to hog producers of Can$1.50 per hog from the federal government and a matching Can$1.50 from the provincial government.

In *Swine Tenth Review Results,* the Department found this program to be *de jure* specific, and thus countervailable, because the Transition Scheme Agreement expressly limits its availability to a specific industry (swine). We determined that the amounts provided by both the federal and provincial governments to the hog producers during the POR under the Transition Scheme represent a grant. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

During the POR, the following provinces received benefits under this program: Alberta, Manitoba, New Brunswick, Ontario, Quebec, and Saskatchewan. In *Swine Tenth Review Results,* the Department found that these grants are non-recurring because the transitional payments are exceptional, the recipient cannot expect to receive benefits on an ongoing basis from POR to POR, and the government has approved funding under the Transition Scheme for one year only. During this review, the amount received under this program by live swine producers was greater than 0.50 percent of the value of total live swine sales in the provinces receiving benefits under this program. On this basis, we allocated the benefit from this grant over three years, which is the average useful life of depreciable assets used in the swine industry, as set out in the IRS Class Life Asset Depreciation Range System. For purposes of this review, we are continuing to calculate the discount rate using the same methodology applied in *Swine 7,8,9 Review Results.* We used, as a discount rate, the simple average of the monthly medium-term corporate bond rates (for the eleventh POR, during which the write-off occurred) from the *Bank of Canada Review Autumn (1996),* published by the Bank of Canada. We applied our standard grant methodology to calculate each province's benefit. We then calculated each province's total weight of market hogs produced, and calculated a benefit per kilogram for each province. We used only the weight of market hogs because only market hogs were eligible to receive NTSP benefits. We then weight averaged the benefits by each province's share of total Canadian exports of market hogs to the United States during the POR and summed the weighted averages. On this basis, we preliminarily determine the net subsidy for this program to be Can$0.0047 per kilogram for the POR.

For the province of Quebec, both the GOC and the GOQ paid the portion of the benefits accrued under the National Transition Scheme for Quebec producers enrolled in FISI to the Regie des Assurances Agricoles du Quebec (Regie) , as instructed by the producers. The GOC also paid the portion of the benefits accrued to producers not enrolled in FISI directly to the producers. The payments to the Regie involved monies that were due to producers according to the provisions of the NTSP agreement (See Questionnaire Response of the GOC (December 23, 1996), Appendix 27). As the record indicates, the producers simply chose to devolve these payments directly to the Regie rather than receive cash payments. Therefore, we have countervailed these payments as payments attributable to producers.

The Transition Scheme program has been terminated. This termination does not constitute a program-wide change, however, because residual benefits may continue to accrue. Therefore, the cash deposit rate will not be adjusted as a result of the termination of this program.

c. Technology Innovation Program Under the Agri-Food Agreement

In *Swine Tenth Review Results,* we determined that the federal contributions to this program are specific because this assistance is provided to industries located within a designated geographical region of Canada (i.e., Quebec). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

In *Swine Tenth Review Results,* we also determined that the grants received under this program are non-recurring because they are exceptional, the government must approve the grants every year, and the recipient cannot expect to receive benefits on an ongoing basis. However, because the amount received by live swine producers in this POR is less than 0.50 percent of the value of live swine sales in this province, we are allocating the benefit to the year of receipt (*See General Issues Appendix* 58 FR 37226). We divided the total grant amount provided to swine producers during the POR by the total weight of live swine produced in Quebec during the POR. We then weight-averaged the results by Quebec's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine that the subsidy rate is less than Can$0.0001 per kilogram for this program for the POR.

3. Provincial Income Stabilization Programs

a. Saskatchewan Hog Assured Returns Program (SHARP)

SHARP was established in 1976, pursuant to the Saskatchewan Agricultural Returns Stabilization Act which authorized provincial governments to establish stabilization plans for any agricultural commodity. SHARP provided income stabilization payments to hog producers in Saskatchewan when market prices fell below a designated ''floor price,'' calculated quarterly. The program was administered by the Saskatchewan Pork Producers' Marketing Board (the Board) on behalf of the Saskatchewan Department of Agriculture. The program was funded by levies from participating producers on the sale of hogs and were matched by the provincial government. When the balance in the SHARP account was insufficient to cover payments to producers, the provincial government provided financing on commercial terms. The principal and interest on these loans was to be repaid by the Board from the producer and provincial contributions. After the NTSP for Hogs was implemented on July 1, 1986, SHARP payments were reduced by the amount of the NTSP payments.

In *Live Swine From Canada; Preliminary Results of Countervailing Duty Administrative Review* (53 FR 22192; June 14, 1988) and *Live Swine From Canada; Final Results of Countervailing Duty Administrative Review* (54 FR 651; January 9, 1989) *(Swine First Review Results),* the Department found the SHARP program to be *de jure* specific, and thus countervailable, because the legislation expressly made the program available only to a single industry (hog producers). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

In accordance with the NTSP agreement, SHARP was terminated on March 31, 1991. At the time of termination, the SHARP fund had a sizeable deficit because of the cumulation over the operating years of loans from the provincial government. During the 1993–94 POR, the government canceled the outstanding SHARP deficit. To calculate the benefit from the loan forgiveness, we treated one-half of the amount written off, plus interest accrued during the 1993–94 POR, as a grant. *See Swine 7,8,9 Review Results* (61 FR 26879, 26884; May 29, 1996). We took into account only half of the amount because this was the share of the outstanding loans that the producers were responsible for repaying.

In *Swine 7,8,9 Review Results*, the Department determined that the write-off of the SHARP deficit is a non-recurring grant because debt forgiveness is exceptional, and it is a one-time event. On this basis, we allocated the benefit from this grant over three years, which is the average useful life of depreciable assets used in the swine industry, as set out in the IRS Class Life Asset Depreciation Range System. We used, as a discount rate, the simple average of the monthly medium-term corporate bond rates (for the ninth POR, the POR during which the write-off occurred) from the *Bank of Canada Review (1993–1994)*, published by the Bank of Canada.

To calculate the benefit for the POR, we divided the benefit amount allocated to the POR under the grant allocation methodology by the total weight of market hogs produced in Saskatchewan during the POR to obtain the average benefit per kilogram. We then weight averaged the per kilogram benefit by Saskatchewan's share of total Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the net subsidy to be Can$0.0015 per kilogram for the POR.

Because the SHARP program has been terminated, there is no evidence on the record which would indicate that residual benefits continue to be provided or received, and there is no evidence that a substitute program has been implemented, the cash deposit rate will continue to be zero for this program. *(See Swine Tenth Review Results).*

b. Quebec Farm Income Stabilization Insurance Program (FISI)

FISI was established in 1976 under the ''Loi sur l'assurance-stabilisation des revenues agricoles.'' The program is administered by the Regie. The purpose of the program is to guarantee a positive net annual income to participants when their income falls below the stabilized net annual income. Since Quebec joined the federal government's NTSP for Hogs in February 1989, the FISI scheme for hogs has been covering only the difference between payments made under the NTSP for Hogs and what FISI payments would have been in the absence of the NTSP. There are two FISI schemes which provide payments to the subject merchandise, the FISI scheme for Hogs and the FISI scheme for Piglets.

Two-thirds of the funding for the FISI program is provided by the provincial government and one-third by producer assessments. Participation in FISI is voluntary. However, once enrolled in the program, a producer must make a five-year commitment. Each farmer may insure a maximum of 5,000 feeder hogs and 400 sows. Whenever the balance in the FISI account is insufficient to make payments to participants, the provincial government lends the needed funds to the program at market rates. The principal and interest on these loans are repaid by the Regie using the producer and provincial contributions.

In *Swine Sixth Review Results* (58 FR 54112), we determined FISI to be *de facto* specific, and thus countervailable. Moreover, in *Swine 7,8,9 Review Results*, we found that the FISI program is not integrally linked to the crop insurance and supply management programs. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of these findings.

During the POR, the GOQ contributed additional funds to the FISI program for the swine plans. The GOQ did not stipulate any conditions of repayment regarding these funds. This additional infusion of funds by the GOQ changes the two-to-one provincial to producer ratio of the contribution of funds to the FISI program. Therefore, any future payouts to producers from the FISI program for the hog sector will reflect a provincial contribution of more than two thirds. We preliminarily determine that this additional infusion of funds to the FISI program by the GOQ is a grant and is *de jure* specific, and thus countervailable, because benefits are only available to a specific group of enterprises or industries (swine producers). Furthermore, we preliminarily determine that it is a non-recurring grant because the availability of these additional provincial funds to FISI is exceptional, and it is a one-time event. (*See General Issues Appendix* at 37226.) Since this amount was greater than 0.50 percent of the value of total live swine sales in Quebec during the POR, we are allocating the benefit from this grant over three years, which is the average useful life of depreciable assets used in the swine industry, as set out in the IRS Class Life Asset Depreciation Range System. We used, as a discount rate, the simple average of the monthly medium-term corporate bond rates (for the eleventh POR, during which the write-off occurred) from the *Bank of Canada Review Autumn (1996)*, published by the Bank of Canada.

Using our standard grant methodology, we calculated the benefit amount from this grant during the POR. To this amount, we added the benefit received by swine producers from standard FISI payments during the POR. To calculate the benefit from standard FISI payments, we used the methodology applied in *Swine Sixth Review Results* and subsequent reviews. We multiplied the total payments made under both the piglet and feeder hog schemes during the POR by two thirds (representing the provincial contribution). We then divided the total benefit amount by the total weight of market hogs and sows produced in Quebec during the POR, to get the average benefit per kilogram. We then weight-averaged the benefit by Quebec's share of total Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be Can$0.0008 per kilogram for the POR.

4. Other Provincial Programs

a. Alberta Crow Benefit Offset Program (ACBOP)

This program, administered by the Alberta Department of Agriculture, is designed to compensate producers and users of feed grain for market distortions in feed grain prices, created by the federal government's policy on grain transportation. Assistance is provided for feed grain produced in Alberta, feed grain produced outside Alberta but sold in Alberta, and feed grain produced in Alberta to be fed to livestock on the same farm. The government provides ''A'' certificates to registered feed grain users and ''B'' certificates to registered feed grain merchants to use as partial payments for grain purchased from grain producers. Feed grain producers who feed their grain to their own livestock submit a Farm Fed Claim directly to the government for payment.

Hog producers receive benefits in one of three ways: hog producers who do not grow any of their own feed grain receive ''A'' certificates which are used to cover part of the cost of purchasing grain; hog producers who grow all of their own grain submit a Farm Fed Claim to the government of Alberta for direct payment; and hog producers who grow part of their own grain but also purchase grain receive both ''A'' certificates and direct payments.

In *Swine Second and Third Review Results* (56 FR 10412), the Department found this program to be *de jure* specific, and thus countervailable, because the legislation expressly makes it available only to a specific group of enterprises or industries (producers and users of feed grain). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To determine the benefit to swine producers from this program, we followed the methodology used in *Swine Tenth Review Results.* Using the Alberta *Supply and Disposition Tables,* we first estimated the quantity of grain consumed by livestock in Alberta during the POR. Then we multiplied the number of swine produced in Alberta during the POR by the estimated average grain consumption per hog, and divided the result by the amount of total grains used to feed livestock during the POR. We thus calculated the percentage of total livestock consumption of all grains in Alberta attributable to live swine during the POR. We then multiplied this percentage by the total value of ''A'' certificates and farm-fed claim payments received by producers during the POR. We divided this amount by the total weight of live swine produced in Alberta during the POR. We then weight-averaged this per-kilo benefit by Alberta's share of total Canadian exports of market hogs to the United States. On this basis, we preliminarily determine the benefit to be less than Can$0.0001 per kilogram for the POR.

ACBOP was terminated on March 31, 1994. Benefits for ''A'' certificates had to be claimed by June 30, 1994, and benefits tied to farm-fed grains had to be claimed by August 31, 1994. The original deadline for any payment of benefits under the program was March 31, 1996, however, producers could receive payments until May 17, 1996. Since no payments could be received after the publication of these preliminary results, we consider this program terminated. Moreover, there is no evidence on the record which would indicate that residual benefits are being provided or received or that a substitute program has been implemented. Accordingly, because of this program-wide change, the cash deposit rate will be adjusted to zero for this program.

b. Ontario Livestock and Poultry and Honeybee Compensation Program

This program, administered by the Farm Assistance Programs Branch of the Ontario Ministry of Agriculture, Food, and Rural Affairs, provides assistance in the form of grants which compensate producers for livestock and poultry injured or killed by wolves, coyotes, or dogs. Swine producers apply for and receive compensation through the local municipal government. The Ontario Ministry of Agriculture, Food, and Rural Affairs reimburses the municipality.

In *Swine Fifth Review Results* (56 FR 29227), the Department found this program to be *de jure* specific, and thus countervailable, because the legislation expressly makes it available only to a specific group of enterprises or industries (livestock, poultry farmers, and beekeepers). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit, we used the methodology applied in *Swine Sixth Review Results* (58 FR 54119) and subsequent reviews. We divided the total payment to hog producers during the POR by the total weight of live swine produced in Ontario. We then weight-averaged the result by Ontario's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

c. Ontario Bear Damage to Livestock Compensation Program

This program, administered by the Farm Assistance Programs Branch of the Ontario Ministry of Agriculture, Food, and Rural Affairs, provides compensation for the destruction of, or injury to, certain types of livestock by bears. Swine producers apply for compensation through their local Ontario Ministry of Agriculture, Food, and Rural Affairs office. Local personnel then evaluate the damage and prepare a report. Based on this report and the farmer's application, the Livestock Commissioner may pay a grant to compensate for the amount of damage. Grants for damage to live swine cannot exceed Can$200 per head.

In *Swine Tenth Review Results,* we found this program to be *de jure* specific, and thus countervailable, because the legislation expressly makes it available only to livestock producers, a specific group of enterprises or industries (cattle, goats, horses, sheep, swine, and poultry). No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit, we divided the total payment to hog producers during the POR by the total weight of live swine produced in Ontario. We then weight-averaged the result by Ontario's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

d. Saskatchewan Livestock Investment Tax Credit

Saskatchewan's 1984 Livestock Tax Credit Act provides tax credits to individuals, partnerships, cooperatives, and corporations who owned and fed livestock marketed or slaughtered by December 31, 1989. Claimants had to be residents of Saskatchewan and pay Saskatchewan income taxes. Eligible claimants received credits of Can$3 for each hog. Although this program was terminated on December 31, 1989, tax credits are carried forward for up to seven years. In *Swine First Review Results* (53 FR 22198), the Department found this program to be *de jure* specific, and thus countervailable, because the program's legislation expressly made it available only to livestock producers. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit for the POR, we used the methodology applied in *Swine Sixth Review Results* (58 FR 54120) and subsequent reviews (*see Swine Tenth Review Results*). In the questionnaire responses, the GOC provided estimates of the amount of tax credits used by hog producers in Saskatchewan during the POR, since the actual amounts cannot be determined. We divided the amount of benefit by the total weight of live swine produced in Saskatchewan during the POR. We then weight-averaged the result by Saskatchewan's share of total exports of market hogs to the United States. On this basis, we preliminarily determine the benefit from this program to be Can$0.0001 per kilogram for the POR.

The Saskatchewan Livestock Investment Tax Credit was terminated on December 31, 1989 and the last year for disbursement of benefits was fiscal year 1996 (that is, April 1, 1995 through

March 31, 1996). Therefore, we consider this program terminated. Moreover, there is no evidence on the record which would indicate that residual benefits are being provided or received or that a substitute program has been implemented. Accordingly, because of this program-wide change, the cash deposit rate will be adjusted to zero for this program.

e. Saskatchewan Livestock Facilities Tax Credit

This program, which was terminated on December 31, 1989, provided tax credits to livestock producers based on their investments in livestock production facilities. The tax credits can only be used to offset provincial taxes and may be carried forward for up to seven years or until no later than fiscal year 1996 (that is, April 1, 1995 through March 31, 1996). Livestock covered by this program includes cattle, horses, sheep, swine, goats, poultry, bees, fur-bearing animals raised in captivity, or any other designated animals; covered livestock can be raised for either breeding or slaughter. Investments covered under the program include new buildings, improvements to existing livestock facilities, and any stationary equipment related to livestock facilities. The program pays 15 percent of 95 percent of project costs, or 14.25 percent of total costs.

In *Swine Second and Third Review Results* (55 FR 20820), the Department found this program to be *de jure* specific, and thus countervailable, because the program's legislation expressly made it available only to livestock producers. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit, we used the methodology applied in *Swine Sixth Review Results* (58 FR 54121) and subsequent reviews (*see Swine Tenth Review Results*). In the questionnaire responses, the GOC provided estimates of the amount of tax credits used by hog producers in Saskatchewan, since the actual amounts cannot be determined. We divided the amount of benefit by the total weight of live swine produced in Saskatchewan during the POR. We then weight-averaged the result by Saskatchewan's share of total exports of market hogs to the United States. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

The Saskatchewan Livestock Facilities Tax Credit was terminated on December 31, 1989 and the last year for use of tax credits was fiscal year 1996 (that is, April 1, 1995 through March 31, 1996). Therefore, we consider this program terminated. Moreover, there is no evidence on the record which would indicate that residual benefits are being provided or received or that a substitute program has been implemented. Accordingly, because of this program-wide change, the cash deposit rate will be adjusted to zero for this program.

f. New Brunswick Livestock Incentives Program

This program, which operates under the Livestock Incentives Act, provides loan guarantees to livestock producers purchasing cattle, sheep, swine, foxes, and mink for breeding purposes, and for feeding and finishing livestock for slaughter. Loans, in amounts ranging from Can$1,000 to Can$90,000, are granted by commercial banks or credit unions and guaranteed by the Government of New Brunswick (GONB) to an individual, partnership, corporation or incorporated co-operative association engaged in farming in New Brunswick. Swine producers submit an application for a loan under this program to a bank. The bank evaluates the loan application based upon standard loan criteria and either approves or rejects the application. A consideration for obtaining the loan is the presentation to the GONB of a farm plan established at the time the loan is taken out. For loans given for the purchase of animals for breeding purposes, the term of the loan is not more than seven years and the first payment of the principal is due two years after the date on which the loan was given. For loans given for the purchase of animals for feeding purposes, the loan is due when the animals have been sold which shall not exceed a period of eighteen months. The interest rate for these loans is set at the prime rate plus one percentage point.

At the end of three years after loans are issued, the GONB may give 20 percent of the loan amount to the farmer in the form of a grant. To be eligible for this grant, the farmer had to have implemented, in a satisfactory manner, the farm plan established at the time the loan was taken out. The grant portion of this program was terminated for loans issued after July 15, 1992. However, grants were still being provided during the POR.

In *Swine Second and Third Review Results* (55 FR 20817), the Department found this program to be *de jure* specific, and therefore countervailable, because the program's legislation expressly made it available only to livestock producers. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

In accordance with section 771(5)(E)(iii) of the Act, a benefit from a loan obtained with a government guarantee shall normally be treated as conferred ''if there is a difference, after adjusting for any difference in guarantee fees, between the amount the recipient of the guarantee pays on the guaranteed loan and the amount the recipient would pay for a comparable commercial loan if there were no guarantee by the authority.'' While there are no guarantee fees, the recipients are paying interest at the rate of prime rate plus one percentage point. In *Swine Tenth Review Results,* we found that the predominant lending rates in Canada for comparable long-term variable-rate loans are based on the prime rate plus a one or two-point spread. Therefore, in accordance with the *Swine Tenth Review Results* methodology, as our benchmark during the POR, we used the prime rate as published by the Bank of Canada in the *Bank of Canada Review Autumn,* (1996) plus one and one-half percentage points. This rate represents the simple average of the spread above prime charged by commercial banks on comparable loans. Comparing the benchmark interest rate to the interest rate charged on these loans, we preliminarily determine that the amount the recipient paid on these loans is less than the recipient would have paid on a comparable commercial loan.

We calculated the benefit from the loan portion of this program as follows. For loans outstanding during the POR, either without repayments or paid off during the POR, we followed the methodology outlined in *Swine Tenth Review Results.* Specifically, for loans outstanding during the POR, we determined the amount of the benefit attributable to the POR by calculating the difference between what the recipient paid during the POR under loans guaranteed by the GONB and what the recipient would have paid during the POR under the benchmark loan. We divided the benefit from all outstanding loans and loans paid off during the POR by the total weight of live swine produced in New Brunswick during the POR. We then weight-averaged the benefit by New Brunswick's share of Canadian exports of market hogs to the United States during the POR.

During the POR, loans to live swine producers were written-off by the GONB under this program. We have added to the total amount of written-off loans, the amount of interest accrued from the beginning of the POR until the date on which the loans were written-off. (*See Swine Tenth Review Results.*) The Department determines that the amount written off and interest accrued during the POR is a non-recurring grant because debt forgiveness is exceptional, and it is a one-time event. (See *General Issues Appendix*, 58 FR at 37226 and *Swine Tenth Review Results*).

In addition, swine producers received grants under the grant portion of this program. We determine that the grants received under this program are non-recurring because the recipient cannot expect to receive benefits on an ongoing basis from year to year. (See *General Issues Appendix* at 37226 and *Swine Tenth Review Results*). We summed the amount of the written-off loans and the amount of the grants. Because the result is less than 0.50 percent of the value of live swine sales from this province, we are allocating the benefit to the year of receipt. (See *General Issues Appendix* at 37226.) Therefore, we divided the total amount of the grants and forgiven loans provided during the POR by the total weight of live swine sold in New Brunswick during the POR. We then weight-averaged the result by the New Brunswick's share of total exports of market hogs to the United States during the POR.

To calculate the total benefit to live swine producers under this program, we summed the weight-averaged benefit calculated for the loans and grants. On this basis, we preliminarily determine the net subsidy from this program to be less than Can$0.0001 per kilogram.

h. New Brunswick Swine Industry Financial Restructuring and Agricultural Development Act—Swine Assistance Program

The Swine Assistance program was established in fiscal year 1981–82, by the Farm Adjustment Board, under the Farm Adjustment Act, to provide interest subsidies on medium-term loans to hog producers. The program was available only to hog producers who entered production or underwent expansion after 1979. In 1985, the Farm Adjustment Act changed to the Agricultural Development Act. In 1984–85, this program was combined with the Swine Industry Financial Restructuring program under the New Brunswick Regulation 85–19. At that time, all obligations and outstanding loans under the Swine Assistance program were rolled over into the Swine Industry Financial Restructuring program.

The Swine Industry Financial Restructuring program was created by the Farm Adjustment Act (OC 85–98) and became effective April 1, 1985. Under this program the Government of New Brunswick granted hog producers indebted to the Board a rebate of the interest on that portion of their total debt (the residual debt) that, on March 31, 1984, exceeded the ''standard debt load.'' The standard debt load is defined in the program's regulations as the amount of debt which the farmer, in the opinion of the Board, can reasonably be expected to service. The residual debt does not begin to accrue interest again until the debt load is no longer ''excessive.''

In *Swine Second and Third Review Results* (55 FR 20816, 20817), the Department examined these two programs separately. The Department found: (1) The Swine Assistance program to be countervailable because loans were provided to a specific industry on terms inconsistent with commercial considerations, and (2) the New Brunswick Swine Industry Financial Restructuring program to be countervailable because it was limited to a specific industry and the government's rebate of interest and the interest repayment holiday were loan terms inconsistent with commercial considerations. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

In *Swine Tenth Review Results*, we found that no new loans were provided for the past ten years, and that there was no recent activity on the outstanding loans. The loans given to producers were ''set aside'' in a provincial account and were not accruing any interest. The Department found that interest not accruing on the outstanding loan balance constituted a benefit to live swine producers. No changes to this program were reported in the instant review.

To calculate the benefit from this program, we multiplied the total outstanding debt at the beginning of the POR by the benchmark interest rate. We used, as a benchmark interest rate, the prime rate, as published by the Bank of Canada in the *Bank of Canada Review Autumn* (1996), plus one and one-half percentage points. This rate represents the simple average of the commercially available rates for comparable loans. (*See Swine Tenth Review Results*). Next, we divided the benefit by the total weight of live swine produced in New Brunswick during the POR. We then weight-averaged the benefit by New Brunswick's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit to be less than Can$0.0001 per kilogram for the POR.

i. New Brunswick Swine Assistance Policy on Boars

The New Brunswick Swine Assistance Policy on Boars program is administered by the New Brunswick Department of Agriculture and Rural Development, Animal Industry Branch, for the purpose of encouraging breeding stock producers to produce quality boars at reasonable prices for use in commercial swine herds. This program provides assistance in the form of grants to swine producers for the purchases of boars. Eligible producers are entitled to receive up to Can$110 for the purchase of boars.

In *Swine Second and Third Review Results* (55 FR 20817), the Department found this program to be specific. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit, we used the grant methodology applied in *Swine Sixth Review Results* (58 FR 54119) and *Swine Tenth Review Results* (61 FR 52426). In *Swine Tenth Review Results*, the Department found that the grants received under this program are non-recurring because the recipient cannot expect to receive benefits on an ongoing basis from review period to review period. In the prior review, grants were less than 0.50 percent, therefore, they were allocated to the years of receipt. (*See Swine Tenth Review Results*) During this POR, the amount received by live swine producers is also less than 0.50 percent of the value of live swine sales in this province as such, we are allocating the grant to the year of receipt. (*See General Issues Appendix* at 37226). We divided the total payment to hog producers during the POR by the total weight of live swine produced in New Brunswick during the POR. We then weight-averaged the result by New Brunswick's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

j. Nova Scotia Improved Sire Policy

This program is administered by the Nova Scotia Department of Agriculture and Marketing Livestock Services Branch, for the purpose of improving the quality of hog production. The program provides grants to purebred and commercial swine producers for the purchase of boars. Qualifying animals measure at least 90 on an Estimated Breeding Value Index (this index estimates growth, back fat thickness and days to market weight). Qualifying animals must be used for breeding stock purposes. Producers file an application on prescribed forms with the Department of Agriculture and Marketing. The boars are then inspected and, if approved, assistance is provided in the form of a premium. The higher the Estimated Breeding Value Index, the higher the premium. In *Swine Second and Third Review Results* (55 FR 20817), the Department found this program to be countervailable because this program is limited to a specific industry. No new information or evidence of changed circumstances has been submitted in this proceeding to warrant reconsideration of this finding.

To calculate the benefit, we divided the total payment to hog producers during the POR by the total weight of live swine produced in Nova Scotia. We then weight-averaged the result by Nova Scotia's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

k. Nova Scotia Swine Herd Health Policy

The Nova Scotia Department of Agriculture and Marketing administers a herd health program whereby it reimburses veterinarians for house calls made to producers of commercial and purebred breeding livestock. The purpose of this program is to upgrade herd health through the use of herd inspection, prevention and eradication techniques. All farmers registered under the Farm Registration Act may participate in the program. Once approved for the program, farmers are required to follow specified health practices and to maintain health records of all their hogs. The government designates a veterinarian to oversee the enrolled herd and the veterinarian is responsible for making at least six visits annually, performing any and all necessary examinations and informing the farmers of their findings. The veterinarian is paid by the farmer for each visit, and also receives payment from the government. During the POR, veterinarians were paid by the government for services provided under the program.

In *Swine Second and Third Review Results* (55 FR 20817), the Department found this program not to be countervailable because this program is limited to producers of commercial and/or purebred breeding livestock. At that time, we determined that breeding livestock were not covered by the order on live swine. Since these reviews, the scope of the order has been clarified to exclude only USDA-certified purebred breeding swine (*See, e.g., Swine Tenth Review Results*.) Commercial breeding swine are covered by the order.

During the POR, producers of the subject merchandise used this program. Because the legislation for this program indicates that it is only available to live swine producers, we preliminarily determine this program to be *de jure* specific within the meaning of section 771(5A)(D)(i) of the Act.

To calculate the benefit, we divided the total payment to hog producers during the POR by the total weight of live swine produced in Nova Scotia. We then weight-averaged the result by Nova Scotia's share of Canadian exports of market hogs to the United States during the POR. On this basis, we preliminarily determine the benefit from this program to be less than Can$0.0001 per kilogram for the POR.

The Nova Scotia Swine Herd Health Policy was terminated on March 31, 1996, however, benefits under the program will continue until March 31, 1998. Because benefits will continue to be bestowed under this program, the cash deposit rate will not be adjusted.

II. Programs Preliminarily Determined Not To Confer Subsidies

A. Research Program Under the Agri-Food Agreement

In *Swine Tenth Review Results*, we found that none of the research projects funded under this program had been completed. We were therefore unable to determine whether or not the results of the research were publicly available due to their incomplete status. At verification, we found that five projects related to live swine were completed during the POR. We examined official documentation from the GOQ that indicates that the results of these research projects were made publicly available. (*See* Verification Report, dated August 27, 1997). Because the research results are publicly available, we preliminarily determine that the Research program did not confer countervailable subsidies to live swine during the POR. (*See e.g., Certain Cut-to-Length Carbon Steel Plate from Sweden; Preliminary Results of Countervailing Duty Administrative Review*, 62 FR 51683 (October 3, 1996) at 51683 and *Certain Cut-to-Length Carbon Steel Plate from Sweden; Final Results of Countervailing Duty Administrative Review*, 62 FR 16551 (April 7, 1997).

B. Support for Strategic Alliances Program Under the Agri-Food Agreement

The Support for Strategic Alliances (SSA) program is administered by the GOC. The objective of this program is to stimulate cooperation and strategic alliance among the various stakeholders in an agri-food ''industry network'' through activities intended to improve efficiency and competitiveness in domestic and foreign markets. The GOC indicated in its questionnaire response that no payments were made to producers under this program (*See* Response of the Government of Canada, May 13, 1997, at p. 16). However, we found at verification that some payments had been made under this program during the POR for projects that benefitted the swine industry as a whole (*See Verification Report*, (August 27, 1997) at p. 6). Therefore, we have determined that this program was used during the POR. However, we preliminarily determine that any benefit provided by this program during the POR is so small as to have no measurable impact on the overall subsidy rate for the POR. Therefore, we need not reach a decision on the countervailability of this program in this review.

III. Programs Preliminarily Determined To Be Not Used

We also examined the following programs and preliminarily determined that the producers and/or exporters of the subject merchandise did not apply for or receive benefits under these programs during the POR:

A. Western Diversification Program;
B. Federal Atlantic Livestock Feed Initiative;
C. Agricultural Products Board Program;
D. Ontario Export Sales Aid Program;
E. Ontario Rabies Indemnification Program;
F. Ontario Swine Sales Assistance Policy;
G. Newfoundland Hog Price Support Program;
H. Newfoundland Weanling Bonus Incentive Policy;
I. Newfoundland Hog Price Stabilization Program.

IV. Programs Preliminarily Determined To Be Terminated

We have examined the following programs and preliminarily determine they were terminated prior to the beginning of the POR (April 1, 1995), and there is no evidence on the record which would indicate that residual benefits are being bestowed or that a substitute program has been implemented:

A. Prince Edward Island Hog Price Stabilization Program

B. Canada/British Columbia Agri-Food Regional Development Subsidiary Agreement;

C. Canada/Manitoba Agri-Food Development Agreement;

D. New Brunswick Agricultural Development Act-Swine Assistance Program.

Preliminary Results of Review

We preliminarily determine the total net subsidy on live swine from Canada to be Can$0.0071 per kilogram for the period April 1, 1995 through March 31, 1996. If the final results of this review remain the same as these preliminary results, the Department intends to instruct the Customs to assess countervailing duties as indicated above.

Due to the program-wide changes noted above, the cash deposit rate will be Can$0.0055 per kilogram which is *de minimis*. Accordingly, for all shipments of the subject merchandise from Canada, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review, the cash deposits of estimated countervailing duties will be zero.

Public Comment

Parties to the proceeding may request disclosure of the calculation methodology and interested parties may request a hearing not later than 10 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted seven days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. Any hearing, if requested, will be held seven days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 355.38.

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 355.38, are due. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: September 2, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97–23850 Filed 9–8–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

National Estuarine Reserve System

AGENCY: Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration, Department of Commerce.

ACTION: Notice of proposed boundary expansion for the Elkhorn Slough National Estuarine Research Reserve.

SUMMARY: The Sanctuaries and Reserves Division of OCRM is considering a request by the California Department of Fish and Game to include a 54.56 acre parcel that is adjacent to the current northern boundary of the Elkhorn Slough National Estuarine Research Reserve (ESNERR) within the ESNERR boundary. The parcel, currently in state ownership and located in the unincorporated area of Elkhorn in Monterey County, California, is primarily salt marsh habitat (90%) with a small amount of upland habitat (10%). This parcel of land supports important foraging, roosting, and nesting habitat for wetland-dependent birds.

FOR FURTHER INFORMATION CONTACT: Becky Christianson, Acting Manager, Elkhorn Slough National Estuarine Research Reserve, 1700 Elkhorn Road, Watsonville, CA 95076; Phone (408) 728–2822 or Nina Garfield, Sanctuaries and Reserves Division, National Oceanic and Atmospheric Administration, SSMC4, 11th Floor, Silver Spring, MD 20910; Phone (301) 713–3141 ext. 171.

TEXT: SUPPLEMENTARY INFORMATION: The Elkhorn Slough National Estuarine Research Reserve (ESNERR) was designated in 1979 pursuant to section 315 of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1461. The ESNERR includes more than 1400 acres including oak woodland, salt marsh, grassland, mudflats, freshwater ponds, Monterey pine groves and coastal scrub.

The State of California requested NOAA approval to amend the ESNERR's boundary to include the state-owned parcel adjacent to the northern boundary of the ESNERR. The land was purchased by the state in 1993 for inclusion in the Moss Landing Wildlife Area. However, the state now believes that this parcel is better suited for inclusion in the ESNERR.

The ESNERR expansion would enhance the opportunities for research, monitoring, and education, as well as enhancing the State's resource protection efforts in the Elkhorn Slough watershed.

The expansion proposes inclusion of 54.56 acres of land at the northern end of the ESNERR boundary. This property is dominated by saltmarsh (90%) and some upland habitat (10%).

Any person wishing to comment on the proposed boundary expansion may forward written comments to Ms. Nina Garfield, Sanctuaries and Reserves Division, Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, 1305 East West Highway, SSMC4, 11th Floor, Silver Spring, MD 20910. Comments must be submitted no later than thirty (30) calendar days from issuance of this notice.

Federal Domestic Assistance Catalog Number 11.420 (Coastal Zone Management) Research Reserves.

Dated: August 28, 1997.

Nancy Foster,

Assistant Administrator, NOS.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 090297B]

Mid-Atlantic Fishery Management Council; Meetings

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

ACTION: Notice of public meeting.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) and its Executive and Information and Education Committees will hold a public meetings.

DATES: The meetings will be held on September 23–25, 1997. See SUPPLEMENTARY INFORMATION for specific dates and times.