

Zone procedures would exempt the refinery from Customs duty payments on the foreign products used in its exports. On domestic sales, the company would be able to choose the finished product duty rate (nonprivileged foreign status—NPF) on certain petrochemical feedstocks and refinery by-products (duty-free). The duty on crude oil ranges from 5.25¢ to 10.5¢/barrel. Marathon indicates that some of the NPF finished products might be used as fuel in the refining process. The application indicates that the savings from zone procedures would help improve the refinery's international competitiveness.

In accordance with the Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is March 27, 1995. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to April 10, 1995).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce District Office, Hale Boggs Federal Building, 501 Magazine Street, Room 1043, New Orleans, LA 70130,

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716 U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW., Washington, DC 20230.

Dated: January 17, 1995

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 95–1758 Filed 1–23–95; 8:45 am]

BILLING CODE 3510-DS-P

International Trade Administration

[A–588–814]

Polyethylene Terephthalate Film, Sheet, and Strip from Japan; Preliminary Results and Termination, in Part, of Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results and termination, in part, of

Antidumping Duty Administrative Review.

SUMMARY: In response to requests from one respondent and one U.S. producer, the Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from Japan. The review covers two manufacturers/exporters of this merchandise to the United States, Toray Industries, Inc. (Toray), and Teijin, Ltd. (Teijin), and the period June 1, 1992 through May 31, 1993. We are now terminating this review, in part, with respect to a third company, Diafoil Co., Ltd. (Diafoil).

We have preliminarily determined that sales have been made below the foreign market value (FMV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and FMV.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: January 24, 1995.

FOR FURTHER INFORMATION CONTACT:

Arthur N. DuBois or Thomas F. Futtner, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482–6312/3814.

SUPPLEMENTARY INFORMATION:

Background

On June 7, 1993, the Department published a notice of "Opportunity to Request an Administrative Review" (58 FR 31941) of the antidumping duty order on PET film (56 FR 25660, June 5, 1991). On June 30, 1993, one respondent, Toray, requested an administrative review and one U.S. producer, Toray Plastics America (TPA), requested an administrative review for two other Japanese manufacturers/exporters of PET film, Teijin and Diafoil. We initiated the review, covering June 1, 1992, through May 31, 1993, on July 21, 1993 (58 FR 39007).

Termination in Part

On February 4, 1994, TPA withdrew its request for review and requested that the Department terminate this review, in part, with respect to Diafoil. Section 19 CFR 353.22(a)(5) of the Department's regulations stipulates that the Secretary may permit a party that requests a review to withdraw the request not later

than 90 days after the date of publication of the notice of initiation of the requested review. This regulation also provides that the Secretary may extend the time limit for withdrawal of a request if it is reasonable to do so. Because no other interested party has requested an administrative review of Diafoil for this period, we are waiving the 90-day requirement in section 19 CFR 353.22(a)(5) and terminating this review, in part, with respect to Diafoil. The Department has now conducted the review of the two remaining companies in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Review

Imports covered by the review are shipments of all gauges of raw, pretreated, or primed PET film, sheet, and strip, whether extruded or co-extruded. The films excluded from the scope of this order are metallized films and other finished films that have had at least one of their surfaces modified by the application of performance-enhancing resin or inorganic layer more than 0.00001 inches (0.254 micrometers) thick. Roller transport cleaning film which has at least one of its surfaces modified by the application of 0.5 micrometers of SBR latex has also been ruled as not within the scope of the order.

PET film is currently classifiable under Harmonized Tariff Schedule (HTS) subheading 3920.62.00.00. The HTS subheading is provided for convenience and for Customs purposes. The written description remains dispositive.

The review covers two Japanese manufacturers/exporters of this merchandise to the United States and the period June 1, 1992, through May 31, 1993.

United States Price (USP)

We calculated the USP based on purchase price, for both Toray and Teijin as all U.S. sales were made to unrelated parties prior to importation into the United States, in accordance with section 772(b) of the Act.

For both Toray and Teijin, we calculated purchase price based on f.o.b. Japanese port or delivered U.S. customer prices. We also made deductions, where appropriate, for price adjustments (rebates) for the costs of foreign inland freight and insurance, bank charges, containerization, warehousing, commissions, credit insurance, inventory carrying charges, other expenses, compensation for credit expense, foreign brokerage and handling, ocean freight, marine insurance, U.S. duty, harbor and U.S.

Customs user fees, U.S. brokerage and handling, and U.S. inland freight and insurance in accordance with section 772(d)(2) of the Act.

In addition, we adjusted USP for taxes in accordance with our practice outlined in *Siliconmanganese from Venezuela, Preliminary Determination of Sales at Less Than Fair Value*, 59 FR 31204, June 17, 1994.

No other adjustments were claimed or allowed.

Foreign Market Value

In order to determine whether there were sufficient sales of PET film in the home market to serve as a viable basis for calculating FMV, we compared the volume of home market sales of PET film to the volume of third country sales of PET film, in accordance with section 773(a)(1) of the Act. Each respondent had a viable home market with respect to sales of PET film made during the period of review (POR).

For both Toray and Teijin, we utilized annual weight-averaged FMVs for purposes of comparison. For Toray, we calculated annual FMV's based on delivered prices to unrelated customers in the home market. In accordance with 19 CFR 353.45(a) we did not use related party sales because the prices to related parties were determined not to be at arm's length. We made deductions, where appropriate, for rebates, and post-sale inland freight. We deducted home market packing cost and added U.S. packing costs.

For Teijin, we calculated annual FMV's based on delivered prices to unrelated and related customers in the home market.

These related party sales were determined to be at arm's length, in accordance with section 353.45(a) of our regulations. We made deductions, where appropriate, for rebates and post-sale inland freight and insurance. We deducted home market packing cost and added U.S. packing costs.

For both Teijin and Toray we made a difference-in-merchandise adjustments, where appropriate, based on differences in the variable cost of manufacture. For both Toray and Teijin, pursuant to 19 CFR 353.56, we also made circumstance-of-sale adjustments, where appropriate, for differences in claim compensation expenses, post-sale warehousing expenses, credit expenses and credit interest revenue. Finally, we adjusted for Japanese consumption taxes in accordance with our decision in *Siliconmanganese from Venezuela, Preliminary Determination of Sales at Less Than Fair Value*, 59 FR 31204, June 17, 1994.

No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following margins exist for the period June 1, 1992, through May 31, 1993:

Manufacturer/producer/exporter	Margin percent
Toray	0.33
Teijin	7.18

De minimis.

Case briefs and/or written comments from interested parties may be submitted no later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be filed not later than 37 days after the date of publication of this notice.

Within 10 days of the date of publication of this notice, interested parties to this proceeding may request a disclosure and/or a hearing. The hearing, if requested, will take place not later than 44 days after publication of this notice. Persons interested in attending the hearing should contact the Department for the date and time of the hearing.

The Department will subsequently publish the final results of this administrative review, including the results of its analysis of issues raised in any such written comments or a hearing.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. The Department will issue appropriate appraisal instructions directly to the Customs Service upon completion of this review.

Furthermore, the following deposit requirements will be effective upon publication of our final results of review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after that publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act:

(1) The cash deposit rate for the reviewed companies will be those rates established in the final results of this review, except for rates which are less than 0.50 percent and, therefore, *de minimis*, the cash deposit will be zero;

(2) The cash deposit rate for subject merchandise exported by manufacturers or exporters not covered in this review, but covered in previous reviews or in

the original LTFV investigation, will be based upon the most recently published rate in a final result or determination for which the manufacturer or exporter received a company-specific rate;

(3) The cash deposit rate for subject merchandise exported by an exporter not covered in this review, a prior review, or the original investigation, but where the manufacturer of the merchandise has been covered by this or a prior final results or determination, will be based upon the most recently published company-specific rate for that manufacturer; and

(4) The cash deposit rate for merchandise exported by all other manufacturers and exporters, who are not covered by these or any previous administrative review conducted by the Department, will be the "all others" rate established in the less than fair value investigation.

On May 25, 1993, the Court of International Trade (CIT), in *Floral Trade Council v. United States*, 822 F.Supp 766, and *Federal-Mogul Corporation v. United States*, 839 F.Supp 864, decided that once an "all others" rate is established for a company, it can only be changed through an administrative review. The Department has determined that, in order to implement these decisions, it is appropriate to reinstate the original "all others" rate from the LTFV investigation (or that rate as amended for correction of clerical errors or as a result of litigation) in the proceeding governed by antidumping duty orders.

Because this proceeding is governed by an antidumping duty order, the "all others" rate will be 6.32 percent, the "all others" rate established in the LTFV investigation (56 FR 25660, June 5, 1991).

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review, termination in part, and notice are in accordance with section 751(a)(1) of the Act and 19 CFR 353.22.

Dated: January 12, 1995.

Paul L. Joffe,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 95-1759 Filed 1-23-95; 8:45 am]

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[C-428-817]

Certain Cut-to-Length Carbon Steel Plate from Germany; Termination of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice of termination of countervailing duty administrative review.

SUMMARY: The Department of Commerce (the Department) is terminating the administrative review of the countervailing duty order covering certain cut-to-length carbon steel plate from Germany initiated on September 8, 1994.

EFFECTIVE DATE: January 24, 1995.

FOR FURTHER INFORMATION CONTACT: Anne D'Alauro or Richard Herring, Office of Countervailing Compliance, 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 31, 1994, AG der Dillinger Huttenwerke (Dillinger), a German manufacturer and exporter of cut-to-length carbon steel plate, and its parent company, DHS-Dillinger Hutte Saarstahl AG (DHS), requested an administrative review of the countervailing duty order on certain cut-to-length carbon steel plate from Germany for the period December 7, 1992, through December 31, 1993. No other interested party requested a review. On September 8, 1994, the Department published a notice initiating the administrative review for that period (59 FR 46391). On November 15, 1994, Dillinger and DHS submitted a timely withdrawal of their request for review. As a result, pursuant to 19 CFR § 355.22(a)(3), the Department is terminating the review.

This notice is published in accordance with 19 CFR § 355.22(a)(3).

Dated: January 11, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 95-1760 Filed 1-23-95; 8:45 am]

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[C-533-063]

Certain Iron-Metal Castings From India Preliminary Results of Countervailing Duty Administrative Review

AGENCY: International Trade Administration/Import Administration, Commerce.

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

SUMMARY: The Department of Commerce is conducting an administrative review of the countervailing duty order on certain iron-metal castings from India for the period January 1, 1990 through December 31, 1990. We preliminarily determine the net subsidy to be 10.16 percent *ad valorem* for all manufacturers and exporters in India of certain iron-metal castings, except for certain firms which have significantly different aggregate benefits. A complete listing of the net subsidies for these firms can be found in the "Preliminary Results of Review" section of this notice. We invite interested parties to comment on these preliminary results.

EFFECTIVE DATE: January 24, 1995.

FOR FURTHER INFORMATION CONTACT: Robert Copyak or Lorenza Olivas, Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-2786.

SUPPLEMENTARY INFORMATION:

Background

On October 2, 1991, the Department of Commerce (the Department) published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" (56 FR 49878) of the countervailing duty order on certain iron-metal castings from India (45 FR 68650; October 16, 1980). On October 23, 1991, the Municipal Castings Fair Trade Council and individually-named members, all of which are interested parties, requested an administrative review of the order. In addition, various respondent companies submitted timely requests for review. We initiated the review, covering the period January 1, 1990 through December 31, 1990, on November 22, 1991 (56 FR 58878). The Department is now conducting this administrative review in accordance with section 751(a) of the Tariff Act of 1930 (the Act).

Scope of Review

Imports covered by this review are shipments of Indian manhole covers and frames, clean-out covers and frames, and catch basin grates and

frames. These articles are commonly called municipal or public works castings and are used for access or drainage for public utility, water, and sanitary systems. During the review period, such merchandise was classifiable under the *Harmonized Tariff Schedule* (HTS) item numbers 7325.10.0010 and 7325.10.0050. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The review period is January 1, 1990 through December 31, 1990. This review involves 14 producers/exporters and 14 programs.

Calculation Methodology for Assessment and Deposit Purposes Pursuant to *Ceramica Regiomontana, S.A. v. United States*, 853 F. Supp. 431 (CIT 1994), Commerce is required to calculate a country-wide CVD rate, *i.e.*, the all-other rate, by "weight averaging the benefits received by all companies by their proportion of exports to the United States, inclusive of zero rate firms and *de minimis* firms." Therefore, we first calculated a subsidy rate for each company subject to the administrative review. We then weight-averaged the rate received by each company using as the weight its share of total Indian exports to the United States of subject merchandise. We then summed the individual companies' weight-averaged rates to determine the subsidy rate from all programs benefitting exports of subject merchandise to the United States.

Since the country-wide rate calculated using this methodology was above *de minimis*, as defined by 19 CFR § 355.7 (1993), we proceeded to the next step and examined the net subsidy rate calculated for each company to determine whether individual company rates differed significantly from the weighted-average country-wide rate, pursuant to 19 CFR § 355.22(d)(3). Three companies received significantly different net subsidy rates during the review period pursuant to 19 CFR § 355.22(d)(3). These companies are treated separately for assessment and cash deposit purposes. All other companies are assigned the country-wide rate.

Analysis of Programs

1. Pre-Shipment Export Financing

The Reserve Bank of India, through commercial banks, provides pre-shipment financing, or "packing credit," to exporters. With these pre-shipment loans, exporters may purchase raw materials and packing materials based on presentation of a confirmed order or