

administrative review in accordance with section 751 of the Tariff Act.

### Scope of the Review

Imports covered by the review are shipments of bicycle speedometers. This merchandise is currently classifiable under the Harmonized Tariff Schedule (HTS) item numbers 9029.20.20, 9029.40.80, and 9029.90.40. HTS item numbers are provided for convenience and Customs purposes. Our written description remains dispositive.

The review covers the shipments of Cat Eye Co., Ltd. (Cat Eye), a manufacturer/exporter of bicycle speedometers during the period November 1, 1992 through October 31, 1993.

### United States Price

The Department used purchase price, as defined in section 772 of the Tariff Act, to calculate USP. Purchase price was based on the f.o.b., packed price from the producer to an unrelated Japanese trading company for sale to the United States under the name "Specialized", or to the first unrelated purchaser in the United States. We made adjustments where applicable, for foreign inland freight, and brokerage and handling charges. No other adjustments were claimed or allowed.

### Foreign Market Value

For its FMV calculation, the Department used home market price, as defined in section 773 of the Tariff Act, since sufficient quantities of such or similar merchandise were sold in the home market to provide a basis for comparison. Home market price was based on the packed, delivered price to unrelated purchasers. We made adjustments, where applicable, for post-sale inland freight, quantity rebates, and differences in credit, direct advertising, and packing costs. In addition, we made a difference-in-merchandise adjustment, where appropriate, based on differences in the variable costs of manufacture. No other adjustments were claimed or allowed.

In our calculations we utilized annual weight-averaged FMVs for purposes of comparison as in antifriction bearings from Japan. See Antifriction Bearings from Japan, et al.; Final Results of Administrative Review, 58 FR 39729 (July 26, 1993).

### Preliminary Results of the Review

As a result of our comparison of USP to FMV, we preliminarily determine that the margin for Cat Eye is 3.62 percent for the period November 1, 1992 through October 31, 1993.

Interested parties may request disclosure within 5 days of the date of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or on the first workday thereafter. Case briefs and/or written comments may be submitted not later than 30 days after the date of publication. Rebuttal briefs or rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication. The Department will publish the final results of the administrative review, including the results of its analysis of any comments submitted or made during a hearing.

Upon completion of this administrative review, the Department will issue appraisal instructions concerning the respondent directly to Customs.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for the reviewed company will be that established in the final results of this administrative review; (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 this review, a previous review, or the original less-than-fair-value (LTFV) investigation, 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 this or any previous review, the cash deposit rate will be the "new shipper" rate established in the first administrative review, as discussed below.

On May 25, 1993, the Court of International Trade (CIT), in *Floral Trade Council v. United States*, Slip Op. 93-79, and *Federal-Mogul Corporation and the Torrington Company v. United States*, Slip Op. 93-83, 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 for clerical errors or as a result of

litigation) in proceedings governed by antidumping duty orders. In proceedings governed by antidumping findings, unless we are able to ascertain the "all others" rate from the Treasury LTFV investigation, the Department has determined that it is appropriate to adopt the "new shipper" rate established in the first final results of the administrative review published by the Department (or that rate as amended for correction of clerical error or as a result of litigation) as the "all others" rate for the purposes of establishing cash deposits in all current and future administrative reviews.

Because this proceeding is governed by an antidumping finding, and we are unable to ascertain the "all others" rate from the Treasury LTFV investigation, the "all others" rate for the purposes of the review will be 26.44 percent, the "new shipper" rate established in the first final results of administrative review published by the Department (47 FR 28978, July 2, 1982).

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

This notice also 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 has occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)), and 19 CFR 353.22.

Dated: January 16, 1995.

**Susan G. Esserman,**  
Assistant Secretary for Import  
Administration.

[FR Doc. 95-2352 Filed 1-30-95; 8:45 am]

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(A-570-834)

### Notice of Postponement of Final Antidumping Duty Determination: Disposable Pocket Lighters From the People's Republic of China

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

**EFFECTIVE DATE:** January 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Julie Anne Osgood or Todd Hansen, Office of Countervailing Investigations, Import

Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone (202) 482-0167 or 482-1276, respectively.

#### Case History

Since our preliminary determination in this investigation on December 5, 1994 (59 FR 64191, December 13, 1994), the following events have occurred.

On December 9 and 19, 1994, counsel for Cli-Claque Company, Ltd. ("Cli-Claque") and counsel for Gao Yao (HK) Hua Fa Industrial Co., Ltd. ("Gao Yao"), China National Overseas Trading Corporation ("COTCO") and Guangdong Light Industrial Products Import & Export Corporation ("GLIP"), respectively, requested a postponement of 60 days of the final determination in this investigation due to the complex nature of this investigation, the need for additional time to gather records and information for verification, and the scheduling conflicts resulting from respondents' observance of Chinese New Year.

On December 16, 1994, PolyCity Industrial, Ltd. ("PolyCity") filed its objection to a full extension of the final determination, stating it believes that its margin will decrease dramatically in the Department's final determination and that a postponement disadvantages it by delaying proceedings. PolyCity had previously requested an extension until March 8, 1995.

#### Postponement of Final Antidumping Determination

Under Section 735(a)(2) of the Tariff Act of 1930, as amended, ("the Act") (19 U.S.C. 1673(a)(2)), and section 353.20(b) of the Department's regulations (19 CFR 353.20(b)), if, subsequent to an affirmative preliminary determination, the Department receives a request for postponement of the final determination from the producers or resellers of a significant proportion of subject merchandise, the Department will postpone the final determination absent compelling reasons for denial.

Cli-Claque, COTCO, Gao Yao and GLIP collectively account for a significant portion of sales to the United States of merchandise under investigation and have preliminarily been found to constitute independent companies entitled to rates separate from the country-wide rate for PRC manufacturers, producers and/or exporters of the subject merchandise. Although PolyCity, which also has preliminarily been found to be an independent company entitled to a separate rate, has objected to a full

postponement, given the complicated nature of this investigation, and to ensure a complete and thorough verification of all responses, we are postponing our final determination until no later than April 27, 1995.

#### Scope of the Investigation

The products covered by this investigation are disposable pocket lighters, whether or not refillable, whose fuel is butane, isobutane, propane, or other liquefied hydrocarbon, or a mixture containing any of these, whose vapor pressure at 75 degrees Fahrenheit (24 degrees Celsius) exceeds a gauge pressure of 15 pounds per square inch. Non-refillable pocket lighters are imported under subheading 9613.10.0000 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Refillable, disposable pocket lighters would be imported under subheading 9613.20.0000. Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this proceeding is dispositive.

#### Suspension of Liquidation

On January 4, 1995, we published in the **Federal Register** (60 FR 436) our preliminary affirmative determination of critical circumstances with regard to imports of subject merchandise from Cli-Claque and COTCO, and with respect to manufacturers, producers and/or exporters that have not established their independence from central government control and to which the PRC country-wide rate will apply. Therefore, we have directed the U.S. Customs Service to suspend liquidation of any unliquidated entries of disposable pocket lighters exported from the PRC by the above-mentioned companies (*i.e.*, any exporter of subject merchandise other than Gao Yao, GLIP and PolyCity) that are entered or withdrawn from warehouse for consumption on or after September 14, 1994, which is 90 days prior to the date of publication of our preliminary determination in this proceeding. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated dumping margins, as published in our preliminary determination for this investigation. This suspension of liquidation will remain in effect until further notice.

#### Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least six copies must be submitted to the Assistant Secretary no later than March 27, 1995, and rebuttal briefs no later than April 3, 1995. A hearing will

be held on April 10, 1995, at 9:00 am at the U.S. Department of Commerce in Room 1412. Parties should confirm by telephone the time, date, and place of the hearing 48 hours prior to the scheduled time. In accordance with 19 CFR 353.38(b), oral presentations will be limited to issues raised in the briefs.

We will make our final determination not later than April 27, 1995, 135 days after the date of publication of our preliminary affirmative determination of sales at less than fair value.

This notice is published pursuant to section 735(a) of the Act and 19 CFR 353.20(b)(2).

Dated: January 20, 1995.

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

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#### C-333-502

#### Determination Not To Revoke Countervailing Duty Order; Deformed Steel Concrete Reinforcing Bar From Peru

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

**ACTION:** Notice of determination not to revoke countervailing duty order.

**SUMMARY:** The Department of Commerce (the Department) is notifying the public of its determination not to revoke the countervailing duty order on deformed steel concrete reinforcing bar (rebar) from Peru.

**EFFECTIVE DATE:** January 31, 1995.

**FOR FURTHER INFORMATION CONTACT:** Brian Albright or Melanie Brown, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone: (202)482-2786.

#### SUPPLEMENTARY INFORMATION:

##### Background

On October 31, 1994, the Department published in the **Federal Register** (59 FR 54436) its intent to revoke the countervailing duty order on deformed steel concrete reinforcing bar (rebar) from Peru (50 FR 48819; November 27, 1985). Under 19 CFR 355.25(d)(4)(iii), the Secretary of Commerce will conclude that an order is no longer of interest to interested parties and will revoke the order if no domestic interested party objects to revocation and no interested party requests an