Mathew Rosenbaum at (202) 482–4377
Chile
Standard Carnations, A–337–602, 52 FR 8939, March 20, 1987, Contact: Joe Fargo at (202) 482–5345
France
Brass Sheet & Strip, A–427–602, 52 FR 6995, March 6, 1987, Contact: Chip Hayes at (202) 482–5047
Italy
Brass Fire Protection Equipment, A–475–401, 50 FR 8354, March 1, 1985 Contact: Leon McNeill at (202) 482–4236
The People's Republic of China
Chloropicrin, A–570–002, 49 FR 10691, March 22, 1984, Contact: Andrea Chu at (202) 482–4733

If no interested party requests an administrative review in accordance with the Department's notice of opportunity to request administrative review, and no domestic interested party objects to the Department's intent to revoke or terminate pursuant to this notice, we shall conclude that the antidumping duty orders, findings, and suspended investigations are no longer of interest to interested parties and shall proceed with the revocation or termination.

Opportunity to Object

Domestic interested parties, as defined in § 353.2(k) (3), (4), (5), and (6) of the Department's regulations, may object to the Department's intent to revoke these antidumping duty orders and findings or to terminate the suspended investigations by the last day of March 1995. Any submission to the Department must contain the name and case number of the proceeding and a statement that explains how the objecting party qualifies as a domestic interested party under § 353.2(k) (3), (4), (5), and (6) of the Department's regulations.

Seven copies of such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B–099, U.S. Department of Commerce, Washington, DC 20230. You must also include the pertinent certification(s) in accordance with § 353.31(g) and § 353.31(i) of the Department's regulations. In addition, the Department requests that a copy of the objection be sent to Michael F. Panfeld in Room 4203. This notice is in accordance with 19 CFR 353.25(d)(4)(i).

Dated: February 15, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 95–5054 Filed 2–28–95; 8:45 am]

BILLING CODE 3510–DS–P

[C–614–503]

Lamb Meat From New Zealand; Preliminary Results of Countervailing Duty Administrative Review and Intent To Revoke the Countervailing Duty Order

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

ACTION: Notice of preliminary results of countervailing duty administrative review and intent to revoke countervailing duty order.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty order on lamb meat from New Zealand for the period April 1, 1992 through March 31, 1993. We preliminarily determine the total subsidy to be 0.0013 percent *ad valorem* for all firms for the review period. In accordance with 19 CFR 355.7, any rate less than 0.50 percent *ad valorem is de minimis.*

In addition, we preliminarily determine that the Government of New Zealand (GONZ) has met the requirements for revocation of the countervailing duty order, including undergoing administrative review for three consecutive years during which the Department has determined that there has been no net subsidy on lamb meat and all subsidies on lamb meat have been abolished. If these preliminary results are sustained in the final results of this review and the Department is satisfied that the GONZ is not likely to reinstate or substitute other subsidy programs on lamb meat, we will revoke the countervailing duty order pursuant to 19 CFR 355.25(a)(1). We invite interested parties to comment on these preliminary results.

EFFECTIVE DATE: March 1, 1995.

FOR FURTHER INFORMATION CONTACT: Gayle Longest or Kelly Parkhill, 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 September 7, 1993, the Department published a notice of ''Opportunity to Request Administrative Review'' (58 FR 47116) for the countervailing duty order on lamb meat from New Zealand (50 FR 37708; September 17, 1985). On September 30, 1993, we received a request for review from the New Zealand Meat Producers Board. The GONZ also requested revocation of the countervailing duty order on lamb meat from New Zealand pursuant to 19 CFR 355.25(b) and certified that all countervailable programs for lamb meat had been eliminated and that it will not reinstate those countervailable programs or substitute other countervailable programs. We initiated the review, covering the period April 1, 1992 through March 31, 1993, on October 18, 1993 (58 FR 53710). The Department is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act). The review period is April 1, 1992, through March 31, 1993. The review involves nine companies and five programs.

Revocation of the Order

After carefully examining the September 30, 1993, request for revocation of the order, including the certification, the Department determined that certain modifications with respect to the revocation request were necessary. On May 12, 1994, the GONZ resubmitted its certification that met the minimum threshold requirements to be considered for revocation under 19 CFR 355.25(b).

According to 19 CFR 355.25(b), a government meets the minimum threshold requirement for revocation of an order if, in requesting the third consecutive administrative review of the order, the government submits a certification that the government has abolished all subsidy programs for the subject merchandise for a period of three consecutive years, and that the government will not reinstate the abolished programs or substitute other countervailable programs. Under 19 CFR 355.25(a)(1)(i), the Department must have also found that there was no net subsidy for lamb meat in the two consecutive administrative reviews prior to the year in which the government requests revocation, and in the third consecutive administrative review, the Department must also determine that there is no net subsidy. If the foregoing threshold requirements are met, and the Department determines in the review during which revocation has been requested that the GONZ has eliminated all subsidies on lamb meat for the third consecutive year, and is not likely to substitute or replace formerly countervailable programs with new subsidies, then the Department will revoke the order.

With respect to the countervailing duty order on lamb meat, the GONZ met the minimum threshold requirements for consideration of the order for revocation. The Department verified that all programs that were determined to be countervailable in past administrative reviews of the order have been terminated. The Department has reviewed these programs in three consecutive administrative reviews of this order (including this review). In each of the past two reviews, the Department determined that all countervailable programs have been eliminated and there was no net subsidy on lamb meat. In this review, we preliminarily determine that all countervailable programs on lamb meat have been terminated and have not been replaced with other countervailable programs. We also preliminarily determine that it is not likely that in the future the GONZ will reinstate for lamb meat those programs or substitute other countervailable programs. In addition, we preliminarily determine that the net subsidy during the review period was *de minimis*. Therefore, if the final results of this review remain unchanged from these preliminary results, the Department intends to revoke the order pursuant to 19 CFR 355.25(a)(1).

Scope of Review

Imports covered by this review are shipments of lamb meat, other than prepared, preserved or processed, from New Zealand. This merchandise is currently classifiable under item numbers 0204.10.0000, 0204.22.2000, 0204.23.2000, 0204.30.0000, 0204.42.2000, and 0204.43.2000 of the Harmonized Tariff Schedule (HTS). The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Verification

As required under 19 CFR 355.36(a)(ii) of the Department's regulations, we verified the elimination of programs that had been found countervailable in past administrative reviews and examined the countervailability of other programs that may have replaced these programs. We also selected several companies for verification to ensure that there were no net subsidies and that no residual benefits were being provided to lamb meat producers under the terminated programs.

Analysis of Programs

I. Program Preliminarily Determined to Confer Subsidies

(A) Livestock Incentive Scheme

The Livestock Incentive Scheme (LIS) was introduced in 1976 in order to encourage farmers to increase permanently their number of livestock. Under the scheme, a farmer engaged in a stock increase program, for a minimum of one and a maximum of three years, could opt for one of two incentives: (1) An interest-free suspensory loan of NZ$12 for each additional stock unit carried; or (2) a deduction of NZ$24 from taxable income for each additional stock unit carried. If the livestock increase was met, farmers who elected to take out loans wrote the loans off as tax-free grants. For farmers electing the tax option, the provisional tax deduction could be applied toward tax liability in any of the three years after completion of the development program. Applications to participate in the LIS program were accepted until March 31, 1982. No new loans have been given under this program since 1983, and no tax credits have been authorized since the 1983/84 government fiscal year. The last loan was forgiven in 1988; these forgiven loans are treated by the Department as grants. During the 1991/92 government fiscal year (the review period), we verified that there were no outstanding loans that had not been converted to grants and no tax credits remaining to be claimed by lamb producers.

The Department has previously found this program to be countervailable because benefits under this program are available only to farmers with livestock herds, and, as such, are limited to a specific enterprise on industry, or group of enterprises or industries (See Preliminary Affirmative Countervailing Duty Determination; Lamb Meat From New Zealand (50 FR 28236, June 25, 1985 and Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; Lamb Meat From New Zealand (50 FR 37708, September 17, 1985)). No new information or evidence of changed circumstances has been submitted to warrant reconsideration of this determination.

To calculate the benefit, we treated the loan amounts forgiven in prior years as grants and allocated those amounts over five years, the average useful life of breeding stock. This methodology is described in § 355.49(g) of Countervailing Duties; Notice of Proposed Rulemaking and Request for Public Comments (51 FR 23366, 23385; May 31, 1989). Because the 1988 grant under this program was allocated over five years, we find that a benefit was conferred during the review period; however, this is the last year of the five-year benefit stream and no further benefits will be provided under these forgiven LIS loans. The discount rate chosen was the average interest rate on overdrafts during the year in which the loans were forgiven.

The methodology and discount rate are the same used in previous administrative reviews (see e.g. Lamb Meat from New Zealand; Preliminary Results of Countervailing Duty Administrative Review (56 FR 27243; June 13, 1991) and Lamb Meat from New Zealand; Final Results of Countervailing Duty Administrative Review (56 FR 38423; August 13, 1991). We added the value of the benefits from the grants and multiplied the results by a factor determined to represent the value of lamb meat as a percentage of the total value of all livestock production. We then divided that result by the total value of lamb meat production during the review period. On this basis, we preliminarily determine the benefit from this program to be 0.0013 percent *ad valorem* for all firms.

II. Programs Preliminarily Determined Not To Confer Subsidies

(A) Regional Development Suspensory Loan Scheme (RDSL)

The GONZ established the Regional Development Assistance Program to encourage utilization of resources in priority regions of New Zealand. Regions designated by the government as non-priority did not qualify for regional development assistance. The RDSL program, one of a variety of regional development programs administered by the Development Finance Corporation (DFC), provided interest-free loans which were later converted to grants if development objectives are met.

The Department previously found this program to be countervailable because it provided government-funded financing to specific regions in New Zealand on terms inconsistent with commercial considerations (See Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; Lamb Meat from New Zealand (50 FR 37708, September 17, 1985)). The RDSL was terminated on April 21, 1986, by the GONZ and the Regional Development Investigation Grants Scheme (RDIGS) was established as its replacement (See Verification Report on Lamb Meat from New Zealand (Public Version) dated April 13, 1988).

In 1988, the Ministry of Commerce (MOC) became the administrator of the RDIGS, and the name of the program was changed to the Business Development Investigation Grant Scheme (BDIGS). Unlike its predecessor, the RDSL, under BDIGS, all New Zealand taxpayers from any region are eligible to apply for this program. The criteria for eligible projects under the program are: (1) The project must be a lawful activity, and (2) the activity must be new to the region in that its technical feasibility and/or commercial viability has yet to be established in the region.

The BDIGS assists applicants in assessing the feasibility of a new activity by providing grants to cover expenses such as accountant fees, Ministry of Agriculture and Fisheries (MAF) soil studies, pilot plant costs, marketing consultant fees, and travel costs of visiting a similar operation in another country. These grants may cover up to 50 percent of the costs related to the project feasibility studies. We verified that as of June 1989, there are no regional distinctions made by this program or the government with respect to eligibility for these grants.

Although the lamb meat industry is not a new or unproven activity in any region in New Zealand, the introduction of an advanced technology to the lamb industry could be funded through this scheme. At verification, we examined the use of BDIGS and found that no producers or exporters of lamb meat used the program at any time between early 1991 to June 1994. We found that the program was available to all sectors of the economy and all regions within New Zealand. During the review period, we verified that this program was used in a wide variety of different economic sectors for the development of such projects as tree surgery products, a holiday home exchange program, a plastic bag holder, Mediterranean bread, and an intelligent radio modem and that these projects were conducted across all regions in New Zealand (See Verification of the Countervailing Duty Order on Lamb Meat from New Zealand (Public Version) dated December 13, 1994). Therefore, because this program is not limited to a specific enterprise or industry, or group of enterprises or to companies in specific regions, we find that it is not countervailable.

(B) Expert Assistance Grant Scheme (EAGS)

The EAGS is a program established in 1992 by the MOC to assist small businesses, those with 10 employees or less, in their efforts to become more competitive. Under the EAGS program, grants are provided to small firms in any industry throughout New Zealand. Grants are provided to firms that are hiring ''experts'' to help improve quality and provide expertise that is not available within the firm.

At verification, we examined the EAGS and found that no producers or exporters of lamb meat used the program at any time between early 1991 to June 1994. We found that the program was available to all sectors of the economy and all regions within New Zealand. During the review period, we verified that this program was used in a wide variety of different economic sectors of the economy including foundries, data systems, and engineering projects and that companies using EAGS were located across all regions of New Zealand (See Verification of the Countervailing Duty Order on Lamb Meat from New Zealand (Public Version) dated December 13, 1994). Therefore, because this program is not limited to a specific enterprise or industry, or group of enterprises or to companies in specific regions, we find that it is not countervailable.

III. Programs Preliminarily Determined To Be Terminated

(A) The Export Market Development Taxation Incentive (EMDTI)

Under the EMDTI, established in the 1979 Amendment to the Income Tax Act of 1976, exporters have received tax credits for a certain percentage of their export market development expenditures. Qualifying expenditures included those incurred principally for seeking and developing new markets, retaining existing markets and obtaining market information. An exporter who took advantage of this tax credit could not deduct the qualifying expenditures as ordinary business expenses in calculating taxable income. Because the program was contingent upon exportation, the Department previously found this program to confer a countervailable grant or subsidy (See Lamb Meat From New Zealand; Preliminary Results of Countervailing Duty Administrative Review (56 FR 27243; June 13, 1991) and Lamb Meat From New Zealand; Final Results of Countervailing Duty Administrative Review (56 FR 38423; August 13, 1991).

Effective with the government fiscal year beginning April 1, 1990, the GONZ eliminated the EMDTI tax credit, and all formerly eligible expenditures are subject to the rules for ordinary business expenses in calculating taxable income. Because certain corporate fiscal years do not correspond with the GONZ's fiscal year, some residual benefits were still possible. However, according to the questionnaire response, no exporters of the subject merchandise claimed benefits under this program on their tax return during the review period. Moreover, at verification, we saw no evidence that EMDTI tax credits were given or that they existed during the review period. Furthermore, we verified that there can be no residual benefits after our review period. Accordingly, we preliminarily determine that this program has been terminated and that there are no residual benefits to lamb meat producers or exporters.

(B) Export Suspensory Loan Scheme (ESLS)

The ESLS administered by the Department of Trade & Industry and the DFC, was established in the 1973 budget and modified by Cabinet decision in 1978. The purpose of the program is to provide loans to assist exporters in purchasing equipment needed to expand their production of export goods. The loans covered up to 40 percent of eligible expenditures and were converted to grants if pre-determined export targets were met. If the export targets were not met, the loans could be partially converted to grants or called in full at the DFC's long-term interest rates. The ESLS terminated on March 31, 1985; we have verified that no new loans under this program were granted after that date.

The Department has previously found this program to be countervailable because benefits under this program are contingent on export performance and the program provided loans that: (1) Could be at rates lower than those available from commercial sources, and (2) could be converted to grants (See Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; Lamb Meat from New Zealand (50 FR 37708, September 17, 1985)).

At verification, we examined this program and found that there were no outstanding ESLS loans during the review period. The final payments on loans under this program were made during the 1990–91 New Zealand Government fiscal year. (See Verification of the Countervailing Duty Order on Lamb Meat from New Zealand (Public Version) dated December 13, 1994.) Furthermore, we saw no evidence that ESLS loans were used by lamb meat exporters during the review period. Accordingly, we preliminarily determine that this program has been terminated and that there are no residual benefits to lamb meat producers or exporters.

(C) Export Programme Grant Scheme (EPGS/Export Programme Suspensory Loan Scheme (EPSLS)

The EPGS was established in the 1979 Budget to encourage marketing research in targeted foreign markets. The grants, amounting to 64 percent of budgeted expenditures, were available for up to three years. In 1982, the grant program was converted to the EPSLS, a suspensory loan program. Loans covering up to 40 percent of eligible expenditures were available to established exporters who increased their net foreign exchanged earnings through the marketing of specific goods or services in a designated foreign market. If a predetermined sales forecast was accomplished, the suspensory loan was converted into a grant; if the forecast was not met, the exporter repaid the loan with interest.

During our administrative review covering the period April 1, 1986, through March 31, 1987, the Department verified the EPSLS program and found that on May 23, 1985, the GONZ terminated the EPSLS. In addition, the GONZ announced that its commitments made under the program prior to that date would be met. (See Verification Report Concerning Lamb Meat From New Zealand (Public Version) dated April 13, 1988, which has been placed on the public record of this proceeding.) No lamb meat exporters were using this program at the time it was terminated. (See Verification Report Concerning Lamb Meat From New Zealand (Public Version) dated April 13, 1988; Lamb Meat From New Zealand; Preliminary Results of Countervailing Duty Administrative Review, (54 FR 1402; January 13, 1989) and Lamb Meat From New Zealand; Final Results of Countervailing Duty Administrative Review, (54 FR 19590; May 8, 1989).) Further, during this review period, we found no evidence that this program was used by lamb meat exporters. Accordingly, we preliminarily determine that this program has been terminated and that there are no residual benefits to lamb meat producers or exporters.

Preliminary Results of Review

As a result of our review, we preliminarily determine that total subsidy to be 0.0013 percent *ad valorem* for all firms during the period April 1, 1992, through March 31, 1993. In accordance with 19 CFR 355.7, any rate less than 0.50 percent is *de minimis* and will be disregarded.

Therefore, as provided for by section 751(a)(1) of the Act, the Department intends to instruct the Customs Service to liquidate, upon publication of the final results of this review in the **Federal Register**, without regard to countervailing duties, all shipments of the subject merchandise from New Zealand exported by all companies on or after April 1, 1992, and on or before March 31, 1993.

The Department also intends to instruct the Customs Service not to collect cash deposits of estimated countervailing duties on any shipments of the subject merchandise from New Zealand entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

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. Pursuant to 19 CFR 355.38(c), 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. 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(e).

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 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)) and 19 CFR 355.22.

Dated: February 22, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–5056 Filed 2–28–95; 8:45 am]

BILLING CODE 3510–DS–P

Intent To Revoke Countervailing Duty Orders and Terminate Suspended Countervailing Duty Investigation

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

ACTION: Notice of intent to revoke countervailing duty orders.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its intent to revoke the countervailing duty orders and terminate the suspended countervailing duty investigation listed below. Domestic interested parties who object to revocation of any of these orders or to termination of the suspended investigation must submit their comments in writing not later than the last day of March 1995.

EFFECTIVE DATE: March 1, 1995.

FOR FURTHER INFORMATION CONTACT: Brian Albright or Megan Waters, 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

The Department may revoke a countervailing duty order or terminate a suspended countervailing duty investigation if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by the Department's regulations (at 19 CFR 355.25(d)(4)), we are notifying the public of our intent to revoke the countervailing duty orders and to terminate the suspended countervailing duty investigation listed below, for which the Department has not received a request to conduct an administrative review for the most recent four consecutive annual anniversary months.

In accordance with § 355.25(d)(4)(iii) of the Department's regulations, if no domestic interested party (as defined in §§ 355.2 (i)(3), (i)(4), (i)(5), and (i)(6) of the regulations) objects to the Department's intent to revoke these orders or terminate this suspended investigation pursuant to this notice, and no interested party (as defined in § 355.2(i) of the regulations) requests an administrative review in accordance with the Department's notice of opportunity to request administrative review, we shall conclude that the countervailing duty orders and suspended countervailing duty investigation are no longer of interest to interested parties and proceed with the revocations. However, if an interested party does request an administrative review in accordance with the Department's notice of opportunity to request administrative review, or a domestic interested party does object to the Department's intent to revoke or terminate pursuant to this notice, the Department will not revoke the order or terminate the suspended investigation.

Countervailing duty orders

Chile	Standard Carnations. (C–337–601)	03/19/87 52 FR 8635
Iran	Raw Pistachios.	03/11/86