

interested parties an opportunity to comment on the preliminary results of this changed circumstances review. We received no comments.

Scope of the Review

Ceiling fans are electric fans that direct a downward and/or upward flow of air using a fan blade/motor unit. Ceiling fans incorporate a self-contained electric motor of an output not exceeding 125 watts. Ceiling fans are designed for permanent or semi-permanent installation. Industrial ceiling fans are defined as ceiling fans that meet six or more of the following criteria in any combination: A maximum speed of greater than 280 revolutions per minute (RPMs); a minimum air delivery capacity of 8000 cubic feet per minute (CFM); no reversible motor switch; controlled by wall-mounted electronic switch; no built-in motor controls; no decorative features; not light adaptable; fan blades greater than 52 inches in diameter; metal fan blades; downrod mounting only—no hugger mounting capability; three fan blades; fan blades mounted on top of motor housing; single-speed motor.

The Harmonized Tariff Schedule (HTS) subheading under which ceiling fans are classifiable is 8414.51.0030. Although the HTS subheading is provided for convenience and Customs purposes, our written description of the scope of this proceeding is dispositive.

This changed circumstances administrative review covers all manufacturers/exporters of ceiling fans from the PRC.

Final Results of Review; Revocation of Antidumping Duty Order

The affirmative statement of no interest by Lasko, the petitioner, constitutes changed circumstances sufficient to warrant revocation of the order. Therefore, the Department is revoking the order on ceiling fans from the PRC in accordance with sections 751 (b) and (c) of the Tariff Act of 1930 (the Act) and 19 CFR 353.25(d)(1). This revocation applies to all entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after June 5, 1991.

The Department will instruct the Customs Service to proceed with liquidation, without regard to antidumping duties, of all unliquidated entries of subject merchandise entered, or withdrawn from warehouse, for consumption on or after June 5, 1991. The Department will further instruct the Customs Service to refund with interest any estimated duties collected with respect to unliquidated entries of

subject merchandise entered, or withdrawn from warehouse, for consumption on or after December 9, 1991, in accordance with section 778 of the Act.

This changed circumstances review, revocation of the antidumping duty order, and notice are in accordance with sections 751 (b) and (c) of the Act (19 U.S.C. 1675 (b) and (c)) and sections 353.22(f) and 353.25(d) of the Department's regulations.

Dated: March 10, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 95-6681 Filed 3-16-95; 8:45 am]

BILLING CODE 3510-DS-P

[A-580-811]

Steel Wire Rope From the Republic of Korea; Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of antidumping duty administrative review.

SUMMARY: In response to a request from the petitioner, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on steel wire rope from Korea. The review covers 25 manufacturers/exporters of the subject merchandise to the United States. The review period is September 30, 1992, through February 28, 1994 (the POR).

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 the administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the FMV.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: March 17, 1995.

FOR FURTHER INFORMATION CONTACT: Jacqueline Arrowsmith, Davina Friedmann, Matthew Rosenbaum, or Michael Rill, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, D.C. 20230; telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On March 26, 1993, the Department published in the **Federal Register** (58 FR 16398) the antidumping duty order on steel wire rope from the Republic of Korea. On March 4, 1994, the Department published a notice of "Opportunity to Request an Administrative Review" (59 FR 10368) of this antidumping duty order for the period September 30, 1992, through February 28, 1994. On March 14, 1994, the petitioner, the Committee of Domestic Steel Wire Rope & Specialty Cable Manufacturers, requested an administrative review for 25 manufacturers/exporters of steel wire rope from Korea.

We published a notice of initiation of the review on May 12, 1994 (59 FR 24683). The Department is now conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Unlocated Companies

We were unable to obtain addresses for Atlantic & Pacific, Dong-Il Metal, Dong Yong, Kwang Shin Industrial, and Seo Hae Industrial. In accordance with our practice with respect to companies to which we cannot send a questionnaire, we are assigning to these companies the "All Others" rate from the less-than-fair-value (LTFV) investigation, which is 1.51 percent. See Sweaters Wholly or in Chief Weight of Man-Made Fiber From Hong Kong; Final Results of Antidumping Duty Administrative Review, 59 FR 13926 (March 24, 1994).

Scope of Review

The product covered by this review is steel wire rope. Steel wire rope encompasses ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of brass-plated wire. Imports of these products are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7312.10.9030, 7312.10.9060, and 7312.10.9090.

Excluded from this review is stainless steel wire rope, *i.e.*, ropes, cables and cordage other than stranded wire, of stainless steel, not fitted with fittings or made up into articles, which is classifiable under HTS subheading 7312.10.6000. Although HTS subheadings are provided for convenience and Customs purposes, our own written description of the scope of this review is dispositive.

United States Price

In calculating USP, the Department used purchase price as defined in section 772 of the Act, because the subject merchandise was sold to unrelated U.S. purchasers prior to importation and the exporter's sales price (ESP) methodology was not indicated by other circumstances.

Purchase price was based on ex-factory, f.o.b. Korea, f.o.b. customer's specific delivery point, c.i.f., c&f, or delivered prices to unrelated purchasers in, or for exportation to, the United States. We adjusted these prices for billing adjustments. We made adjustments, where applicable, for domestic brokerage and handling, ocean freight, marine insurance, terminal handling charges, stevedoring charges, wharfage expenses, bill of lading issuing fees, export license fees, export insurance, domestic inland freight, containerization expenses and container taxes, container freight station charges, and shoring charges in accordance with section 772(d)(2) of the Act. For certain companies we also deducted bank charges, postage fees, letter of credit advice charges, and delay charges when they were not reported separately from movement expenses. We also added duty drawback, where applicable, for Manho Rope and Wire, Ltd. (Manho), and Chun Kee Steel & Wire Rope Co., Ltd. (Chun Kee), pursuant to section 772(d)(1)(B) of the Act. We did not make any duty drawback adjustments for Chung Woo Rope Co., Ltd., Hanboo Wire Rope, Inc., Kumho Rope, Sung Jin Company, Ssang Yong Steel Wire Co., Ltd., and Yeonsin Metal, because they were unable to demonstrate a connection between imports for which they paid duties and exports of steel wire rope.

We adjusted USP for taxes in accordance with our practice as outlined in Silicomanganese 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 steel wire rope in the home market to serve as a viable basis for calculating FMV, we compared the volume of home market sales of steel wire rope to the volume of third-country sales of steel wire rope, in accordance with section 773(a)(1) of the Act and 19 CFR 353.48(a). Based on this comparison we determined that the home market was viable.

Because the Department disregarded certain of Manho's home market sales

that were determined to have been made below the cost of production (COP) during the original investigation, the Department initiated a COP investigation of Manho for purposes of this administrative review, in accordance with section 773(b) of the Act and Department practice. See, e.g., Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from Thailand; Preliminary Results of Antidumping Duty Administrative Review, 56 FR 11195, 11196 (March 15, 1991). Furthermore, based on allegations by petitioner, we also determined that reasonable grounds existed to believe or suspect that Chun Kee and Boo Kook made sales below cost. Thus, we initiated COP investigations with respect to Chun Kee and Boo Kook. However, we are using best information available (BIA) for Boo Kook and are not calculating a specific rate for that company (see "Best Information Available" section below).

We calculated the COP for the merchandise using Manho's and Chun Kee's cost of manufacturing (COM) and general expenses, in accordance with section 353.51(c) of the Department's regulations (19 CFR 353.51(c)(1994)). Respondents' COM consisted of materials, labor, and factory overhead costs incurred in steel wire rope production. General expenses consisted of general and administrative expenses as well as net interest expenses normally included in general expenses for COP.

We performed a model-specific COP test, in which we examined whether each home market sale was priced below the merchandise's COP. The Department defines the COP as the sum of direct material, direct labor, variable and fixed factory overhead, general expenses, and packing. See Stainless Steel Hollow Products From Sweden; Preliminary Results of Antidumping Duty Administrative Review, 59 FR 40521 (August 9, 1994). For each model, we compared this sum to the reported home market unit price, net of price adjustments and movement expenses. In accordance with section 773(b) of the Act, we also examined whether the home market sales of each model were made at prices below their COP in substantial quantities over an extended period of time. None of these companies submitted evidence that such sales were made at prices which would permit recovery of all costs within a reasonable period of time in the normal course of trade.

For each model where less than 10 percent, by quantity, of the home market sales during the POR were made at prices below the COP, we included all

sales of that model in the computation of FMV. For each model where 10 percent or more, but not more than 90 percent, of the home market sales during the POR were priced below the merchandise's COP, we excluded from the calculation of FMV those home market sales which were priced below the merchandise's COP, provided that these below-cost sales were made over an extended period of time. For each model where more than 90 percent of the home market sales during the POR were priced below the COP and over an extended period of time, we disregarded all sales of the model from our calculation of FMV and used the constructed value (CV) of those models as described below. See Antifriction Bearings (Other Than Tapered Roller Bearings) and Part Thereof From France, *et al.*; Preliminary Results of Antidumping Duty Administrative Reviews, Partial Termination of Administrative Reviews, and Notice of Intent To Revoke Orders (in Part) 59 FR 9463 (February 28, 1994).

In order to determine whether below-cost sales had been made over an extended period of time, we compared the number of months in which each product was sold below cost to the number of months during the POR in which each model was sold. If a product was sold in fewer than three months during the review period, we did not exclude the below-cost sales unless there were below-cost sales in each month of sale. If a product was sold in three or more months, we did not exclude the below-cost sales unless there were below-cost sales in at least three months during the POR. We found certain of Manho's and Chun Kee's home market sales to be below the COP and excluded these sales.

For those models that had sufficient above-cost sales, we calculated FMV based on delivered prices and ex-factory prices to unrelated customers. In calculating FMV, we made adjustments, where appropriate, for rebates. Manho reported domestic pre-sale freight for certain sales. We consider pre-sale freight to be an indirect expense where respondent does not demonstrate that it is a direct expense. Therefore, since all of Manho's U.S. sales are purchase price sales, and 19 CFR 353.56(b)(1) (the commission offset provision) does not apply, we have not adjusted FMV for pre-sale freight. We adjusted for Korean value-added tax in accordance with our decision in Silicomanganese from Venezuela, Preliminary Determination of Sales at Less Than Fair Value, 59 FR 31204 (June 17, 1994). We deducted home market packing costs from the home market price and added U.S.

packing costs to the FMV. We also made adjustments, where applicable, for differences in the physical characteristics of merchandise.

Pursuant to 19 CFR 353.56, we made circumstance-of-sale adjustments to FMV. We deducted home market credit expenses, inspection fees, domestic post-sale inland freight, warranty and servicing expenses and where appropriate, added U.S. postage fees, U.S. letter of credit fees, U.S. bank charges, U.S. credit expenses, U.S. inspection fees, U.S. warranty and servicing expenses, and U.S. product liability insurance except where they were not reported separately from movement expenses. We used CV as FMV for those U.S. sales for which there were no contemporaneous sales of the comparison home market model or insufficient sales at or above the COP. We calculated CV, in accordance with section 773(e) of the Act, as the sum of the COM of the product sold in the United States, home market selling, general and administrative (SG&A) expenses, home market profit and U.S. packing. The COM of the product sold in the United States is the sum of direct material, direct labor, and variable and fixed factory overhead expenses. For home market SG&A expenses, we used the larger of the actual SG&A expenses reported by the respondents or 10 percent of the COM, the statutory minimum for general expenses. For home market profit, we used the larger of the actual profit reported by the respondents or the statutory minimum of eight percent of the sum of COM and general expenses. We deducted home market direct selling expenses and added U.S. direct selling expenses to CV.

No other adjustments were claimed or allowed.

Best Information Available

In accordance with section 776(c) of the Act, we have preliminarily determined that the use of BIA is appropriate for certain firms.

In determining what to use as BIA, the Department employs a two-tiered methodology. The Department uses one method to determine the BIA margin for those respondents who cooperate in a review, while it uses a different method to determine the BIA margin for those respondents who do not cooperate, or who significantly impede the review.

In the case of uncooperative respondents, we use as BIA the higher of (1) the highest of the rates found for any firm for the same class or kind of merchandise in the LTFV investigation or prior administrative reviews; or (2) the highest calculated rate in the current review for any firm (see Final Results of

Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order, Antifriction Bearings) (Other Than Tapered Roller Bearings) and Parts Thereof From France, *et al.*, 58 FR 39729 (July 26, 1993)). When a company substantially cooperates with our requests for information, but fails to provide all information requested in a timely manner or in the form requested, we use as BIA the higher of (1) the highest rate (including the "all others" rate) ever applicable to the firm for the same class or kind of merchandise from the same country from either the LTFV investigation or a prior administrative review; or (2) the highest calculated rate in the current review for any firm for the class or kind of merchandise from the same country.

Boo Kook submitted timely responses to our original and supplemental sales questionnaires. However, Boo Kook failed to respond to the COP questionnaire. Furthermore, several days before the scheduled verification, Boo Kook requested that we postpone our verification for 60 to 90 days. In its request for this delay, Boo Kook claimed that it had learned that several employees who have been indicted for embezzlement had destroyed many of the company's financial records, and that the remaining records were in police custody. Boo Kook requested the delay in verification in order to enable it to reconstruct its records for verification. Because postponement of the verification posed a substantial burden to the Department, we could not grant the requested delay, and thus we could not verify Boo Kook's response. Therefore, in accordance with section 776(c) of the Act, we have determined that the use of BIA is appropriate for Boo Kook. Because Boo Kook submitted timely responses to the Department's original and supplemental sales questionnaires, we determine Boo Kook to be a cooperative respondent. Accordingly, a margin of 2.72 percent, which is the highest calculated rate for this review, has been applied to Boo Kook.

We sent Dae Kyung and Myung Jin a questionnaire and received a confirmation of receipt through the United States Postal Service and the U.S. Embassy in Seoul, respectively. We did not receive a response from these two companies. Therefore we have considered these companies to be uncooperative respondents. Accordingly, a margin of 2.72 percent has been applied to Dae Kyung and Myung Jin, which is the highest calculated rate for this review.

We sent Dong-Il Steel Mfg. Co., Ltd. (Dong-Il), a questionnaire. It requested that it be excused from the review process because it no longer manufactures steel wire rope. We sent the company a letter explaining that it is responsible for responding to the questionnaire for any sales or shipments that occurred during the POR. However, the company did not respond to the questionnaire. Therefore, we have considered Dong-Il to be an uncooperative respondent. Accordingly, a margin of 2.72 percent has been applied to Dong-Il, which is the highest calculated rate for this review.

We sent Kwangshin Rope a questionnaire and three weeks after the due date received a response indicating that it was bankrupt. We rejected the response because it was untimely and had not been properly submitted or served. However, we sent Kwangshin Rope a supplemental questionnaire requesting clarification of its bankruptcy status. We did not receive a response. Therefore, we have considered Kwangshin Rope to be an uncooperative respondent. Accordingly, a margin of 2.72 percent has been applied to Kwangshin Rope, which is the highest calculated rate for this review.

We sent Seo Jin a questionnaire and received confirmation of receipt from the U.S. Embassy. One month after the deadline for the questionnaire response, we received a letter requesting an extension from Seo Jin. We denied this request because the request was untimely, was not served as required by our regulations, and was not filed in our Central Records Unit as required by our regulations. Therefore, we have considered Seo Jin to be an uncooperative respondent. Accordingly, a margin of 2.72 percent has been applied to Seo Jin, which is the highest calculated rate for this review.

Preliminary Results of Reviews

As a result of this review, we preliminarily determine that the following margins exist for the period September 30, 1992, through February 28, 1994:

Manufacturer/exporter	Margin (percent)
Atlantic & Pacific	1.51
Boo Kook Corporation	2.72
Chun Kee Steel & Wire Rope Co., Ltd	2.72
Chung Woo Rope Co., Ltd	0.16
Dae Heung Industrial Co	(1)
Dae Kyung Metal	2.72
Dong-Il Metal	1.51
Dong-Il Steel Manufacturing Co., Ltd	2.72
Dong Young	1.51

Manufacturer/exporter	Margin (percent)
Hanboo Wire Rope, Inc	0.45
Jinyang Wire Rope, Inc	(1)
Korea Sangsa Co	(1)
Korope Co	(1)
Kumho Rope	0.07
Kwang Shin Ind	1.51
Kwangshin Rope	2.72
Manho Rope & Wire, Ltd	0.03
Myung Jin Co	2.72
Seo Hae Ind	1.51
Seo Jin Rope	2.72
Ssang Yong Steel Wire Co., Ltd	0.09
Sung Jin	0.04
Sungsan Special Steel Process- ing Inc	(1)
TSK (Korea) Co., Ltd	(1)
Yeonsin Metal	0.17

¹ No shipments or sales subject to this review.

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. Upon completion of the review the Department will issue appraisal instructions on each exporter directly to the Customs Service.

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 the publication date of the final results of this administrative review, 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 the review (except that if the rate for a firm is *de minimis*, i.e., less than 0.5 percent, no cash deposit will be required for that firm); (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 prior review, or the original 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 or the original investigation, the cash deposit rate will be 1.51 percent, the "All Others" rate established in the LTFV investigation (58 FR 11029).

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

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 the date of publication. Any hearing, if requested, will be held as early as convenient for the parties but not later than 44 days after the date of publication or the first work day thereafter. Case briefs or other written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttal comments, limited to issues in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any such written comments.

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 occurred and the subsequent assessment of double antidumping duties.

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 353.22(c)(5).

Dated: March 13, 1995.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

[FR Doc. 95-6682 Filed 3-16-95; 8:45 am]

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National Oceanic and Atmospheric Administration

[I.D. 031095B]

Marine Mammals

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

ACTION: Request to export nonreleasable beached and stranded marine mammals (P583).

SUMMARY: Notice is hereby given that Shimoda Floating Aquarium, Fujita Tourist Enterprises Co., 3-22-31 Shimoda, Shizuoka 415, Japan, has requested authorization to export for public display purposes two nonreleasable beached and stranded California sea lions from a U.S. rehabilitation facility.

ADDRESSES: The request for authorization and related documents are available for review upon written request to the Chief, Permits Division, F/PR1, Office of Protected Resources, NMFS, 1335 East-West Highway, Silver Spring, MD 20910-3226 (301/713-2289).

Relevant written comments about this request should be submitted to the above address April 17, 1995.

SUPPLEMENTARY INFORMATION: Shimoda Floating Aquarium, Fujita Tourist Enterprises Co., is requesting authorization for the export of two nonreleasable rehabilitated female California sea lions (*Zalophus californianus*) for the purpose of public display under the Marine Mammal Protection Act of 1972 (MMPA), as amended (16 U.S.C. 1361 *et seq.*).

The permanent retention or export for public display purposes of a beached or stranded marine mammal taken for the purpose of rehabilitation under section 109(h) of the MMPA must be authorized by NMFS. Under the 1994 amendments to the MMPA, in order to obtain any marine mammal for public display purposes, the recipient must: (1) Offer a program for education or conservation purposes that is based on professionally recognized standards of the public display community; (2) be registered or hold a license issued under 7 U.S.C. 2131 *et seq.*; i.e., from the Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture (or, for foreign facilities, meet comparable standards); and (3) maintain facilities for the public display of marine mammals that are open to the public on a regularly scheduled basis and to which access is not limited or restricted other than by charging of an admission fee.

In this regard, the required certifications and statements provided by Shimoda Floating Aquarium and the Japanese Fisheries Agency have been submitted to NMFS and APHIS, and have been found appropriate and sufficient to allow consideration of the request.

Dated: March 13, 1995.

Art Jeffers,
Acting Chief, Division of Permits and
Documentation, National Marine Fisheries
Service.

[FR Doc. 95-6666 Filed 3-16-95; 8:45 am]

BILLING CODE 3510-22-F

[I.D. 031095C]

Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and