the home market constituted at least five percent of its sales to all other markets. Thus, other than where we relied upon constructed value (CV) (as described below), we based FMV on sales in the home market. *See* 19 C.F.R. 353.46(a).

Based on findings in the previous review and the less-than fair-value (LTFV) investigation that the respondents sold subject merchandise in the home market below the cost of production (COP), we conducted a cost investigation in this review in accordance with section 732(a) of the Tariff Act. We calculated each respondent's COP as the sum of all reported material costs, labor expenses, factory overhead, selling, general, and administrative (SG&A) expenses, and packing expenses. Because the Brazilian economy was hyperinflationary during the period of review (POR), we instructed respondents to follow our long-standing methodology for hyperinflationary economies, including the use of replacement costs. (*See Silicon Metal from Brazil, Final Results of Antidumping Duty Administrative Review,* 59 FR 42806 (August 19, 1994.)

We compared individual home market prices, net of the *imposto de circulacao de mercadorias e servicos* (ICMS) tax (a home market, valued-added tax), to monthly COPs. For CBCC, Eletrosilex, and RIMA, we found that, for each model sold in the home market, more than 90 percent of sales were made at below-COP prices, and were made over an extended period of time. Since CBCC, Eletrosilex, and RIMA provided no indication that these sales were at prices that would permit recovery of all costs within a reasonable period of time and in the normal course of trade, we disregarded all of their home market sales, and based FMV on CV in accordance with 19 C.F.R. 353.50. For Minasligas, we found that between 10 and 90 percent of home market sales were made at below-COP prices. However, since we determined that such sales were not made over an extended period of time, we did not disregard them in our calculation of FMV.

In order to determine whether below-cost sales and been made over an extended period of time, we compared the number of months in which below-cost sales occurred for each model to the number of months during the POR in which each model was sold. If a model 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 model 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.

In accordance with section 773(e) of the Tariff Act, where we based FMV on CV, it consisted of the sum of the cost of manufacture (COM) of silicon metal, home market SG&A expenses, home market profit, and the cost of export packing. The COM of silicon metal is the sum of direct material, direct labor, and variable and fixed 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 foreign SG&A 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 SG&A expenses. *See* section 773(e)(1)(B) of the Tariff Act. We also made adjustments, where applicable, for differences between home market and U.S. market expenses for credit and warehousing.

We based FMV for Minasligas on prices to unrelated purchasers in the home market. We calculated a monthly, weighted-average price. Where applicable, we made adjustments for post-sale inland freight. We also made adjustments, where applicable, for differences between home market and U.S. market expenses for packing, credit, and warehousing.

No other adjustments were claimed or allowed.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the following margins exist for the period July 1, 1992, through June 30, 1993:

Manufacturer/exporter	Margin (percent)
CBCC	21.39
Minasligas	0.00
Eletrosilex	11.28
RIMA	20.83

Interested parties may request a disclosure within 5 days 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 44 days after the date of publication, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such case briefs.

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 appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of silicon metal from Brazil 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 Tariff Act: (1) the cash deposit rates for the reviewed companies will be those rates established in the final results of this 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 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 conducted by the Department, the cash deposit rate will be 91.06 percent, the ''all others'' rate established in the LTFV investigation.

These cash 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 C.F.R. 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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19 C.F.R. 353.22.

Dated: March 9, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

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