

ACTION: Cancellation to notice of intent to prepare environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service is cancelling preparation of an environmental impact statement (EIS) for pest management at the Humboldt Nursery, McKinleyville, California; Placerville Nursery, Camino, California; and Chico Tree Improvement Center, Chico, California (**Federal Register** of September 7, 1990, 55 FR 36844, and (**Federal Register** of August 25, 1988, 53 FR 32417).

FOR FURTHER INFORMATION CONTACT: John Fiske, Program Manager, Reforestation, Pacific Southwest Region, 630 Sansome Street, San Francisco, California 94111. Telephone (415) 705-2697.

Date: April 24, 1995.

Gilbert J. Espinosa,

Acting Regional Forester.

[FR Doc. 95-10649 Filed 4-28-95; 8:45 am]

BILLING CODE 3410-11-M

Control of Diseases, Insects, Other Animals, and Unwanted Vegetation at the Placerville Nursery

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Department of Agriculture, Forest Service will prepare an environmental impact statement (EIS) for pest management at the Placerville Nursery, Camino, California. Initial public scoping is underway; a public meeting will occur during the DEIS comment period. The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and be available for public review by June, 1995. The final EIS is expected to be filed with EPA by August, 1995.

FOR FURTHER INFORMATION CONTACT: Susan Frankel, Pathologist, Pacific Southwest Region, 630 Sansome St., San Francisco, CA 94111. Telephone (415) 705-2651.

SUPPLEMENTARY INFORMATION: In preparing the EIS, the Forest Service has identified and is considering a range of alternatives for this project. One of those is no action. Other alternatives consider a range of methods for the prevention and control of diseases, insects, other animals, and unwanted vegetation at the Placerville Nursery. The methods under consideration include biological, chemical, manual, and mechanical techniques. The activities that require prevention and controls include cover cropping, seed pre-treatment, nursery seedbed and greenhouse preparation,

sowing, seedling growth from germination to lifting, and seedling storage.

Patricia Trimble, Nursery Manager, Placerville Nursery is the responsible official.

The draft EIS is expected to be filed with the Environmental Protection Agency (EPA) and be available for public review by June, 1995. The final EIS is expected to be filed with EPA by August, 1995.

The comment period on the draft EIS will be 45 days from the date in the EPA's notice of availability appears in the **Federal Register**.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage but that are not raised until after completion of the final environmental impact statement may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Dated: April 24, 1995.

Gilbert J. Espinosa,

Acting Regional Forester.

[FR Doc. 95-10650 Filed 4-28-95; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-843]

Initiation of Antidumping Duty Investigation: Bicycles From the People's Republic of China

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

EFFECTIVE DATE: May 1, 1995.

FOR FURTHER INFORMATION CONTACT: Shawn Thompson or Cameron Werker at (202) 482-1776 or (202) 482-3874, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Initiation of Investigation

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

The Petition

On April 5, 1995, the Department of Commerce (the Department) received a petition filed in proper form by Huffy Bicycle Company, Murray Ohio Manufacturing Co., and Roadmaster Corporation (the petitioners), three U.S. producers of bicycles. Supplements to the petition were filed on April 20 and 24, 1995.

In accordance with section 732(b) of the Act, the petitioners allege that imports of bicycles from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, a U.S. industry.

The petitioners state that they have standing to file the petition because they are interested parties, as defined under section 771(9)(C) of the Act.

Determination of Industry Support for the Petition

Section 732(c) of the Act, as amended by the URAA, requires that the Department determine, prior to the initiation of an investigation, that a minimum percentage of the domestic industry supports an antidumping petition. A petition meets those minimum requirements if (1) domestic producers or workers who support the petition account for at least 25 percent of the total production of the domestic like product; and (2) those domestic producers or workers expressing support account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

A review of production data provided in the petition reveals that the petitioners, three known domestic producers of the domestic like product as defined in the petition, account for more than 25 percent of the total production of the domestic like product and for more than 50 percent of that produced by companies expressing support for, or opposition to, the petition. Accordingly, the Department determines that this petition is supported by the domestic industry.

Scope of the Investigation

The product covered by this investigation is bicycles of all types, whether assembled or unassembled, complete or incomplete, finished or unfinished, including industrial bicycles, tandems, recumbents, and folding bicycles. For purposes of this investigation, the following terms are defined as follows irrespective of any different definition that may be found in Customs rulings, U.S. Customs law, or the *Harmonized Tariff Schedule of the United States (HTSUS)*: (1) The term "unassembled" means fully or partially unassembled or disassembled; (2) the term "incomplete" means lacking one or more parts or components with which the complete bicycle is intended to be equipped; and (3) the term "unfinished" means wholly or partially unpainted or lacking decals or other essentially aesthetic material. Specifically, this investigation is intended to cover: (1) Any assembled complete bicycle, whether finished or unfinished; (2) any unassembled complete bicycle, if shipped in a single shipment, regardless of how it is packed and whether it is finished or unfinished; and (3) any incomplete bicycle, defined for purposes of this investigation as a frame and fork set, assembled or unassembled,

finished or unfinished, and imported in the same shipment with any two of the following components, whether or not assembled together with the frame and fork set: (a) The rear wheel; (b) the front wheel; (c) a rear derailleur; (d) a front derailleur; (e) any one caliper or cantilever brake; (f) an integrated brake lever and shifter, or separate brake lever and click stick lever; (g) crankset; (h) handlebars, with or without a stem; (i) chain; (j) pedals; and (k) seat (saddle), with or without seat post and seat pin.

The scope of this investigation is not intended to cover bicycle parts except to the extent that they are attached to or in the same shipment as an unassembled complete bicycle or an incomplete bicycle, as defined above.

Complete bicycles are classifiable under subheadings 8712.00.15, 8712.00.25, 8712.00.35, 8712.00.44, and 8712.00.48 of the 1995 HTSUS. Incomplete bicycles, as defined above, may be classified for tariff purposes under any of the aforementioned HTSUS subheadings covering complete bicycles or under HTSUS subheadings 8714.91.20–8714.99.80, inclusive (covering various bicycle parts). The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this investigation is dispositive.

Export Price and Normal Value

Export price was based on retail prices observed in the United States in mid-1994. The petitioners adjusted the starting prices for retail gross margin, the importer's selling expenses (used as a surrogate for importer's mark-up), foreign inland freight, CIF movement charges, and U.S. customs duty.

The petitioners assert that the PRC is a non-market economy (NME) within the meaning of sections 771(18) of the Act and in accordance with section 773(c) of the Act. Accordingly, the normal value of the product should be based on the producer's factors of production, valued in a surrogate market economy country. In previous investigations, the Department has determined that the PRC is an NME, and the presumption of NME status continues for the initiation of this investigation. See, e.g., *Final Determination of Sales at Less Than Fair Value: Pure Magnesium and Alloy Magnesium from the People's Republic of China*, 60 FR 16437 (March 30, 1995).

It is our practice in NME cases to construct normal value from the factors of production of those factories that produced bicycles sold to the United States during the period of investigation.

In the course of this investigation, all parties will have the opportunity to provide relevant information related to the issues of the PRC's NME status and the granting of separate rates to individual exporters. See, e.g., *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the PRC*, 59 FR 22585 (May 2, 1994).

The petitioners based the PRC producers' factors of production (i.e., raw materials, labor, and energy) for bicycles on research conducted by a private consulting firm in the PRC. The petitioners valued these factors, where possible, on a publicly available published Indonesian government survey of the bicycle manufacturing and/or bicycle component industries in Indonesia, the surrogate country selected. Indonesia was selected as the surrogate country because (1) its level of economic development is comparable to that of the PRC, and (2) it is a significant producer of bicycles.

For each of the bicycle models used in the fair value comparisons, certain components are imported from the market-economy countries where they are produced. In those instances, the petitioners valued the components in question based on the F.O.B. foreign port prices that the petitioners pay, as they state their prices are equal to or less than the prices paid by any other bicycle manufacturer in the world.

The petitioners also based factory overhead, and selling, general, and administrative expenses on data published by the Indonesian government on the bicycle manufacturing industry.

The petitioners based profit on a publicly available published study of the Indonesian bicycle industry.

Based on a comparison of the export prices to the factors of production, the average calculated dumping margin is 74.95 percent.

Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of bicycles from the PRC are being, or likely to be, sold at less than fair value. If it becomes necessary at a later date to consider the petition as a source of facts available, we may review the calculations.

Initiation of Investigation

We have examined the petition on bicycles and have found that it meets the requirements of section 732 of the Act, including the requirements concerning the material injury or threat of material injury to the domestic producers of a domestic like product by reason of the complained-of imports,

allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of bicycles from the PRC are being, or are likely to be, sold in the United States at less than fair value. Unless extended, we will make our preliminary determination by September 12, 1995.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, copies of the public version of the petition have been provided to the representatives of the PRC.

ITC Notification

We have notified the International Trade Commission (ITC) of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will determine by May 22, 1995, whether there is a reasonable indication that imports of bicycles from the PRC are causing material injury, or threaten to cause material injury to, a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 732(c)(2) of the Act.

Dated: April 25, 1995.

Susan G. Esserman,
Assistant Secretary for Import Administration.

[FR Doc. 95-10647 Filed 4-28-95; 8:45 am]

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[A-429-601]

Solid Urea From the German Democratic Republic; Preliminary Results of Changed Circumstances Review and Initiation of Changed Circumstances Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of changed circumstances review and initiation of changed circumstances antidumping duty administrative review.

SUMMARY: On February 12, 1992, the Department of Commerce (the Department) published in the **Federal Register** (57 FR 5130) a notice of initiation of a changed circumstances review to examine the effect, if any, that

the reunification of Germany (by combination of the former German Democratic Republic (GDR) and the Federal Republic of Germany (FRG)) had on the antidumping duty order covering solid urea from the former GDR (53 FR 2636). Specifically, we reviewed the order's applicability to post-unification shipments of the subject merchandise from producers located in the pre-unification territory of the FRG. The Department preliminarily determines to maintain the order on solid urea from the five German states (Brandenburg, Mecklenburg-Vorpommern, Saxony, Saxony-Anhalt, and Thuringia (plus any other territory included in the former GDR)) that formerly constituted the GDR (hereinafter "the Five States") and to allow entry of shipments from the pre-unification territory of the FRG (the remaining German states) without regard to antidumping duties. We have also determined that there is good cause for conducting a second changed circumstances review to calculate a new cash deposit rate using a market economy analysis for any shipments of solid urea from the Five States occurring after October 2, 1990 and before the effective date of this notice.

EFFECTIVE DATE: May 1, 1995.

FOR FURTHER INFORMATION CONTACT: Wendy Frankel, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

Background

On July 14, 1987, the Department published in the **Federal Register** (53 FR 2636) an antidumping duty order on solid urea from the GDR that established a cash deposit rate of 44.80 percent. On October 3, 1990, the GDR and the pre-unification territory of the FRG were unified into the single jurisdiction of the Federal Republic of Germany. On October 1, 1990, the U.S. Customs Service issued instructions that it would be appropriate to treat goods that would have been considered products from the former GDR, and were entered or withdrawn from warehouse for consumption on or after October 3, 1990, as products of the unified FRG for customs purposes. In response, on October 10, 1990, the Department instructed the U.S. Customs Service to suspend liquidation of all entries of solid urea from the unified FRG but not to collect cash deposits on solid urea from any company located in what was the pre-unification territory of the FRG.

Thus, entries of solid urea from the pre-unification territory of the FRG were suspended at what was in effect a zero cash deposit rate. We further instructed U.S. Customs officials to continue collecting cash deposits from manufacturers located in what had been the GDR.

On February 12, 1992, the Department published in the **Federal Register** (57 FR 5130) the initiation of a changed circumstances review on solid urea from the former GDR (*Notice of Initiation*). At the time of initiation, companies producing solid urea in the pre-unification territory of the FRG were shipping to the United States. Accordingly, the Department initiated its review to determine whether the order on solid urea from the former GDR is applicable to shipments from producers located in the pre-unification territory of the FRG.

Scope of the Review

Imports covered by this review are those of solid urea. At the time of the publication of the antidumping duty order, such merchandise was classifiable under item 480.30 of the *Tariff Schedules of the United States Annotated* (TSUSA). This merchandise is currently classified under the *Harmonized Tariff Schedule of the United States* (HTS) item number 3102.10.00. These TSUSA and HTS item numbers are provided for convenience and Customs purposes only. The written description remains dispositive.

Analysis

Although the Department normally administers antidumping proceedings on a country-by-country basis, neither the statute, the regulations, nor the GATT expressly require such an approach. Indeed, as the Department stated in connection with the special circumstances surrounding the breakup of the Soviet Union and its potential effect on the then-pending antidumping duty investigation concerning uranium, the focus of the law is on merchandise, not countries. See *Postponement of Preliminary Antidumping Duty Determination; Uranium from the Former Union of Soviet Socialist Republics (USSR)*, 57 FR 11064 (1992) (incorporating by reference, memorandum from F. Sailer to A. Dunn dated March 24, 1992); see also *Techsnabexport, Ltd. v. United States*, 802 F. Supp. 469, 471-72 (Ct. Int'l Trade 1992).

In the present case, there are special circumstances that justify maintaining the subject order on the Five States, but not on the remaining German states. The geopolitical entity that was known as