Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Cooperative State Research, Education, and Extension Service

National Agricultural Research and Extension Users Advisory Board; Meeting

According to the Federal Advisory Committee Act of October 6, 1972 (Public Law 92–463, 86 Stat. 770–776), as amended, the Cooperative State Research, Education and Extension Service announces the following meeting:

Name: National Agricultural Research and Extension Users Advisory Board (hereafter referred to as the UAB).

Date: August 23–25, 1995.

Time: August 23—1:00 p.m.—5:00 p.m.; August 24—8:00 a.m.—5:00 p.m.; August 25—8:00 a.m.—12 noon.

Place: Holiday Inn, Ft. Washington, PA, and tours of research facilities at Philadelphia and surrounding areas.

Type of Meeting: Open to the public. Persons may participate in the meeting as time and space permit.

Comments: The public may file written comments before or after the meeting with the contact person named below.

Purpose: To review Federal, State, and privately funded agricultural research, education, and extension programs in water quality, sustainable agriculture, animal and plant production, nutrition, food safety, integrated pest management, post-harvest production and non-food uses.

Contact Person for Agenda and More Information: Ms. Marshall Tarkington, Executive Director, Research, Education, and Economics Advisory Committees, Room 316A, Administration Building, U.S. Department of Agriculture, Washington, DC 20250–2255; Telephone (202) 720–3684.

Done in Washington, D.C., this 9th day of June 1995.

William D. Carlson,

Acting Administrator.

[FR Doc. 95–15071 Filed 6–19–95; 8:45 am]

BILLING CODE 3410–22–M

Forest Service

Inland Native Fish Strategy

AGENCY: Notice of public hearings on the Inland Native Fish Strategy environmental assessment.

SUMMARY: In the March 14, 1995, **Federal Register** (Vol. 60, No. 49, pp. 13697–13698), notice was given that the Forest Service, in cooperation with the Bureau of Land Management and U.S. Fish and Wildlife Service, is gathering information in order to prepare an Environmental Assessment (EA) for a proposal to protect habitat and populations of native inland fish.

This EA addresses National Forest System lands on the Bitterroot, Boise, Caribou, Challis, Clearwater, Colville, Deerlodge, Deschutes, Flathead, Fremont, Helena, Humboldt, Idaho Panhandle, Kootenai, Lolo, Malheur, Ochoco, Okanogan, Payette, Sawtooth, Wallowa-Whitman, and Winema National Forests in the Northern, Intermountain, and Pacific Northwest Regions.

The Environmental Assessment has been completed and sent to the public for a 30-day review and comment period. These comments will be considered in reaching a decision.

Public hearings will be conducted to allow the public ample opportunity to comment on the proposal. Hearings are scheduled at the following locations:

June 26, 1995, Bend, Oregon, River House Inn (North/Middle Sister Rooms), 3075 North Highway 97

June 27, 1995, Twin Falls, Idaho, AmeriTel Inn (Blue Lakes Room), 1377 Blue Lakes Blvd. N.

June 28, 1995, Helena, Montana, Park Plaza (Rimini Room), 22 N. Last Chance Gulch

June 29, 1995, Spokane, Washington, Holiday Inn (Hawthorne Room), W. 4212 Sunset Blvd.

Each of the hearings will begin at 4:00 p.m. local time. Speakers are required to sign up, and will be given a maximum of 5 minutes.

FOR FURTHER INFORMATION CONTACT: Questions about the public hearings should be directed to Laird Robinson, Public Affairs Officer for the Inland Native Fish Strategy, USDA Forest Service, P.O. Box 7669, Missoula, Montana, 59807. Phone: (406) 329–3434.

The responsible officials for this Environmental Assessment are the Regional Foresters for the Intermountain, Northern, and Pacific Northwest Regions. They will make a decision regarding this proposal considering the comments and responses, environmental consequences discussed in the Environmental Assessment, and applicable laws, regulations, and policies. The decision and reasons for the decision will be documented in a Decision Notice. The Decision Notice is expected to be available in late July, 1995.

Dated: June 9, 1995.

David J. Wright,

Inland Native Fish Team Leader, USDA Forest Service.

[FR Doc. 95–14953 Filed 6–19–95; 8:45 am]

BILLING CODE 3410–11–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–814]

Polyethylene Terephthalate Film, Sheet, and Strip from Japan; Final Results of Antidumping Duty Administrative Review

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

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

SUMMARY: On March 2, 1994, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from Japan. The review covers three manufacturers/exporters of this merchandise to the United States, Toray Industries, Inc. (Toray), Teijin, Ltd. (Teijin), and Diafoil Co. Ltd. (Diafoil), and the period November 30, 1990 through May 31, 1992. Based on our analysis of comments received, we have changed the final results from those presented in our preliminary results of review.

EFFECTIVE DATE: July 20, 1995.

FOR FURTHER INFORMATION CONTACT: Arthur N. DuBois or Thomas F. Futtner,

Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC. 20230, telephone: (202) 482–6312/3814.

SUPPLEMENTARY INFORMATION:

Background

On March 2, 1994, the Department published in the **Federal Register** (59 FR 9960) the preliminary results of its administrative review of the antidumping duty order on PET film (56 FR 25660, June 5, 1991). The Department has now completed that administrative review in accordance with section 751 of the Tariff Act of 1930 (the Tariff Act) and 19 CFR 353.22.

One firm, Diafoil, did not respond to the Department's questionnaire. Therefore, we are using best information otherwise available (BIA) for cash deposit and appraisement purposes. As BIA for Diafoil, we determined the dumping margin to be 14.00 percent, the highest margin calculated in any administrative review or the original investigation.

We gave interested parties an opportunity to comment on the preliminary results. We received comments from petitioners, all three respondents and one interested party. All parties participated in the hearing held on April 14, 1994.

Scope of the Review

Imports covered by the review are shipments of all gauges of raw, pretreated, or primed PET film, sheet, and strip, whether extruded or coextruded. The films excluded from the scope of this order are metallized films and other finished films that have had a least one of their surfaces modified by the application of performance-enhancing resin or inorganic layer more than 0.00001 inches (0.254 micrometers) thick. Roller transport cleaning film which has at least one of its surfaces modified by the application of 0.5 micrometers of SBR latex has also been ruled as not within the scope of the order.

PET film from Japan is currently classifiable under Harmonized Tariff Schedule (HTS) item number 3920.62.0000. The HTS item numbers are provided for convenience and for Customs purposes only. The written descriptions remain dispositive.

Analysis of Comments Received

Comment 1: Toray Plastics America (TPA), an interested party, argues that the Department should use BIA for Diafoil, because Diafoil refused to answer the Department's questionnaire.

Diafoil responds that it is not uncooperative, only unresponsive. Diafoil objects to TPA's attempt to characterize Diafoil as an ''uncooperative party'' just because Diafoil declined to respond to the Department's questionnaire. Diafoil argues that, as a small exporter, it did not respond because of the excessive burden and cost involved.

Department's Position: In accordance with section 776(c) of the Tariff Act, the Department uses BIA in cases where a party refuses to respond to the questionnaire, is unable to produce information requested in a timely manner and in the form required, or otherwise significantly impedes the proceedings. The Department uses a two-tiered approach in its choice of BIA. For uncooperative respondents or respondents who substantially impede the proceedings (first tier), the Department uses the higher of (1) the highest rate for any company from the original investigation or any prior administrative review or (2) the highest rate found in the current review for any company. For respondents which attempt to cooperate (second tier), the Department uses the higher of (1) the highest rate ever applicable to that firm for the subject merchandise or (2) the highest calculated rate in the current review for any firm (*see Antifriction Bearings (Other than Tapered Roller Bearings) and Parts thereof from France, et al.*, 58 FR 39729, July 26, 1993).

Accordingly, whether Diafoil is characterized as uncooperative or unresponsive, in accordance with the current statute, we must apply BIA. In accordance with our two-tier BIA policy, Diafoil's rate will be 14 percent, the highest rate for any company from the original investigation (*see Polyethylene Terephthalate Film, Sheet, and Strip from Japan*, 56 FR 25660, June 5, 1991).

Comment 2: TPA states that since Diafoil refused to answer the Department's questionnaire and in light of the substantial difference between Diafoil's current deposit rate and its new BIA rate, the Department should publish immediately a determination establishing a new BIA deposit rate for future entries of PET film produced or exported by Diafoil.

TPA claims that nothing in the antidumping law, or in the Department's regulations, requires that the Department wait until the conclusion of its review before establishing a new deposit rate for a foreign producer or exporter that has utterly refused to participate in the proceeding.

Department's Position: Deposit rates can only be changed after conducting an administrative review, in accordance with Section 751 of the Tariff Act. Our regulations require that we issue preliminary results of review and allow parties to ask for disclosure of the calculation methodology, submit written argument and rebuttal comments and the opportunity to ask for hearings (19 CFR 353.22 and 353.38).

Comment 3: Toray argues that for these final results the Department should calculate two margins for this review: one for the period preceding issuance of the antidumping duty order (*i.e.*, November 30, 1990, through May 31, 1991) and a second for Toray's sales in the first 12 months following issuance of the order (*i.e.*, June 1, 1991, through May 31, 1992). Toray maintains that the Department should instruct Customs to use the margin from the latter period as the basis for Toray's cash deposits on future entries.

Toray states that because antidumping duties are intended to be remedial, rather than punitive, in nature, they should reflect a respondent's current pricing practices. Accordingly, the Department's final results in this review should demonstrate that Toray has eliminated or substantially reduced its dumping margin in the period following publication of the antidumping duty order. Toray argues that the Department's regulations implicitly require the calculation of a separate, weighted-average margin for a respondent's first full year of sales under an order. If the Department fails to do this, Toray contends, it frustrates the intent of its own regulations by effectively extending the qualifying period for company-specific revocations to four years, thereby making necessary additional administrative reviews that otherwise might have been made unnecessary by respondents' good faith efforts to amend their pricing practices immediately after a less-than-fair-value (LTFV) investigation. Toray further contends that the courts have held that a respondent's weighted-average dumping margin should reflect a respondent's current pricing practices.

The petitioners, E. I. Du Pont de Nemours & Company, Inc., Hoeschst Celanese Corporation, and ICI Americas Inc., argue that the Department's consistent practice during the first administrative review is to use the period between the date provisional measures were first applied and the month before the first anniversary date of the antidumping duty order. This is a reasonable exercise of the Department's administrative discretion in implementing section 751 of the

Tariff Act, which does not offer any guidance to the Department regarding the period covered by the first administrative review.

The petitioners note that the Department has consistently utilized this approach in determining the appropriate period for the first administrative review. Furthermore, the Department has consistently calculated assessment and deposit rates based on sales over the entire period. Petitioners further argue that in such situations the courts have consistently supported an agency's implementation of a statute, citing *Timken Co.* v. *United States,* 14 CIT 753 (1990); *Mart Corp.* v. *United States,* 486 U.S. 281 (1988); and *Zenith Radio Corp.* v. *United States,* 437 U.S. 443, 450 (1978). Petitioners observe that none of the cases cited by Toray in its brief relates at all to the Department's first administrative review procedures or in any way attributes any punitive or retaliatory characteristics to them. Further, petitioners note that Toray cites no judicial precedent that supports its position that the Department's current first administrative review period is not ''current'' or is ''unfair.''

Therefore, petitioners conclude, the Department has properly determined that one-year review periods are appropriate only after the first administrative review, which normally covers a period closer to 18 months. By honoring Toray's request, petitioners argue that the Department would in fact be ignoring dumping which occurs earlier in the review period, an action which would be inconsistent with the Tariff Act and would be ''punitive'' to the domestic industry.

Department's Position: There is no statutory guidance regarding the period to be covered by the first administrative review or the period on which to base cash deposit rates. However, the Department's regulations identify the period to be covered by a first administrative review as ''the period from the suspension of liquidation * * * to the end of the month immediately preceding the first anniversary month'' (*see* 19 CFR 353.22(b)(2)). As a matter of administrative practice, the Department has consistently calculated assessment and deposit rates based on the entire period of review. To do otherwise would invite manipulation by parties who, depending on their point of view, could argue that one division or another of the POR would be more favorable to their interests. The Department considers the first review period to be ''current'' even if it exceeds twelve months.

Finally, we are not persuaded by Toray's argument that the Department, by not dividing the first POR into pre- and post-order periods, undermines its own company-specific revocation procedures, which are based on three consecutive years of no dumping. Respondents can begin practicing pricing discipline as soon as the Department initiates an investigation. Certainly at the time of the preliminary determination, when suspension of liquidation occurs, respondents are made aware of the Department's methodology and can begin to change their prices accordingly.

Comment 4: TPA claims that, in accordance with the Department's methodology, recently upheld in *Outokumpu Copper Rolled Products AB* v. *United States,* 829 F.Supp. 1371, 1379–80 (CIT, 1993) (Outokumpu), many of Teijin's U.S. sales should be treated as exporter's sales price (ESP) transactions.

TPA asserts that, in *Outokumpu,* the Court held that the Department could apply a ''purchase price'' analysis to ''closed consignment'' sales (where the exporter's U.S. subsidiary held merchandise for ''just-in-time'' delivery) if, first, the U.S. subsidiary performs strictly ministerial functions, and, second, any warehousing operation undertaken by the U.S. subsidiary reflects the parties' ''customary commercial channels.'' TPA contends that Teijin does not meet either of these criteria. First, according to TPA, Teijin has three separate U.S. companies that account for a significant portion of U.S. sales under review. Further, TPA claims that Teijin's questionnaire response makes clear that the company's U.S. subsidiaries are engaged in a wide range of sales and post-sale activities, including marketing and acting as a selling agent. Similarly, TPA notes that Teijin has reported technical service expenses, as well as indirect expenses, by all three U.S. subsidiaries for the maintenance of sales staff. Finally, TPA claims that Teijin's sales do not follow the ''customary commercial channels'' utilized by Teijin and its U.S. subsidiaries.

Teijin responds that its U.S. sales are properly analyzed as purchase price transactions and disputes TPA's argument that, based on criteria upheld by *Outokumpu,* Teijin's sales should be treated as ESP sales. First, during the LTFV investigation, the Department verified that the merchandise did not enter the physical inventory of the subsidiary. Second, Teijin's subsidiaries continue to perform only ministerial functions, processing sales-related documentation and serving as a communication link, in connection with U.S. sales of PET film. Finally, Teijin argues that TPA's attempt to portray Teijin's U.S. operations as more substantial or ''substantially restructured'' are misinformed.

Department's Position: During the LTFV investigation, the Department verified that Teijin's U.S. sales were final before importation and did not enter inventory in the United States. Accordingly, Teijin's sales qualified as purchase price sales. In this review, Teijin again asserts that its U.S. subsidiaries perform only ministerial functions and that its U.S. sales during the POR do not enter inventory in the United States. In this review, TPA offers no specific support for its position except to question certain selling expenses. Further, nothing appears in the record of this review to show that there is anything different from the investigation that would distinguish any of the sales as ESP sales. We disagree with TPA's comment that Teijin's questionnaire response makes it clear that it and its U.S. subsidiaries are engaged in activities that would force the Department to conclude that Teijin's sales should be analyzed as ESP sales. Also, we considered these sales to be in the customary commercial channels in the investigation, and TPA has provided no evidence to the contrary. Finally, in our verification of Teijin's response during the LTFV investigation, we found no additional expenses such as technical services, advertising, or warranties on U.S. sales. Accordingly we have accepted Teijin's claim for purchase price analysis for the final results of administrative review.

Comment 5: TPA argues that the Department should reject Teijin's suggested model match because the methodology is distortive and deficient. TPA argues that the correct methodology is to first match PET film products by their end-use and subsequently by their polymers and gauges because this is the most accurate and administrable model match methodology. TPA maintains that each of PET film's five primary end-use categories requires common physical and performance characteristics that determine the commercial utility and value of the product and that are unique to that class.

Teijin responds that, notwithstanding its strong belief that physical characteristics represent the most appropriate matching methodology, in compliance with the Department's requests, it has provided the Department with alternative product concordances with and without end-use as a matching criteria. Therefore, in spite of Teijin's

position that physical characteristics represent the most appropriate matching methodology, Teijin maintains that the Department has a complete record upon which to base its final results.

Department's Position: In developing product-specific model match methodologies, the statutory preference is for the matching of identical merchandise (see section 771(16)(A) of the Tariff Act). Where this identical matching is not possible, the most similar matches are preferred (see section 771(16)(B)).

During the review, we solicited comments from all parties on matching criteria for comparing similar merchandise in the absence of sales of identical merchandise in the U.S. and home markets. Based on submissions from petitioners and respondents, no single physical characteristic appears to be a defining criterion for all types of PET film.

In the case of PET film, we have determined that it is appropriate to use groups of physical characteristics based on end-use as an organizational tool to establish similar categories of merchandise. This methodology was adopted because of the unique circumstances of this case, such as the complexity of the subject merchandise, the difficulty in determining the most similar models in a consistent manner, and the fact that it is evident that end use plays a role in the determination of the merchandise's physical dimensions.

Therefore, we have matched by physical characteristics within these categories to find matches of the most similar merchandise. We also have determined that it would be inappropriate to match across categories because this could result in more dissimilar matches rather than in comparisons of the most similar merchandise. In these final results we used Teijin's alternative model-matching concordance with broad end-use categories.

Comment 6: The petitioners comment that the Department's preliminary treatment of consumption tax for both Teijin and Toray was not in full conformity with current Department practice. Namely, they argue that, in calculating the consumption tax adjustments, the Department failed to include all of the expenses incurred after the point at which the Japanese government applies the home market consumption tax.

Both Teijin and Toray support the Department's use of a methodology that provides for tax neutrality in the dumping calculation. Toray, however, takes no position with respect to petitioners' claims regarding the imputation of the Japanese consumption tax for the preliminary results.

Department's Position:

We agree with petitioners that the tax adjustment must be made at the same point in the chain of commerce in each market and we have adjusted 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.

Comment 7: TPA asks the Department to ensure that Teijin has properly reported all U.S. and home market sales, or reject Teijin's questionnaire response in its entirety. In particular, TPA argues that there is no legal basis for Teijin's original request that the Department exclude from its review sales of certain unique grades of PET film, including sandblasted film, embossed film, further-processed film, ''experimental'' film, film sold on a yen-per-square meter basis, and film sold on a yen-per-piece basis. Similarly, TPA asks the Department to ensure that Teijin has reported all of its provisions of sample merchandise in the United States.

Teijin responds that: (1) It has fully reported all U.S. and home market sales; (2) it has fully reported all grades of PET film, and its questionnaire responses clearly indicate that these sales have been included in its computer files; and (3) its supplemental questionnaire response states explicitly that certain sample sales, which had originally been omitted in error, were included in the computer listing.

Department's Position: We have reviewed Teijin's responses and have determined that they are complete and that all grades of PET film and all sample sales have been reported. Although Teijin originally excluded the types of film noted by TPA, the company included these film types in its supplemental response. Accordingly, we will continue to rely on Teijin's submissions for the final results of administrative review.

Comment 8: TPA argues that Teijin has refused to comply with the Department's questionnaire in numerous critical respects, in addition to the specific issues discussed in other comments:

- Teijin has not provided affiliation and distribution agreements that TPA claims are essential to a proper understanding of its U.S. operations, particularly with respect to Teijin's joint venture with Du Pont;
- Teijin has failed to identify the proper dates of sale;
- Teijin's submissions do not adequately describe the basis for qualification or payment of rebates; and
- Teijin has failed to report, or incorrectly reported, numerous U.S. and home market expenses, such as technical services, warranty claims, advertising, sales promotion, and packing costs.

Accordingly, in the absence of complete and accurate data, TPA maintains that the Department should apply BIA in its final margin calculations.

Teijin responds that it has provided complete and accurate data to the Department.

Department's Position: We have reviewed Teijin's submissions and are satisfied that Teijin's response is complete and responsive to our questionnaire. Specifically:

- Teijin has provided to the Department sufficient information regarding its U.S. affiliations and distribution system for us to determine that Teijin reported its sales to the first unrelated customer.
- Teijin's dates of sale, including such instances as informal orders, blanket purchase agreements, and shipments during ongoing price negotiations, were properly reported. Namely, Teijin reported the date of sale as the date upon which the substantive terms of the contract (especially price and quantity) are set. Consistent with this reporting requirement, the date of sale reported by Teijin in most cases was the purchase order confirmation date. Where this was not the case, Teijin reported the date upon which price and quantity were firmly established as the date of sale. In no case was the reported date of sale later than the date of shipment.
- Teijin's submissions adequately describe the basis for qualification and payment of rebates as related to customer loyalty, purchase volume and market conditions, and identifies each of its home market and U.S. rebates on a customer- and sale-specific basis, precisely the standard articulated by TPA in its brief.
- There is nothing in the record to substantiate TPA's assertions that Teijin's U.S. and home market expenses have been reported incorrectly. Teijin asserts that it incurred no warranty expenses in the United States during the period of review and that it did not incur any technical service, advertising, sales promotion or other expenses directly related to its U.S. sales of PET film.

Therefore, we have relied on Teijin's response for these final results.

Comment 9: TPA argues that the Department cannot rely upon Teijin's questionnaire response without verifying the data. TPA notes that where

the Department has ''good cause'' to verify a respondent's submission, it has a concomitant legal obligation to do so, citing *Smith Corona Corp.* v. *United States,* 771 F.Supp. 389 (CIT, 1991). TPA notes that it timely requested that the Department verify Teijin's questionnaire response in this review and that the circumstances establish ''good cause'' for verification.

TPA argues that this review raises significant factors and issues never before considered by the Department: cost data regarding adjustments for differences in merchandise where similar merchandise is used for comparison to U.S. sales; Teijin's radical restructuring of its U.S. operations; Teijin's failure to fully respond and its internally inconsistent responses; and the fact that the Department's prior verification revealed significant unreported expenses and other discrepancies in the data submitted by Teijin.

Teijin responds that the Department correctly declined to verify Teijin's response. Teijin argues that TPA has failed to show that the requisite ''good cause'' for verification exists in this review. Further, Teijin contends that the Department found that TPA did not demonstrate ''good cause'' for verification in large measure because the respondent had passed verification in the LTFV investigation and had furnished a ''substantial amount of detail and documentation'' in the administrative review questionnaire response (*see Small Business Telephone Systems,* 57 FR 8299). Similarly, Teijin argues that the ''new'' facts cited by TPA in support of the claim for verification are insufficient to establish the necessary good cause. In this regard, Teijin argues, this review is identical to that in *Antifriction Bearings (Other than Tapered Roller Bearings) and Parts Thereof from France, et al.* (58 FR 28360, June 24, 1992), in which the Department rejected the petitioner's basis for requesting that the Department conduct a more thorough verification of respondents' cost accounting system, on the basis of several factors, including the respondent's past verification history and the Department's evaluation of the credibility of the data submitted.

Department's Position: In accordance with 19 CFR 353.36(a)(1)(b), because we verified Teijin during the LTFV investigation, we were not required to verify in this administrative review unless good cause was shown. We agree with Teijin that no good cause was shown during this review to compel the Department to verify Teijin's response. The decision not to verify fully accords with past Department practice in this regard (*see Certain Small Business Telephone Systems and Subassemblies Thereof from Korea,* 57 FR 8298, March 9, 1992). Further, because we verified the overwhelming amount of the information submitted in the original investigation and because we have determined Teijin's response in this review to be complete and credible, we have also accepted the new cost data as submitted during the review.

Comment 10: The following clerical errors were noted by various parties:

(1) The petitioners comment that the Department's test for use of annual versus monthly weighted-average prices was mathematically incorrect due to misplaced parentheses. Toray comments that the error in the annual average test had no impact on the calculations. Teijin agrees that the Department should correct the clerical error in Teijin's POR-averaging program.

(2) The petitioners comment that the Department failed to convert yen-denominated sales and adjustments into dollar-denominated values in certain of Toray's U.S. sales. Toray agrees with the petitioners that the Department should ensure that all of its conversions of both currencies and units of measure are correct. Further, Toray suggests that the Department should ensure that it properly converts Toray's reported cost of production into dollars and that it properly converts all quantities to kilograms.

(3) The petitioners argue that certain U.S. sales by Toray were incorrectly excluded from the Department's analysis because these sales could not be matched with any such or similar home market sales, and the Department lacked the requisite cost data to construct values for those sales. Petitioners note that the Department is obligated to analyze all U.S. sales unless it can be shown that their inclusion distorts the Department's dumping calculation. Therefore, petitioners maintain that the Department should include these transactions in its analysis of Toray's U.S. sales using the highest margin for any reviewed U.S. sale by Toray as BIA.

Toray agrees with petitioners that the Department should include various U.S. sales that were excluded in the preliminary results as having no foreign market value (FMV), but argues that BIA need not be used because Toray's responses contain the information necessary for the Department to make the appropriate price comparisons.

(4) Teijin notes that the Department inadvertently included home market sales outside the POR in its preliminary margin calculation. Since this is contrary to the Department's stated intention to use only sales made during the POR, Teijin suggests that this clerical error should be corrected for the final results by eliminating the sales prior to November 30, 1990 and after May 31, 1992, from the home market sales database.

(5) TPA argues that Teijin's pre-sale foreign inland freight expense was subtracted twice from FMV. TPA contends that Teijin reported this expense twice, both separately and as part of its overall inland freight expense. TPA notes that the Department is double-counting an expense that should not be deducted at all, citing *Ad Hoc Committee of AZ–NM–TX–FL Producers of Gray Portland Cement* v. *United States,* 13 F.3d 398, 402 (Fed. Cir. 1994) (*Ad Hoc Committee*).

Teijin states that the Department should continue to deduct Teijin's freight costs from FMV for the final results, but should, however, correct its inadvertent subtraction of the pre-sale inland freight figure in calculating FMV.

(6) TPA argues that if the Department relies on a purchase price analysis for its final results of review, Teijin's U.S. and home market indirect expenses should not be deducted, as they were in the preliminary results of review.

(7) Teijin notes that the Department incorrectly read Teijin's U.S. credit insurance expense field, improperly increasing the U.S. credit expense by 1000 times the actual cost by inadvertently omitting the decimal point.

(8) Teijin argues that in the absence of an identical match in the home market data base, the Department should use the most similar match in calculating FMV, instead of second most similar as was inadvertently done for the preliminary results.

Department's Position: We agree with all eight comments and have recalculated our results accordingly. Specifically:

(1) We corrected the clerical error noted.

(2) We corrected the clerical error noted.

(3) We have included the Toray sales inadvertently omitted from the preliminary results of review. We were able to make appropriate matches and, therefore, did not need to resort to BIA.

(4) All Teijin's sales inadvertently excluded in the preliminary results of review have been included and matched with FMVs for these final results, with the exception of sales outside the POR.

(5) We agree with TPA that Teijin's pre-sale foreign freight was reported separately and also was included in an overall freight total and, therefore, was incorrectly deducted twice. Further, we

agree with TPA that, because this is a purchase price situation and because Teijin has not made an adequate claim for an adjustment under the circumstance-of-sale (COS) provision of 19 CFR 353.56, in accordance with the Federal Circuit's decision in *Ad Hoc Committee,* it is not appropriate to deduct pre-sale inland freight at all and have adjusted our calculations accordingly.

(6) Teijin's U.S. and home market indirect expenses have not been deducted for the final results of review.

(7) We corrected the clerical error noted.

(8) We have used identical or first most similar matching for our final results of review.

Final Results of the Review

As a result of our review, we have determined that the following margins exist for the period November 30, 1990, through May 31, 1992:

Manufacturer/producer/exporter	Margin (percent)
Toray	2.24
Teijin	2.03
Diafoil	14.00

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and FMV may vary from the percentages stated above. Upon completion of the review the Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of these final results of administrative review for all shipments of PET film entered, or withdrawn from warehouse, for consumption on or after that publication date, as provided by section 751(a)(1) of the Tariff Act, and will remain in effect until publication of the final results of the next administrative review: (1) The cash deposit rates for the reviewed companies will be those outlined above; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be their previously established company-specific rate; (3) if the exporter is not a firm covered in this review, previous reviews, or the original investigation, but the manufacturer is, the cash deposit rate will be that established 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 6.32 percent, which is the all other rate established in the LTFV investigation, in accordance with the Court of International Trade's (CIT's) decisions in *Floral Trade Council* v. *United States,* 822 F. Supp. 766 (CIT 1993), and *Federal Mogul Corporation and the Torrington Company* v. *the United States* 822 F Supp. 782 (CIT 1993).

This notice serves as a final 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of APO is a sanctionable violation.

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 CFR 353.22.

Dated: June 14, 1995.

Paul L. Joffe,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 95–15072 Filed 6–19–95; 8:45 am]

BILLING CODE 3510–DS–P

National Institute of Standards and Technology

Announcement of Meeting of National Conference on Weights and Measures

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given that the 80th Annual Meeting of the National Conference on Weights and Measures will be held July 16 through 20, 1995, at the Holiday Inn By The Bay, Portland, Maine. The meeting is open to the public.

The National Conference on Weights and Measures is an organization of weights and measures enforcement officials of the States, counties, and cities of the United States, and private sector representatives. The interim meeting of the conference, held in January, 1995, as well as the annual meeting, bring together enforcement officials, other government officials, and representatives of business, industry, trade associations, and consumer organizations to discuss subjects that relate to the field of weights and measures technology and administration.

Pursuant to section 2(5) of its Organic Act (15 U.S.C. 272(5)), the National Institute of Standards and Technology acts as a sponsor of the National Conference on Weights and Measures in order to promote uniformity among the States in the complex of laws, regulations, methods, and testing equipment that comprises regulatory control by the States of commercial weighing and measuring.

DATES: The meeting will be held July 16–20, 1995.

LOCATION OF MEETING: Holiday Inn By The Bay, Portland, Maine.

FOR FURTHER INFORMATION CONTACT: Gilbert M. Ugiansky, Acting Executive Secretary, National Conference on Weights and Measures, P.O. Box 4025, Gaithersburg, Maryland 20885. Telephone (301) 975–4005.

Dated: June 12, 1995.

Samuel Kramer,

Associate Director.

[FR Doc. 95–14941 Filed 6–19–95; 8:45 am]

BILLING CODE 3510–13–M

National Fire Codes: Request for Proposals for Revision of Standards

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice of request for proposals.

SUMMARY: The National Fire Protection Association (NFPA) proposes to revise some of its fire safety standards and requests proposals from the public to amend existing NFPA fire safety standards. The purpose of this request is to increase public participation in the system used by NFPA to develop standards.

The publication of this notice of request for proposals by the National Institute of Standards and Technology (NIST) on behalf of NFPA is being undertaken as a public service; NIST does not necessarily endorse, approve, or recommend any of the standards referenced in the notice.

DATES: Interested persons may submit proposals on or before the dates listed with the standards.

ADDRESSES: Arthur E. Cote, P.E., Secretary, Standards Council, NFPA, 1