

charging letter in accordance with the requirements of § 787.7 of the Regulations, I ordered the Department to file a default submission, together with supporting evidence for the allegations made, by June 26, 1995.

On the basis of the Department's submission and all of the supporting evidence presented, I have determined that Maassen violated § 787.6 and 787.5(a) of the Regulations by reexporting from the FRG through Austria to Hungary U.S.-origin computer equipment without obtaining from the Department the reexport authorization required by § 774.1 of the Regulations, and by indirectly making a false or misleading representation concerning the ultimate destination of U.S.-origin computer equipment, a material fact, in connection with the preparation, submission, or use of an export license application, an export control document, as the Department alleges.

For those violations, the Department urges as a sanction that Maassen's export privileges be denied for 20 years. I concur in the Department's recommendation.

Accordingly, it is therefore ordered, First, that all outstanding individual validated licenses in which Hubert Maassen, individually and doing business as HM-EDV, appears or participates, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Office of Exporter Services for cancellation. Further, all of Maassen's privileges of participating, in any manner or capacity, in any special licensing procedure, including, but not limited to, distribution licenses, are hereby revoked.

Second, Hubert Maassen, individually and doing business as HM-EDV, with an address at Hirmerweg 4, D8000 Munich, Federal Republic of Germany (collectively referred to hereinafter as Maassen), and all successors, assigns, officers, representatives, agents, and employees, shall, for a period of 20 years from the date of final agency action, be denied all privileges of participating, directly or indirectly, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States, and subject to the Regulations.

A. Without limiting the generality of the foregoing, participation, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) as a party or as a representative of a party to any export license application submitted to

the Department; (ii) in preparing or filing with the Department any export license application or request for reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization, or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing of such commodities or technical data.

B. After notice and opportunity for comment as provided in § 788.3(c) of the Regulations, any person, firm, corporation, or business organization related to Maassen by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

C. As provided by § 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Exporter Services, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export of reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying his export privileges or then excluded from practice before the Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) in any transaction which may involve any commodity or technical data exported or to be exported from the United States; (b) in any reexport thereof; or (c) in any other transaction which is subject to the Export Administration Regulations, if the person denied export privileges may obtain any benefit or have any interest in, directly or indirectly, any of these transactions.

Third, that a copy of this Order shall be served on Maassen and on the Department.

Fourth, that this Order, as affirmed or modified, shall become effective upon entry of the final action by the Under Secretary for Export Administration, in accordance with the Act (50 U.S.C.A. app. § 2412(c)(1)) and the Regulations (15 CFR § 788.23).

Dated: June 27, 1995.

Edward J. Kuhlmann,
Administrative Law Judge.

To be considered in the 30 day statutory review process which is mandated by Section 13(c) of the Act, submissions must be received in the Office of the Under Secretary for Export Administration, U.S. Department of Commerce, 14th & Constitution Ave., N.W., Room 3898B, Washington, D.C., 20230, within 12 days. Replies to the other party's submission are to be made within the following 8 days. 15 C.F.R. § 788.23(b), 50 Fed. Reg. 53134 (1985). Pursuant to Section 13(c)(3) of the Act, the order of the final order of the Under Secretary may be appealed to the U.S. Court of Appeals for the District of Columbia within 15 days of its issuance.

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International Trade Administration

[A-549-813]

Notice of Antidumping Duty Order and Amended Final Determination: Canned Pineapple Fruit From Thailand

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

EFFECTIVE DATE: July 18, 1995.

FOR FURTHER INFORMATION CONTACT: Michelle Frederick or Jennifer Katt, Office of Antidumping Duty Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, D.C. 20230; telephone (202) 482-0186 or (202) 482-0498, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

AMENDED FINAL DETERMINATION: In accordance with section 735(a) of the Tariff Act of 1930, as amended (the Act), on May 26, 1995, the Department made its final determination that canned pineapple fruit (CPF) from Thailand is being, or is likely to be, sold in the United States at less than fair value (60 FR 29553 (June 5, 1995)). After publication of this determination, we received submissions, timely filed pursuant to 19 CFR 353.28(b)(1994), from The Dole Food Company, Inc., and its affiliates Dole Packaged Foods Company and Dole Thailand, Inc. (collectively Dole), Siam Agro Industry

Pineapple and Others Co., Ltd. (SAICO), Malee Sampran Factory Public Co. (Malee), and the petitioners alleging ministerial errors in the Department's final determination. We determined, in accordance with 19 CFR 353.28(d), that the following ministerial errors were committed in our margin calculations for Dole, SAICO, and Malee:

For Dole, we determined that we inadvertently relied on the original shipment data, rather than the revised shipment figures, to weight the dumping margins where Dole had shipments of both Dole-produced and purchased merchandise. In addition, we unintentionally excluded certain sales from the Department's final margin calculation. Finally, we double counted the cost of citric acid in our calculations of the cost of manufacturing.

For SAICO, we overstated the company's pineapple fruit cost through the double-counting of growing expenses and other ministerial errors.

For Malee, we erroneously relied on the submitted packing costs, rather than the amounts confirmed at verification. In addition, we inadvertently relied on the gross, rather than net, general and administrative expenses of Malee's parent company in our calculations of the cost of production and constructed value.

No ministerial errors were committed in our final margin calculation for The Thai Pineapple Public Co., Ltd. (TIPCO). For a detailed discussion of the above-cited ministerial errors see the Memorandum from The Team to Barbara R. Stafford dated June 28, 1995, on file in Room B-099 of the Main Commerce Building. In accordance with 19 CFR 353.28(c), we are amending the final result of the antidumping duty investigation of canned pineapple fruit from Thailand to correct these ministerial errors. The revised final weighted average dumping margins are as follows:

Manufacturer/producer/exporter	Original margin percent	Revised margin percent
Dole	2.36	1.73
TIPCO	38.68	38.68
SAICO	55.77	51.16
Malee	43.43	41.74
All others	25.76	24.64

Scope of Investigation and Order

The product covered by this investigation is canned pineapple fruit. For the purposes of this investigation and order, CPF is defined as pineapple processed and/or prepared into various product forms, including rings, pieces, chunks, tidbits, and crushed pineapple,

that is packed and cooked in metal cans with either pineapple juice or sugar syrup added. CPF is currently classifiable under subheadings 2008.20.0010 and 2008.20.0090 of the *Harmonized Tariff Schedule of the United States* (HTSUS). HTSUS 2008.20.0010 covers CPF packed in a sugar-based syrup; HTSUS 2008.20.0090 covers CPF packed without added sugar (i.e., juice-packed). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Antidumping Duty Order

On July 10, 1995, in accordance with section 735(d) of the Act, the U.S. International Trade Commission (ITC) notified the Department that imports of CPF from Thailand materially injure a U.S. industry. Therefore, in accordance with section 736 of the Act, the Department will direct United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act, antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of CPF from Thailand. These antidumping duties will be assessed on all unliquidated entries of CPF from Thailand entered, or withdrawn from warehouse, for consumption on or after January 11, 1995, the date on which the Department published its preliminary determination notice in the **Federal Register** (60 FR 2734).

On or after the date of publication of this notice in the **Federal Register**, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties, the following cash deposits for the subject merchandise:

Manufacturer/producer/exporter	Weighted-average margin percentage
Dole	1.73
TIPCO	38.68
SAICO	51.16
Malee	41.74
All others	24.64

This notice constitutes the antidumping duty order with respect to CPF from Thailand, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 353.21.

Dated: July 11, 1995.

Susan G. Esserman,
Assistant Secretary for Import Administration.

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[A-405-802]

Certain Cut-To-Length Carbon Steel Plate From Finland; 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 by one respondent, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on *Certain Cut-To-Length Carbon Steel Plate from Finland* (A-405-802). This review covers one manufacturer/exporter of the subject merchandise to the United States during the period of review (POR) February 4, 1993, through July 31, 1994.

We have preliminarily determined that sales have not been made below the foreign market value (FMV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: July 18, 1995.

FOR FURTHER INFORMATION CONTACT: Jeanene Laird or Stephen Jacques, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-3793.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Background

On July 9, 1993, the Department published in the **Federal Register** (58 FR 37136) the final affirmative antidumping duty determination on certain cut-to-length carbon steel plate