result, in accordance with section 776(c) of the Act, we have determined that the use of BIA is appropriate. Whenever, as here, a company refuses to cooperate with the Department, or otherwise significantly impedes an antidumping proceeding, 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 same country of origin in the LTFV investigation or in prior administrative reviews, or (2) the highest rate found in this review for any firm for the same class or kind of merchandise. (*See Antifriction Bearings from France, et. al; Final Results of Review,* 58 FR 39729 (July 26, 1993).) As BIA, we assigned the rate of 39.95 percent, which is the second highest rate found for any Mexican flower producer from the prior reviews and the LTFV investigation. We have selected this rate because the highest rate found for any Mexican flower producer in prior reviews and the LTFV investigation, 264.43 percent, is not representative. This rate was due to a company's extraordinarily high business expenses during the review period resulting from investment activities which were uncharacteristic of the other reviewed companies. Therefore, we found it inappropriate to use this rate as BIA, both in prior reviews and in this review. (*See Notice of Final Results of Antidumping Duty Administrative Review; Certain Fresh Cut Flowers from Mexico,* 56 FR 29621, 29623 (June 28, 1991).)

Preliminary Results of Review

We preliminarily determine that the following dumping margins exist for the period April 1, 1992, through March 31, 1993:

Manufacturer/exporter	Margin (percent)
Rancho el Aguaje	0.00
Rancho Guacatay	0.00
Rancho el Toro	0.00
Rancho del Pacifico	0.00
Rancho Daisy	*0.00
Visaflor	*0.00
Tzitzic Tareta	39.95
Rancho Mision el Descanso	39.95
Rancho Alisitos	39.95
Las Flores de Mexico	39.95

*No shipments subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments.

Because Guacatay received a preliminary margin of 39.95 percent for the 1991–1992 review period, we have preliminarily determined not to revoke the antidumping duty order with respect to Guacatay. (*See Notice of Preliminary Results of Antidumping Duty Administrative Review; Certain Fresh Cut Flowers from Mexico,* 60 FR 1209 (April 17, 1995).)

Any interested party may request a hearing within 10 days of publication of this notice. Any hearing will be held 44 days after the date of publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the publication date of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication of this notice. The Department will publish a notice of the final results of this administrative review, which will include the result of its analysis of issues raised in any such case briefs.

The following deposit requirements shall be effective for all shipments of the subject merchandise that are 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 shall 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 shall 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, the cash deposit rate will be 18.28 percent, the all others rate established in the LTFV investigation.

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

This notice 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 section 353.22 of the Department's regulations.

Dated: September 15, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–23883 Filed 9–25–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–403–801]

Fresh and Chilled Atlantic Salmon From Norway, 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 requests by three respondents and the petitioner, The Coalition for Fair Atlantic Salmon Trade (FAST), the Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on fresh and chilled Atlantic salmon (salmon) from Norway. The review covers 24 exporters, and the period April 1, 1993, through March 31, 1994.

We preliminarily determined that sales have 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 to assess antidumpting duties equal to the difference between the United States price (USP) and the FMV.

Interested parties are invited to comment on these preliminary results. Parties who submit arguments in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Todd Peterson or Thomas Futtner, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–4195 or 482–3814, respectively.

Applicable Statute and Regulations

The Department is conducting this review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). 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.

SUPPLEMENTARY INFORMATION:

Background

On April 12, 1991, the Department published the antidumping duty order on salmon from Norway (56 FR 14920). The Department published a notice of ''Opportunity to Request Administrative Review'' on April 7, 1994 (59 FR 16615). On April 29, 1994, the petitioner, FAST, requested that we conduct an administrative review of 24 exporters, listed below, for the period April 1, 1993, through March 31, 1994. On April 29, 1994, three respondents asked to be reviewed: Norwegian Salmon A/S, Hallvard Leroy A/S, and Mowi A/S. We published a notice of ''Initiation of Antidumping and Countervailing Duty Administrative Review'' on May 12, 1994 (59 FR 24683). On June 29, 1994, the Department received timely requests from Hallvard Leroy A/S and Mowi A/S for withdrawal from this administrative review. In accordance with 19 CFR 353.22(a)(5), the Department terminated the review for Hallvard Leroy A/S, and Mowi A/S on September 16, 1994 (59 FR 47610).

Scope of the Review

The merchandise covered by this review is fresh and chilled Atlantic salmon (salmon). It encompasses the species of Atlantic salmon (Salmo salar) marketed as specified herein; the subject merchandise excludes all other species of salmon: Danube salmon; Chinook (also called ''king'' or ''quinnat''); Coho (''silver''); Sockeye (''redfish'' or ''blueback''); Humpback (''pink''); and Chum (''dog''). Atlantic salmon is whole or nearly whole fish, typically (but not necessarily) marketed gutted, bled, and cleaned, with the head on. The subject merchandise is typically packed in fresh water ice (chilled). Excluded from the subject merchandise are fillets, steaks, and other cuts of Atlantic salmon. Also excluded are frozen, canned, smoked or otherwise processed Atlantic salmon. Fresh and chilled Atlantic salmon is currently provided for under Harmonized Tariff Schedule (HTS) subheading 0302.12.00.02.09. The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive as to the scope of the product coverage. This review covers 24 manufacturers/exporters and the period of review is April 1, 1993 through March 31, 1994.

No Shipments

There were 17 firms that reported they made no shipments of the subject merchandise during the period of review, which was verified with the U.S. Customs Service. The two firms which had not been reviewed previously will receive the ''all other rate'' of 23.80 percent. The 15 previously reviewed firms will continue to receive their current rates.

Best Information Available

Five exporters failed to respond to our questionnaire. Therefore, we based the margins for these firms on the best information otherwise available. In determining what to use as BIA, the Department uses the following two-tier hierarchy to separate cooperative firms from non-cooperative firms (see Final Results of Antidumping Administrative Review of Antifriction Bearings and Parts Thereof from France, *et al.*, 58 FR 39739, July 26, 1993):

1. When a company refuses to cooperate with the Department or otherwise significantly impedes these proceedings, 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 same country of origin in the LTFV investigation or prior administrative reviews; or (2) the highest rate found in this review for any firm for the same class or kind of merchandise in the same country of origin.

2. When a company substantially cooperates with our requests for information and, substantially cooperates in verification, but fails to provide the information requested in a timely manner or in the form required, or was unable to substantiate it, we used as BIA the higher of (1) the highest rate ever applicable to the firm for the same class or kind of merchandise from either the LTFV investigation or a prior administrative review or if the firm has never before been investigated or reviewed, the all others rate from the LTFV investigation; or (2) the highest calculated rate in this review for the class or kind of merchandise for any firm from the same country of origin.

We used first-tier BIA for five exporters, Artic Group, Fresh Marine Co. Ltd., Greig Norwegian Salmon, Norwegian Taste Company, and Victoria Seafood, which failed to respond to the Department's questionnaires. The rate we used was 31.81 percent, the highest rate from the less-than-fair-value (LTFV) investigation.

United States Price

In accordance with section 772(b) of the Act, the Department based USP on purchase price, because the merchandise was sold to unrelated U.S. purchasers prior to importation.

Purchase price is based on airpacked, c.i.f. prices to unrelated customers in the United States. We made adjustments, where applicable, for air freight, foreign inland freight, inland/marine insurance and Norwegian export duties. No other adjustments were claimed or allowed.

Foreign Market Value

In accordance with section 773(a) of the Act, the Department determined that home market sales did not constitute a viable market for calculating FMV. Therefore, in accordance with 19 CFR 353.49(b) of the Department's regulations, the Department chose sales to France as the basis of FMV. France is the largest third country market with merchandise most similar to that sold in the United States, based on information submitted by both Skaarfish and Norwegian Salmon. Because Skaarfish and Norwegian Salmon were found to have made sales at prices below the cost of production (COP) during the investigation, and in the first administrative review with respect to Skaarfish, the Department initiated a COP investigation for both companies in this administrative review. See memo to Holly A. Kuga from Laurie A. Lucksinger, June 21, 1994, on the record found in room B–099 at the Department.

In comparing third-country sales to COP, we used the production costs incurred by the fish farmers, the actual producers of the subject merchandise, to calculate the COP benchmark. The statute is concerned specifically with the cost of production of the merchandise, and Skaarfish and Norwegian Salmon do not produce the salmon that each sells. Department practice in such situations is to compare the production costs of the producer, in this case, the fishfarmers, plus the producer's selling, general and administrative expenses (SG&A), plus the SG&A of the seller (Skaarfish or Norwegian Salmon), to the seller's home market/third country sales to determine whether home market/third country sales were made below the COP. See Final Determination of Sales at less Than Fair Value: Fresh and Chilled Atlantic Salmon from Norway 56 FR 7661 (February 25, 1991); Final Results of Antidumping Duty Administrative Reviews: Oil Country Tubular Goods from Canada 56 FR 38408 (August 13, 1991 .

Sampling

Since there were approximately 50 salmon farmers that supplied Skaarfish during the period of review, the Department determined that sampling was both administratively necessary and methodologically appropriate to calculate a representative cost of producing the subject merchandise for purposes of this administrative review. Pursuant to Section 777A of the Act, on September 23, 1994, the Department issued a memorandum recommending the use of sampling. Based on comments submitted by the petitioner and respondent, the Department determined that the most significant factor influencing the costs of producing salmon is farm location. We allocated the same across regions on the basis of each region's share of Skaarfish's total purchase during the POR.

To sample farms from each region, we assigned each farm points according to its percentage share of total volume of sales to Skaarfish. We used unequal selection probabilities because we are estimating a volume weighted-average of farm-specific costs. First, we assigned each farm points according to that farm's weighted-average percentage of sales volume to Skaarfish. One point was given for each ½ percent of sales to Skaarfish. Each farm was represented in the sample pool in proportion to the number of points it received. For example, a farm that comprised 25 percent of sales to Skaarfish would receive 50 points. In this way, the farm with a greater volume of sales had a greater likelihood of being selected than the farm with a smaller volume of sales to Skaarfish.

From the 50 farms, we made two selections from the northern region and thirteen selections from the southern region for a total of 15 selections. Of the 15 selections, two farms were chosen twice and one farm was chosen three times. We used a simple average for calculating the costs of the sample pool because we weighted each farm according to its share of sales to Skaarfish in selecting the sampled farms.

When a farm received a BIA rate as its COP, we did not exclude it from the sample pool. The elimination of non-responding farms from the sample would reward non-responding farms and could encourage non-compliance in future reviews. Moreover, it would impair the integrity of the sample because it would detract from the randomness of the results.

Since only nine fish farmers supplied respondent Norwegian Salmon during the POR, the Department determined that sampling was unnecessary for this firm. We sent COP questionnaires through Norwegian Salmon to all nine salmon farmers, three of which responded. Similarly, we sent COP questionnaires through Skaarfish to its eleven salmon farmers that were selected in our sample, seven of which responded. These responses, along with deficiency responses and verification results, were analyzed and relied upon in reaching these preliminary results of review.

We calculated the COP for each farm by summing all costs for the 1992 generation salmon. These costs include smolt, feed, labor, and overhead. We allocated these costs on a per kilogram basis over net production quantities. We then adjusted those costs to reflect losses in the processing stage. General and administrative expenses and net interest expenses incurred for the sale of salmon in 1993 were allocated to the salmon sold during the period of review.

Based on information gathered at verification we adjusted the farmers' data as appropriate.

For the farms that did not respond to the questionnaire, we used best information available (BIA) to determine their COP. This BIA was based on the highest COP we calculated for the responding farms supplying each exporter.

We calculated, for each exporter, a simple average COP of their farmers' individual COPs. We then added that exporter's selling and general and administrative expenses to the simple-averaged farmer COP. We calculated the total COP on a Norwegian Kroner per-kilogram basis.

Cost Test Results

Third country prices were compared to the calculated COP. We adjusted third country prices to reflect deductions for foreign inland freight, inland/marine insurance, third-country market credit, Norweigian export duties, brokerage and handling, freight, third-country market import duties, and third-country market warranties. Because there were no commissions in the third-country, we deducted indirect selling expenses in amounts not exceeding U.S. commissions. We determined that between 10 and 90 percent of sales of both firms were made at prices below total COP and over an extended period of time. Therefore, we disregarded those sales made below cost and compared the FMV of the remaining sales to the U.S. price.

Preliminary Results of Review

We have preliminarily determined that the following margins exist for the period April 1, 1993, through May 31, 1994:

	Percent
ABA A/S	[1] 31.81
Artic Group	[2] 31.81
Artic Products Norway A/S	[1] 31.81
Brodrene Sirevag A/S	[1] 23.80
Cocoon Ltd A/S	[1] 31.81
Delfa Norge A/S	[1] 31.81
Delimar A/S	([3])
Deli-Nor A/S	([3])
Fjord Trading Ltd. A/S	[1] 23.80
Fresh Marine Co. Ltd	[1] 31.81
Greig Norwegian Salmon	[2] 31.81
Harald Mowinckel A/S	[1] 23.80
Imperator de Norvegia	[1] 31.81
More Seafood A/S	[1] 31.81
Nils Willksen A/S	[1] 31.81
North Cape Fish A/S	[1] 31.81
Norwegian Salmon A/S	3.07
Norwegian Taste Company A/S	[2] 31.81
Olsen & Kvalheim A/S	[1] 23.80
Sekkingstad A/S	[1] 23.80
Skaarfish-Mowi A/S	1.58
Timar Seafood A/S	[1] 31.81
Victoria Seafood A/S	[2] 31.81
West Fish Ltd. A/S	[1] 23.80

[1] No shipments during the period; margin from the last administrative review.

[2] No response; highest margin from the original LTFV investigation.

[3] No shipments or sales subject to this review. The firm had no individual rate from any segment of this proceeding, so we are applying the all others rate from the LTFV investigation.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisement instructions concerning all respondents directly to the U.S. 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 for by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for the reviewed firms will be each firm's rate as established in the final results of this administrative 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, 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) the cash deposit rate for all other manufacturers or exporters not previously reviewed will be 23.80 percent, the all other rate from the LTFV investigation.

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

Interested parties may request disclosure within five 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 workday 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 raised 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 review, including the results of its analysis of issues raised in any such written comments or hearing.

This notice 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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: September 15, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–23792 Filed 9–25–95; 8:45 am]

BILLING CODE 3510–DS–M

[(A–122–820); (A–122–822); (A–122–823)]

Amended Final Determinations of Sales at Less Than Fair Value and Antidumping Orders: Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate From Canada

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

SUMMARY: On July 11, 1995, the U.S.-Canada Binational Panel (''Panel'') affirmed the Department of Commerce's (''the Department'') remand determinations in these cases. On August 23, 1995, the Binational Secretariat, United States Section, published a notice of completion of panel review and noted that no request for an extraordinary challenge committee had been filed. (Notice of Completion of Panel Review, 60 FR 43773). As a result, the Department is amending the final determination of sales at less than fair value with respect to corrosion-resistant carbon steel flat products and cut-to-length carbon steel plate from Canada. For all entries made on or after the date of publication of this notice, Commerce will direct the U.S. Customs Service (''Customs'') to require a cash deposit for each entry in an amount equal to the estimated antidumping duty margins as described in the ''Suspension of Liquidation'' section of this notice.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Elizabeth Patience or Jean Kemp, Office of Agreements Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Background

On July 9, 1993, the Department published a notice of its Final Determination of Sales at Less than Fair Value covering, among other products, certain corrosion-resistant carbon steel flat products and certain cut-to-length carbon steel plate from Canada. 58 FR 37099.

The Department's determination subsequently was appealed to a U.S.-Canada Binational Panel, pursuant to Article 1904 of the United States-Canada Free Trade Agreement and title IV of the United States-Canada Free Trade Implementation Act of 1988, 19 U.S.C. 1516a(g)(1989). On April 1, 1994, the Department published an amended determination pursuant to an order from the Panel, correcting certain ministerial errors. 59 FR 15373. On October 31, 1994 and May 1, 1995, the Panel remanded the determination so that the Department could address certain issues regarding the calculation of the weighted-average dumping margins for certain respondents in this proceeding. On January 30, 1995 and May 31, 1995, the Department issued its final remand determinations with recalculated estimated margins. The Panel affirmed the Department's remand determination on July 11, 1995. No request for an extraordinary challenge has been filed and a Notice of Completion of Panel Review has been published by the Binational Secretariat.

Suspension of Liquidation

Since the panel proceedings are now final, we are directing Customs to require a cash deposit in an amount equal to:

Producer/manufacturer/exporter	Weighted-average margin percentage
Corrosion-Resistant Steel Flat Products:	
Dofasco	11.71
Stelco	22.70
All Others	18.71
Cut-to-Length Carbon Steel Plate:	
IPSCO	0.06
Stelco	68.70
All Others	61.88

We will instruct Customs to continue to suspend liquidation and collect cash deposits at the above rates for all entries of corrosion-resistant carbon steel flat products and cut-to-length carbon steel plate from Canada entered or withdrawn from warehouse for consumption, on or after the date of publication of this notice. Because IPSCO's rate is *de minimis,* IPSCO is excluded from the antidumping duty order on plate from Canada. We will instruct Customs to cease suspension of liquidation and collection of cash deposits and to liquidate all suspended entries of IPSCO plate without regard to antidumping duties.

Dated: September 15, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–23793 Filed 9–25–95; 8:45 am]

BILLING CODE 3510–DS–M

[A–122–601]

Brass Sheet and Strip From Canada; 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 April 27, 1995, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on brass sheet and strip from Canada. The review period is January 1, 1992, through December 31, 1992. The review covers one manufacturer/exporter.

We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received, we have changed our results from those presented in our preliminary results.

EFFECTIVE DATE: September 26, 1995.

FOR FURTHER INFORMATION CONTACT: Sally Hastings or John Kugelman, Office of Antidumping Compliance, Import