

Todd Peterson or Thomas Futtner, Office of Antidumping Compliance, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230, telephone (202) 482-4195/3814.

SUPPLEMENTARY INFORMATION:

Background

On May 23, 1995 (60 FR 27273), the Department published in the Federal Register notice of initiation of administrative review of the antidumping duty order on fresh and chilled Atlantic salmon from Norway covering the period November 1, 1994 through April 30, 1995.

Based on Nordic's questionnaire response, the Department determined that Nordic made no sales to unrelated U.S. purchasers during the period of review. (See Memorandum from Joseph Spetrini to Susan Esserman, September 20, 1995.) The Department is now terminating this review in-part for Nordic. The review of Cocoon Ltd. A/S will continue.

This notice is published pursuant to 19 CFR 353.22(h).

Dated: September 29, 1995.

Joseph A. Spetrini,
Deputy Assistant Secretary for Compliance.
[FR Doc. 95-25297 Filed 10-11-95; 8:45 am]

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[A-201-802]

Gray Portland Cement and Clinker From Mexico; Notice of Court Decision

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

ACTION: Notice of court decision and suspension of liquidation.

SUMMARY: On July 12, 1995, in the case of *The Ad Hoc Committee of AZ-NM-TX-FL Producers of Gray Portland Cement v. United States*, Slip Op. 95-125, (Ad Hoc), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) results of redetermination pursuant to remand, and prior remand determinations of the Department, of the final results of the first administrative review of the antidumping duty order on gray portland cement and clinker from Mexico. The period covered by the first review is April 12, 1990 through July 31, 1991. The Court ruled that the challenge by defendant-intervenor CEMEX, S.A. of the Department's treatment of value-added taxes was untimely filed and, therefore, sustained

the Department's final results of redetermination pursuant to remand.

EFFECTIVE DATE: October 12, 1995.

FOR FURTHER INFORMATION CONTACT:

Robert James or John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue N.W., Washington, DC 20230; telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION:

Background

On April 28, 1993, the Department published in the Federal Register the final results of its first administrative review of the antidumping duty order on gray portland cement and clinker from Mexico (58 FR 25803 (April 28, 1993)). In those final results, the Department set forth its determination of the weighted-average margins for the two respondent companies for the period of review, April 12, 1990 through July 31, 1991, and announced its intent to instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Petitioners in these proceedings subsequently filed suit with the Court challenging these final results. Thereafter, the Court published an Order and Opinion dated September 26, 1994 in *Ad Hoc*, Ct. No. 93-05-00273, Slip Op. 94-151, remanding the Department's determination with instructions to: (1) Consider CEMEX's claimed deductions for pre-sale home market transportation costs under the circumstances-of-sale (COS) provision of the Department's regulations; (2) apply a value-added-tax (VAT) adjustment consistent with the methodology established in *Torrington Co. v. United States*, 853 F. Supp. 446 (CIT 1994); (3) reclassify certain transactions designated as exporter's sales price (ESP) transactions as purchase price transactions and reconsider the selection of best information available (BIA) for certain other sales; and (4) reconsider the selection of BIA data for missing added material costs. On January 5, 1995, the Department filed its remand results with the Court. On January 25, 1995, CEMEX challenged certain aspects of the Department's remand results, including our treatment of VAT.

On May 15, 1995, the Court ordered a second remand so that the Department could make technical corrections to its final remand results (Slip Op. 95-91). The Department filed its redetermination with the Court on June 13, 1995; the Court, on July 12, 1995, affirmed the Department's remand

results, and issued a judgment that CEMEX's January 25, 1995 challenge on the issue of value-added taxes was untimely filed and, therefore, moot.

Suspension of Liquidation

In its decision in *Timken Co. v. United States*, Court No. 89-1489 (January 4, 1990), the Federal Circuit held that the Department must publish notice of a decision of the Court or Federal Circuit which is not "in harmony" with the Department's determination. Publication of this notice fulfills this obligation. The Federal Circuit also held that in such a case, the Department must suspend liquidation until there is a "conclusive" decision in the action. CEMEX has filed an appeal with the Federal Circuit that challenges the Court's May 15, 1995 and July 12, 1995 decisions. Therefore, the Department will continue to suspend liquidation pending a final decision of the Federal Circuit in this case. In the event of a "conclusive" decision affirming the Court's July 12, 1995 and May 15, 1995 decisions, the Department will publish in the Federal Register an amended final results of administrative review that reflects the results of the Court's May 15, 1995 and July 12, 1995 decisions.

Dated: October 4, 1995.

Paul L. Joffe,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 95-25303 Filed 10-11-95; 8:45 am]
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[A-351-605]

Frozen Concentrated Orange Juice From Brazil: Termination Antidumping Duty Administrative Review

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

ACTION: Notice of Termination of Antidumping Duty Administrative Review.

SUMMARY: On June 15, the Department of Commerce (the Department) published in the Federal Register (60 FR 31447) the notice of initiation of the administrative review of the antidumping duty order on frozen concentrated orange juice from Brazil. This review has now been terminated as result of withdrawal of the requests for review by each of the two respondents, Branco Peres Citrus, S.A. (Branco Peres) and CTM Citrus S.A. (Citrus), that originally requested the review.

EFFECTIVE DATE: October 12, 1995.

FOR FURTHER INFORMATION CONTACT:

Todd Peterson, Office of Antidumping Compliance, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW., Washington, DC 20230, telephone (202) 482-4195.

SUPPLEMENTARY INFORMATION:**Background**

On May 31, 1995, Branco Peres and Citrus requested an administrative review of the antidumping duty order on frozen concentrated orange juice from Brazil for the period May 1, 1994, through April 30, 1995, pursuant to 19 CFR 353.22(a)(5). On June 15, 1995, the Department published in the Federal Register (60 FR 31447) the notice of initiation of that administrative review.

Branco Peres and Citrus timely withdrew their requests for review on September 13, 1995, pursuant to 19 CFR 353.22(a)(5). There were no other requests for review. As a result, the Department has terminated this review.

This notice is published in accordance with section 751 of the Tariff Act of 1930, as amended (19 U.S.C. 1675) and 19 CFR 353.22(a)(5).

Dated: September 29, 1995.

Joseph A. Spetrini,
Deputy Assistant Secretary for Compliance.

[FR Doc. 95-25296 Filed 10-11-95; 8:45 am]

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Foreign-Trade Zones Board**[Docket 58-95]**

**Foreign-Trade Zone 35, Philadelphia, PA Proposed Foreign-Trade Subzone
BP Exploration & Oil Inc. (Oil Refinery Complex) Delaware County, PA**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Philadelphia Regional Port Authority, grantee of FTZ 35, requesting special-purpose subzone status for the oil refinery complex of BP Exploration & Oil Inc., located in Delaware County, Pennsylvania (Philadelphia area). The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on September 29, 1995.

The refinery complex consists of 2 sites totalling 477 acres in Delaware County, Pennsylvania: *Site 1* (323 acres)—main refinery and

petrochemical feedstock complex located on the Delaware River at Post Road, Marcus Hook, some 17 miles southwest of Philadelphia; *Site 2* (154 acres)—Chelsea tank farm, connected by pipeline and located some 5 miles from the refinery.

The refinery (180,000 barrels per day; 500 employees) is used to produce fuels and petrochemical feedstocks. Fuels produced include gasoline, jet fuel, distillates, residual fuels, and naphthas. Petrochemicals include methane, ethane, butane, propane, toluene, benzene, and xylene. Refinery by-products include petroleum coke, asphalt and carbon black. All of the crude oil (90 percent of inputs), and some feedstocks are sourced abroad.

Zone procedures would exempt the refinery from Customs duty payments on the foreign products used in its exports. On domestic sales, the company would be able to choose the finished product duty rate (nonprivileged foreign status—NPF) on certain petrochemical feedstocks and refinery by-products (duty-free). The duty on crude oil ranges from 5.25¢ to 10.5¢/barrel. The application indicates that the savings from zone procedures would help improve the refinery's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is December 11, 1995. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to December 26, 1995).

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

U.S. Department of Commerce District Office, 660 American Ave., Suite 201, King of Prussia, PA 19406

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th & Pennsylvania Avenue, NW, Washington, DC 20230

Dated: October 3, 1995.

Dennis Puccinelli,
Acting Executive Secretary.

[FR Doc. 95-25304 Filed 10-11-95; 8:45 am]

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International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

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

ACTION: Notice of initiation of antidumping and countervailing duty administrative reviews.

SUMMARY: The Department of Commerce (the Department) has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with September anniversary dates. In accordance with the Department's regulations, we are initiating those administrative reviews.

EFFECTIVE DATE: October 12, 1995.

FOR FURTHER INFORMATION CONTACT: Holly A. Kuga, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4737.

SUPPLEMENTARY INFORMATION:**Background**

The Department has received timely requests, in accordance with 19 CFR 353.22(a) and 355.22(a) (1994), for administrative reviews of various antidumping and countervailing duty orders and findings with September anniversary dates.

Initiation of Reviews

In accordance with sections 19 CFR 353.22(c) and 355.22(c), we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. The Department is not initiating an administrative review of any exporters and/or producers who were not named in a review request because such exporters and/or producers were not specified as required under § 353.22(a) (19 CFR 353.22(a)). We intend to issue the final results of these reviews not later than September 30, 1996.