

Antidumping duty proceedings	Period to be reviewed
Argentina: Silicon Metal, A-357-804 Electrometalurgica Andina, S.A.I.C., Silarsa, S.A. ....	09/01/94-08/31/95
Italy: Granular Polytetrafluoroethylene (PTFE) Resin <sup>1</sup> , A-475-703 Ausimont SpA .....	08/01/94-07/31/95
Japan: Granular Polytetrafluoroethylene (PTFE) Resin <sup>1</sup> , A-588-707 Daikin Industries, Ltd. ....	08/01/94-07/31/95
Russia: Titanium Sponge, A-821-803 Cometals, Inc. <sup>2</sup> .....	08/01/94-07/31/95
Taiwan: Chrome-Plated Lug Nuts, A-583-810 Anmax Industrial Co., Ltd. .... Buxton International Chu Fong Metallic Electric Co. Everspring Plastic Corp. Gingen Metal Corp. Goldwinata Associates, Inc. Gourmet Equipment (Taiwan) Corp. Hwen Hsin Enterprises Co., Ltd. Kwan How Enterprises Co., Ltd. Kwan Ta Enterprises Co., Ltd. Kuang Hong Industries, Ltd. Multigrand Industries, Inc. San Chien Electric Industrial .....	09/01/94-08/31/95
San Shing Hardware Works Co., Ltd. Transcend International Co. Trade Union International Inc./Top Line Uniauto, Inc. Wing Tang Electrical Manufacturing Co. Chu Fong Metallic Industrial Corp. San Chien Electric Industrial Works Chuen Chao Enterprise Company	09/01/94-08/31/95
The People's Republic of China: Chrome-Plated Lug Nuts, A-570-808 China National Automotive Industry I/E Corporation .....	09/01/94-08/31/95
China National Machinery & Equipment I/E Corporation/Jiangsu Branch Shanghai Automobile I/E Corporation. Tianjin Automobile I/E Co. Ningbo Knives & Scissors Factory China National Automobile Import & Export Corp./Yangzhou Branch Jiangsu Rudong Grease Gun Factory China National Automobile Industry	
All other exporters of chrome-plated lug nuts from the PRC are conditionally covered by this review.	
United Kingdom: Steel Crankshafts, A-412-602 UES Ltd.—Forgings Division .....	09/01/94-08/31/95
Countervailing Duty Proceedings: None.	

<sup>1</sup> This case was inadvertently omitted from the previous initiation notice.

<sup>2</sup> This firm was inadvertently omitted from the previous initiation notice.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b) and 355.34(b).

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)) and 19 CFR 353.22(c)(1) and 355.22(c)(1).

Dated: October 6, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.  
[FR Doc. 95-25298 Filed 10-11-95; 8:45 am]

BILLING CODE 3510-DS-M

**[C-201-505]**

**Porcelain-on-Steel Cookingware From Mexico; Final Results of Countervailing Duty Administrative Review**

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

**ACTION:** Notice of final results of Countervailing Duty Administrative Review.

**SUMMARY:** On August 2, 1995, the Department of Commerce (the Department) published in the Federal Register its preliminary results of administrative review of the

countervailing duty order on porcelain-on-steel cookingware from Mexico for the period January 1, 1993 through December 31, 1993. We have completed this review and determine the net subsidy to be *de minimis* for all companies. The Department intends to instruct the Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise from Mexico exported on or after January 1, 1993, and on or before December 31, 1993.

**EFFECTIVE DATE:** October 12, 1995.

**FOR FURTHER INFORMATION CONTACT:** Norma Curtis or Kelly Parkhill, Office of Countervailing Compliance, Import

Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2786.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 2, 1995, the Department published in the Federal Register (60 FR 39360) the preliminary results of its administrative review of the countervailing duty order on porcelain-on-steel cookingware from Mexico. The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

We invited interested parties to comment on the preliminary results. On September 1, 1995, case briefs were submitted by Acero Porcelanizado, S.A. de C.V. (APSA) and Cinsa, S. A. De C.V. (Cinsa), producers of the subject merchandise which exported porcelain-on-steel cookingware to the United States during the review period (respondents), and the Government of Mexico (GOM). The review covers the period January 1, 1993 through December 31, 1993. The review covers two companies, which account for virtually all exports of subject merchandise from Mexico, and ten programs.

##### Applicable Statute and Regulations

The Department is conducting this administrative 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.

##### Scope of the Review

Imports covered by this review are shipments of porcelain-on-steel cookingware from Mexico. The products are porcelain-on-steel cookingware (except teakettles), which do not have self-contained electric heating elements. All of the foregoing are constructed of steel, and are enameled or glazed with vitreous glasses. During the review period, such merchandise was classifiable under item number 7323.94.0020 of the Harmonized Tariff Schedule (HTS). The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

##### Calculation Methodology for Assessment and Cash Deposit Purposes

We calculated the net subsidy on a country-wide basis by first calculating

the subsidy rate for each company subject to the administrative review. We then weight-averaged the rate received by each company using as the weight its share of total Mexican exports to the United States of subject merchandise, including all companies, even those with *de minimis* and zero rates. We then summed the individual companies' weight-averaged rates to determine the subsidy rate from all programs benefitting exports of subject merchandise to the United States.

Since the country-wide rate calculated using this methodology was *de minimis*, as defined by 19 CFR § 355.7 (1994), no further calculations were necessary.

##### Analysis of Programs

Based upon our analysis of our questionnaire, verification, and written comments from the interested parties we determine the following:

##### I. Programs Conferring Subsidies

###### 1. Bancomext Financing for Exporters

In the preliminary results, we found that this program conferred countervailable benefits on the subject merchandise. Our analysis of the comments submitted by the interested parties, summarized below, has led us to modify our findings in the preliminary results for this program. On this basis, the net subsidy for this program was changed from 0.62 percent *ad valorem* to 0.48 percent *ad valorem*.

###### 2. Fonei Long-Term Financing

In the preliminary results, we found that this program conferred countervailable benefits on the subject merchandise. Our analysis of the comments submitted by the interested parties, summarized below, has not led us to reconsider our findings in the preliminary results. On this basis, the net subsidy for this program remains 0.01 percent *ad valorem*.

##### II. Programs Found Not To Be Used

In the preliminary results, we found that the producers and/or exporters of the subject merchandise did not apply for or receive benefits under the following programs during the period of review (POR):

- A. Certificates of Fiscal Promotion (CEPROFI)
- B. PITEX
- C. Other Bancomext Preferential Financing
- D. Import Duty Reductions and Exemptions
- E. State Tax Incentives
- F. Article 15 Loans
- G. NAFINSA FOGAIN-type Financing

##### H. NAFINSA FONEI-type Financing

Our analysis of the comments submitted by the interested parties, summarized below, has not led us to reconsider our findings in the preliminary results.

##### Analysis of Comments

*Comment 1:* Respondents contest the Department's determination that Bancomext export financing constitutes a countervailable subsidy. Respondents contend that during the 1993 POR Bancomext financing was provided at interest rates higher than the cost of funds to Bancomext or the GOM. Under item (k) of the Illustrative List of export subsidies, only the provision of financing at interest rates below the government's cost of borrowing is countervailable. Since the GATT Subsidies Code's Illustrative List of export subsidies does not include government financing at rates above the government's cost of funds, the Department should determine that Bancomext was not a countervailable program, and that the loans obtained through the Bancomext facilities were not countervailable during the POR. Respondents contend that the Department confirmed at verification that the audited financial statements showed no funding from government sources, and that Bancomext was a profit making operation throughout the POR.

*Department's Position:* We disagree. With the broad definition of a subsidy contained in 19 U.S.C. section 1677(5), Congress specifically included government action which results in the provision of capital and loans on "terms inconsistent with commercial considerations," the provision of goods or services at "preferential rates," and the like, to a specific group of beneficiaries. See 19 U.S.C. section 1677(5)(A)(ii). The cost to government standard which defines an export subsidy in Item (k) of the Illustrative List does not limit the United States in applying its own national countervailing duty law to determine the countervailability of subsidy benefits. The Department determines the countervailability of subsidies by measuring the benefit to the recipient rather than the cost to the government. Where, as here, loans are given below commercial market rates, a benefit is conferred. Because these benefits were limited to exporters, we determine that this program is countervailable. See e.g., Final Affirmative Countervailing Duty Determination: Certain Steel Products From Austria (58 FR 37217, 37260; July 9, 1993), Certain Textile Mill Products

From Mexico; Final Results of Countervailing Duty Order Administrative Review (54 FR 36841, 36843-36844; September 5, 1989), Certain Textile Mill Products From Mexico; Final Results of Countervailing Duty Administrative Review (56 FR 12175, 12177; March 22, 1991) and Porcelain-on-Steel Cookingware From Mexico; Final Results of Countervailing Duty Administrative Review (57 FR 562; January 7, 1992).

**Comment 2:** Both the respondents and the GOM argue that the Department's preliminary results erroneously state that APSA received a "FOMEX" export loan in 1992, with a maturity date in 1993. Respondents argue that APSA did not receive a FOMEX loan, nor could have, as the FOMEX program was terminated in 1989. Rather, exporters commonly referred to export loans as "FOMEX" loans regardless of whether such loans were actually obtained from FOMEX. Respondents argue that the mere fact that APSA's internal loan ledger erroneously referred to the loan as "FOMEX" cannot contradict previous Department determinations, based on verified information received from GOM, that the FOMEX program was terminated in 1989.

**Department's Position:** We disagree. The Department is not contradicting its previous determination that the FOMEX program was terminated on December 31, 1989. Effective January 1, 1990, the Mexican Treasury Department eliminated the FOMEX loan program and transferred the FOMEX trust to Bancomext. FOMEX was a program previously found countervailable by the Department and operates much like the Bancomext program which the Department has also found countervailable (See Porcelain-on-Steel Cookingware From Mexico; Preliminary Results of Countervailing Duty Administrative Review (56 FR 48163; September 24, 1991) and Porcelain-on-Steel Cookingware From Mexico; Final Results of Countervailing Duty Administrative Review (57 FR 562; January 7, 1992)). As discussed in the preliminary results of this review, during verification at APSA, we noted that one short-term loan was identified by APSA as a FOMEX loan. This loan was not reported in APSA's questionnaire responses. At verification, company officials at APSA were given the opportunity to provide loan documentation for the loan in question demonstrating that the loan was not from a countervailable program; however, they failed to do so. (See Short-Term and Long-Term Loans Section of APSA's Verification Report (Public Version) dated May 9, 1995 on

file in the public file of the Central Records Unit, Room B-099 of the Department of Commerce). Therefore, the Department treated this loan as a Bancomext loan. However, as stated in the Department's preliminary results, because the interest rate provided for this loan during verification was higher than the commercial benchmark, there was no benefit to APSA from the loan (See Porcelain-on-Steel Cookingware From Mexico; Preliminary Results of Countervailing Duty Administrative Review (60 FR 39360; August 2, 1995)).

**Comment 3:** Respondents and the GOM argue that the Department incorrectly treated as Bancomext loans all loans CINSA and APSA had reported as being financed by Bancomext. Respondents assert that the loan documents received from commercial banks do not indicate whether the loans were financed through Bancomext. Further, respondents assert that the only definitive source of Bancomext financing is Bancomext itself. The printout (Verification Exhibit BXMT-3) from Bancomext indicates that APSA had only one loan outstanding in the POR, with the first interest payment due after the POR. Therefore, the Department should not have treated other loans as Bancomext loans.

**Department's Position:** We disagree. As stated in the Department's regulations, "the Department will visit with producers, exporter, or government agencies in order to verify the accuracy and completeness of submitted factual information. As part of the verification \* \* \* the Department will request access to all files, records, and personnel of the producers, exporters, or the government agencies which the Secretary considers relevant to factual information submitted by those persons." 19 CFR 355.36. It is not possible to completely verify the Bancomext loan program at Bancomext. Bancomext records do not include the terms or interest rates established between the companies and the commercial banks. (See Bancomext Section of the GOM's Verification Report (Public Version) dated May 9, 1995 on file in the public file of the Central Records Unit, Room B-099 of the Department of Commerce). Therefore, verification must be conducted at both the government and the companies. The loans in question were originally reported by the companies as Bancomext loans in their questionnaire responses. At verification, the Department noted discrepancies between the number and values of the loans reported by Bancomext and those reported by the companies in their questionnaire responses. Cinsa and

APSA were given the opportunity to identify through their records which loans were in fact Bancomext loans. (See Bancomext Section of the GOM's Verification Report (Public Version) dated May 9, 1995, Short-Term Loans Section of Cinsa's Verification Report (Public Version) dated May 9, 1995 and Short-Term and Long-Term Loans Section of APSA's Verification Report (Public Version) dated May 9, 1995 on file in the public file of the Central Records Unit, Room B-099 of the Department of Commerce). The companies were unable to demonstrate that the loans they had originally reported as Bancomext loans were not, in fact, Bancomext loans. Therefore, the Department has appropriately treated these loans as Bancomext loans.

**Comment 4:** Respondents and the GOM contend that the zero percent interest rate selected by the Department for the unreported Bancomext loan for Cinsa as best information available (BIA) is inappropriate. Respondents argue that this rate does not reflect information contained in the administrative record. Alternatively, respondents suggest that the Department recalculate the net benefit for the unreported loan using (1) the lowest rate for Bancomext loans offered during the POR, (2) an interest rate based on publicly available data (LIBOR) plus the verified Bancomext spread (the rate charged to commercial banks by Bancomext to cover operating expenses), or (3) the verified Bancomext spread that was applicable to Bancomext loans during the POR. The GOM argues that sufficient information about Bancomext interest rates, applicable to the specific type of loan provided to Cinsa, was available on the record. The GOM suggests the Department use one of the following as the effective interest rate for the unreported loan for Cinsa: (1) LIBOR + the Bancomext spread, (2) LIBOR, or (3) the Bancomext spread, respectively.

**Department's Position:** We disagree. During verification at the GOM, we discovered one Bancomext loan for Cinsa that had not been reported in the questionnaire responses. Subsequently, Cinsa did not provide the interest rate for this loan upon request at verification. (See Bancomext Section of the GOM's Verification Report (Public Version) dated May 9, 1995 and Short-Term Loan Section of Cinsa's Verification Report (Public Version) dated May 9, 1995, on file in the public file of the Central Records Unit, B-099 of the Department of Commerce). Section 776 (c) of the Act requires the Department to use BIA whenever a party refuses or is unable to produce the

information requested. Furthermore, 19 CFR 355.37 of the Department's regulations gives the Department broad discretion in the use of BIA to calculate benefits for non-cooperating companies who do not submit a complete response. Both the GOM and Cinsa were informed of the need to provide the interest rate for the previously unreported loan. In light of the respondent's failure to respond to our request for complete loan information, we are continuing to use a zero interest rate as BIA.

**Comment 5:** Respondents contend that the Department incorrectly calculated the commercial dollar interest rate benchmark to which all Bancomext loans are compared. The Department's benchmark was calculated using a weighted average of the commercial interest rates of U.S. dollar loans reported in the Federal Reserve Bulletins ranging from \$1,000 to \$999,000. Respondents argue that, because a significant portion of the loans obtained during the period of review were in excess of \$999,000, the Department should include in its calculation of the commercial interest rate benchmark the interest rates for dollar loans valued between \$1 million and \$5 million.

**Department's Position:** We agree. The Department has recalculated its benchmark for dollar-denominated short-term loans to include the interest rates reported in the Federal Reserve Bulletin on comparably sized loans. In addition, the Department inadvertently used the 1993 benchmark for two short-term loans contracted in 1992. It is the Department's practice to select a benchmark interest rate for loans at the time the terms of the loan are established, which in this case was when the loans were received. (See *Rice From Thailand; Final Results of Countervailing Duty Administrative Review* (59 FR 8906; February 24, 1994)). Therefore, the Department has recalculated the benefit for the Bancomext loans received in 1992, but on which interest was paid in 1993, using the 1992 benchmark rate instead of the 1993 benchmark rate. Because of these changes, we now determine the benefit conferred by the Bancomext program to be zero for APSA and 0.48 percent *ad valorem* for Cinsa.

#### Final Results of Review

For the period January 1, 1993 through December 31, 1993, we determine the net subsidy to be 0.42 percent *ad valorem* for all companies. In accordance with 19 CFR 255.7, any rate less than 0.5 percent *ad valorem* is *de minimis*.

The Department intends to instruct the Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise from Mexico exported on or after January 1, 1993, and on or before December 31, 1993.

The Department will also instruct the U.S. Customs Service to collect a cash deposit of estimated countervailing duties of zero percent of the f.o.b. invoice price on all shipments of the subject merchandise from all companies entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 C.F.R. 355.34(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 an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 355.22.

Dated: September 29, 1995.

Susan G. Esserman,

*Assistant Secretary for Import Administration.*

[FR Doc. 95-25302 Filed 10-11-95; 8:45 am]

**BILLING CODE 3510-DS-P**

#### Environmental Technologies Trade Advisory Committee (ETTAC)

**AGENCY:** International Trade Administration, U. S. Department of Commerce.

**ACTION:** Notice of open meetings.

**SUMMARY:** The Environmental Technologies Trade Advisory Committee will hold its fourth plenary meeting. The ETTAC was created on May 31, 1994, to promote a close working-relationship between government and industry and to expand export growth in priority and emerging markets for environmental products and services.

**DATES AND PLACE:** October 17, 1995, from 9:00 a.m. to 5:30 p.m.—Room 6808, Department of Commerce; October 18, 1995, from 8:45 a.m. to 12:30 p.m.—Room 6800, Department of Commerce, 14th Street and Constitution Ave., N.W., Washington D.C. 20230.

The Committee will review its mission statement and will request the

participation of several major environmental trade associations on questions of export enhancement for this industry. At the request of the ETTAC, representatives from the U.S. Agency for International Development, U.S. Environmental Protection Agency and the Trade and Development Agency have been invited to discuss their roles and programs that support international environmental technologies trade. The Committee will also develop work plans for each of its Subcommittees: Communications; Interagency Coordination; Finance; and Privatization; and cross-cutting issues: small business; services exports; and products exports.

This program is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Jane Siegel, Department of Commerce, Room 1002, Washington D.C. 20230. Seating is limited and will be on a first-come, first-served basis.

**FOR FURTHER INFORMATION CONTACT:** The Office of Environmental Technologies Exports, Room 1003, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230, phone (202) 482-5225, facsimile (202) 482-5665 TDD 1-800-833-8723.

Dated: October 5, 1995.

Anne Alonzo,

*Deputy Assistant Secretary for Environmental Technologies Exports.*

[FR Doc. 95-25243 Filed 10-11-95; 8:45 am]

**BILLING CODE 3510-DR-P**

#### University of California et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

**Comments:** None received. **Decision:** Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

**Docket Number:** 95-060. **Applicant:** University of California, Santa Cruz, CA 95064. **Instrument:** 5 ea. Seismograph, Model STS-2. **Manufacturer:** G. Streckeisen, Switzerland. **Intended**