| Manufacturer/producer/exporter | Weighted-average margin percentage |
|---|---|
| Metanef, S.A. | 46.34 |
| Romania-Wide Rate | 44.69 |

The Romania-wide rate applies to all entries of subject merchandise except for entries from exporters that are identified individually above.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than February 27, 1996, and rebuttal briefs, no later than March 5, 1996. A list of authorities used and a summary of arguments made in the briefs should accompany these briefs. Such summary should be limited to five pages total, including footnotes. We will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. At this time, the hearing is scheduled for March 8, 1996, the time and place to be determined, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B–099, within ten days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b) oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by 135 days after the publication of this notice in the Federal Register.

This determination is published pursuant to section 733(f) of the Act.

Dated: November 21, 1995.

Susan G. Esserman,

*Assistant Secretary for Import Administration.*

[FR Doc. 95–29270 Filed 11–29–95; 8:45 am]

BILLING CODE 3510–DS–P

## Determination Not To Revoke Antidumping Duty Orders and Findings Nor To Terminate Suspended Investigations

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

**ACTION:** Determination Not to Revoke Antidumping Duty Orders and Findings Nor to Terminate Suspended Investigations.

**SUMMARY:** The Department of Commerce is notifying the public of its determination not to revoke the antidumping duty orders and findings nor to terminate the suspended investigations listed below.

**EFFECTIVE DATE:** November 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Michael Panfeld or the analyst listed under Antidumping Proceeding at: Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230, telephone (202) 482–4737.

**SUPPLEMENTARY INFORMATION:** The Department of Commerce (the Department) may revoke an antidumping duty order or finding or terminate a suspended investigation, pursuant to 19 CFR 353.25(d)(4)(iii), if no interested party has requested an administrative review for four consecutive annual anniversary months and no domestic interested party objects to the revocation or requests an administrative review.

We had not received a request to conduct an administrative review for the most recent four consecutive annual anniversary months. Therefore, pursuant to § 353.25(d)(4)(i) of the Department's regulations, on September 29, 1995, we published in the Federal Register a notice of intent to revoke these antidumping duty orders and findings and to terminate the suspended investigations and served written notice of the intent to each domestic interested party on the Department's service list in each case. Within the specified time frame, we received objections from domestic interested parties to our intent to revoke these antidumping duty orders and findings and to terminate the suspended investigations. Therefore, because domestic interested parties objected to our intent to revoke or terminate, we no longer intend to revoke these antidumping duty orders and findings or to terminate the suspended investigations.

Antidumping Proceeding

*A–588–045*

Japan, Steel Wire Rope

*Objection Date:* October 17, 1995
*Objector:* Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers
*Contact:* Davina Hashmi at (202) 482–3813

*A–479–801*

Yugoslavia, Industrial Nitrocellulose

*Objection Date:* October 13, 1995
*Objector:* Hercules Incorporated, Aqualon Division
*Contact:* Rebecca Trainor at (202) 482–0666

Dated: November 20, 1995.

Joseph A. Spetrini,

*Deputy Assistant Secretary for Compliance.*

[FR Doc. 95–29265 Filed 11–30–95; 8:45 am]

BILLING CODE 3510–DS–P

**[A–791–803]**

## Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Circular Welded Non-Alloy Steel Pipe From South Africa

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

**EFFECTIVE DATE:** November 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Stagner or John Beck, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1673 or (202) 482–3464, respectively.

**THE APPLICABLE STATUTE:** Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Rounds Agreements Act.

**PRELIMINARY DETERMINATION:** Because of the federal government shutdown, the deadline for this preliminary determination has been extended by the number of days of the shutdown, six days, to Tuesday, November 21, 1995.

We preliminarily determine that circular welded non-alloy steel pipe (pipe) from South Africa is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the initiation of this investigation on May 16, 1995 (60 FR 27078 (May 22, 1995)), the following events have occurred:

On June 12, 1995, the United States International Trade Commission (ITC) notified the Department of Commerce (the Department) of its affirmative preliminary determination.

On June 30, 1995, we presented questionnaires to the South African embassy, counsel for RIH, and Steel Pipe Industries. On July 5, 1995, Steel Pipe Industries informed the Department that it does not export pipe to the United States. Supplemental questionnaires were issued to RIH in August, September, and October 1995. Responses to the original and supplemental questionnaires were received in July through October 1995.

On September 14, 1995, the Department postponed the preliminary determination to November 15, 1995. *See Notice of Postponement of Preliminary Determinations: Antidumping Duty Investigations of Circular Welded Non-Alloy Steel Pipe From Romania and South Africa* (60 FR 48690, September 20, 1995).

*Respondent Selection*

The producers named in the petition were Brollo Africa, Robor Industrial Holding (Pty) Ltd., Trident Steel, and Tosa; the trading companies named in the petition were Dorbyl, Circle Freight, Extram, Firestone, Hall Longmore Equipment Service, MacSteel, Protea International, and TISCO International.

On June 8, 1995, a cable was sent to the U.S. embassy in South Africa requesting the identification of South African producers and exporters of pipe which was exported to the United States. We received a response to our cable on July 17, 1995, identifying the following additional companies as producers and sellers of the subject merchandise to the United States during the period of the investigation: (1) Bartons Precision (Pty) Ltd.; (2) Bosal Marketing (Pty) Ltd.; (3) Steel Pipe Industries (Pty) Ltd.; and (4) Trident Sterling Tube.

Based on the petition and information contained in *Iron and Steel Works of the World* (1994), we determined to send questionnaires to Brollo Africa, Robor Industrial Holdings, Steel Pipe Industries, and Tosa. At the time of that determination, we had not received a response from the U.S. Embassy in South Africa, but indicated that we were running a data inquiry with the U.S. Customs database. *See* Memorandum to the file regarding the appropriate questionnaire recipients, dated June 30, 1995. Based on the U.S. Customs database and pursuant to section 777A(c)(2)(B) of the Act, we found that we had sent questionnaires to the exporters and producers accounting for the largest volume of exports of the subject merchandise from South Africa that could be reasonably examined. Thus, we did not send any additional questionnaires.

Postponement of Final Determination

Pursuant to section 735(a)(2)(A) of the Act, on October 24, 1995, the respondents requested that, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination until 60 days after the date of the scheduled final determination, which is equivalent to 135 days after the publication of an affirmative preliminary determination in the Federal Register. In accordance with 19 CFR 353.20(b), because our preliminary determination is affirmative, the respondents account for a significant proportion of exports of the subject merchandise, and no compelling reasons for denial exist, we are granting respondents' request and postponing the final determination.

Scope of Investigation

The following scope language reflects certain modifications from the notice of initiation. In the initiation notice, we indicated that our scope language may change based on any final scope determination regarding the antidumping duty orders on certain circular welded non-alloy steel pipe from Brazil, the Republic of Korea, Mexico and Venezuela. *See Preliminary Affirmative Determination of Scope Inquiry on Antidumping Duty Orders on Certain Circular Welded Non-Alloy Steel Pipe From Brazil, the Republic of Korea, Mexico, and Venezuela* (59 FR 1929, January 13, 1994). However, the final determination has not yet been made. Consequently, we have modified our scope language in an effort to eliminate the need for use certification at this time.

For purpose of this investigation, circular welded non-alloy steel pipes (standard pipes) are all pipes and tubes, of circular cross-section, not more than 406.4 mm (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), end finish (plain end, bevelled end, threaded, or threaded and coupled), or industry specification (ASTM, proprietary, or other) used in standard or structural pipe applications.

The scope specifically includes, but is not limited to, all pipe produced to the ASTM A–53, ASTM A–135, ASTM A–795, and BS–1387 specifications. It also includes any pipe multiple-stencilled or multiple-certified to one of the above-listed specifications and to any other specification. Pipe which meets the above physical parameters and which is produced to proprietary specifications, the API–5L, the API–5L X–42, or to any other non-listed specification is included within the scope of this investigation if used in a standard or structural pipe application, regardless of the *Harmonized Tariff Schedule of the United States* (*HTSUS*) category into which it was classified. If the pipe does not meet any of the above identified specifications, although it is within the identified physical parameters described in the second paragraph of this section, our presumption is that it is not used in a standard pipe application.

Standard pipe uses include the low-pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioning units, automatic sprinkler systems, and other related uses. Standard pipe may carry liquids at elevated temperatures but may not be subject to the application of external heat. Standard pipe uses also include load-bearing applications in construction and residential and industrial fence systems. Standard pipe uses also include shells for the production of finished conduit and pipe used for the production of scaffolding.

Specifically excluded from this investigation are mechanical tubing, tube and pipe hollows for redrawing, and finished electrical conduit if such products are not certified to ASTM A–53, ASTM A–120, ASTM A–135, ASTM A–795, and BS–1387 specifications and are not used in standard pipe applications. Additionally, pipe meeting the specifications for oil country tubular goods is not covered by the scope of this investigation, unless also certified to a listed standard pipe specification or used in a standard pipe application.

The merchandise under investigation is currently classifiable under items 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90 of the *HTSUS*. Although the *HTSUS* subheadings are provided

for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Regarding implementation of the use provision of the scope of this investigation, and any order which may be issued in this investigation, we are well aware of the difficulty and burden associated with such certifications. Therefore, in order to maintain the effectiveness of any order that may be issued in light of actual substitution in the future (which the use criterion is meant to achieve), yet administer certification procedures in the least problematic manner, we have developed an approach which simplifies these procedures to the greatest extent possible.

First, we will not require use certification until such time as petitioner or other interested parties provide the Department with a reasonable basis to believe or suspect that substitution is occurring. Second, we will require use certification only for the product(s) (or specification(s)) for which evidence is provided that substitution is occurring. For example, if, based on evidence provided by petitioner, the Department finds a reasonable basis to believe or suspect that pipe produced to the API–5L specification is being used as standard pipe, we will require use certifications for imports of API–5L specification pipe. Third, normally we will require only the importer of record to certify to the use of the imported merchandise. If it later proves necessary for adequate implementation, we may also require producers who export such products to the United States to provide such certification on invoices accompanying shipments to the United States.

Period of Investigation

The period of investigation (POI) is April 1, 1994, through March 31, 1995.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products sold in the home market, fitting the description specified in the ''Scope of Investigation'' section above, to be foreign like products for purposes of determining appropriate product comparisons to U.S. sales. Where there were no sales of identical merchandise in the home market to compare to U.S. sales, we compared U.S. sales to the next most similar foreign like product on the basis of the characteristics listed in the Department's antidumping questionnaire.

RIH claimed that it sells to customers at two levels of trade in the home market: distributors and end-users/fabricators. However, RIH reported that there are no differences in the selling functions it performed for the different customers. Thus, based on the absence of distinct levels of trade, we did not make any distinctions between levels of trade in our comparisons.

Fair Value Comparisons

To determine whether RIH's sales of pipe to the United States were made at less than fair value, we compared Export Price (EP) to the Normal Value (NV), as specified below.

Export Price

We calculated EP, in accordance with section 772(a) of the Act, because the subject merchandise was sold to the first unaffiliated purchaser in the United States prior to importation, and Constructed Export Price (CEP) under section 772(b) is not otherwise warranted based on the facts of this investigation.

We based EP on packed, FOB Port (U.S. or Durban, South Africa) prices to unaffiliated customers in the United States. We made deductions from the starting price (gross unit price), where appropriate, for the following charges: inland freight in South Africa; international freight; marine insurance; and brokerage and handling.

Normal Value

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared the volume of RIH's home market sales of the subject merchandise to the volume of RIH's U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(B) of the Act. Since RIH's aggregate volume of home market sales of the subject merchandise was greater than five percent of its aggregate volume of U.S. sales for the foreign like product, we determined that the home market was viable. Therefore, we have based NV on home market sales.

We based NV on FOB factory, delivered, or collected prices to unaffiliated customers, or prices to affiliated customers which were determined to be at arm's length (*see* discussion below regarding these sales). We made deductions from the starting price for freight, discounts, and rebates, and post-sale billing corrections. For certain sales, we added freight revenue to the gross unit price. In accordance with section 773(a)(6) of the Act, we deducted home market packing costs and added U.S. packing costs.

In addition, we adjusted for differences in the circumstances of sale, in accordance with section 773(a)(6)(C)(iii). These circumstances included differences in imputed credit expenses and commissions. We instructed RIH to report a sample of actual payment dates for purposes of calculating credit expenses. Based on this sample, we have calculated a weighted-average credit period to be used for those sales without actual payment days. We then calculated credit expenses for all home market sales using a POI-average interest rate.

RIH requested that we make a circumstance-of-sale adjustment for rebates it receives from its steel suppliers for exported pipe. As stated in *Final Results of Antidumping Duty Administrative Review; Light-Walled Welded Rectangular Carbon Steel Tubing from Taiwan* (56 FR 26382, June 7, 1991) (*Tubing from Taiwan*), we will not make circumstance of sale adjustments to account for differences in production costs. In *Tubing from Taiwan*, the Department denied a circumstance of sale adjustment for the same type of rebate involved here. Although the rebate was paid on export, we found it to be a delayed price adjustment on raw materials used in the production of the exported merchandise. Thus, the rebate involved a difference in production costs, not a difference in circumstances of sales, between the exported and domestically consumed product. Similarly, as the rebate received by RIH does not reflect a difference in the circumstances of sales, we have made no adjustment for these rebates.

RIH paid commissions on some U.S. sales, but paid no commissions on any home market sales. Thus, we deducted the lesser of either (1) the amount of the weighted-average commission paid on the U.S. sales of a product; or (2) the sum of the weighted average indirect selling expenses paid on the home market sales, and then added the weighted-averaged amount of the commission paid on the U.S. sales to NV in accordance with 19 CFR 353.56(b)(1).

RIH reported that its sales to its affiliated resellers are made at arm's length. In our October 13, 1995, supplemental questionnaire, we instructed RIH to report all sales to the final customer, rather than to its affiliated resellers. In its questionnaire response, RIH stated that it was too burdensome to report this information due to the difficulties involved in tracing these sales to the first unaffiliated customer.

For purposes of the preliminary determination, we have accepted RIH's argument regarding this burden. RIH has not, however, adequately demonstrated

that the sales to the first unaffiliated customer would not provide appropriate matches to U.S. sales for reasons of differences in product characteristics, differences in level of trade, or other criteria relevant to our analysis. Therefore, for purposes of our final determination, we believe it is appropriate to require further reporting of the sales to the first unaffiliated customer unless RIH can provide additional reasoning to show that these sales are not appropriate to use in our analysis. Thus, we will send an additional questionnaire regarding these sales to RIH.

Accordingly, for purposes of the preliminary determination, we have included only those sales to affiliated parties that passed the arm's length test. *See* 19 CFR 353.45(a). To test whether these sales were made at arm's length, we compared the gross unit prices of sales to affiliated and unaffiliated customers net of all movement charges, direct and indirect selling expenses, and packing. *See Final Determination of Sales at Less Than Fair Value; Certain Cold-Rolled Carbon Steel Flat Products from Argentina* (58 FR 37062, 37077, July 9, 1993).

*Comparison Methodology*

In accordance with section 777A(d)(1)(A)(i), we calculated weighted-average EPs for comparisons to weighted average NVs. The weighted-averages were calculated and compared by product characteristics.

Currency Conversion

For the purpose of the preliminary determination, we made currency conversions based on the official exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank. We were unable to obtain the official daily exchange rates as certified by the Federal Reserve Bank of Chicago, according to section 773A(a) of the Act, in time to use for the preliminary determination. However, we are expecting to receive these rates in time to use for the final determination.

Verification

As provided in section 782(i) of the Act, we will verify all information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all entries of circular welded non-alloy steel pipe from South Africa, that are entered, or withdrawn from warehouse for consumption, on or after the date of publication of this notice in the Federal Register. The Customs Service will require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price as shown below. These suspension of liquidation instructions will remain in effect until further notice.

The weighted-average dumping margins are as follows:

| Exporter/manufacturer | Weighted-average margin percentage |
|---|---|
| RIH Group, including Brollo Africa and Tosa | 135.36 |
| All Others | 135.36 |

The all others rate applies to all entries of subject merchandise except for entries of merchandise produced by RIH Group and its divisions: Brollo Africa and Tosa.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than February 27, 1996, and rebuttal briefs, no later than March 5, 1996. A list of authorities used and an executive summary of issues should accompany any briefs submitted to the Department. Such summary should be limited to five pages total, including footnotes. In accordance with 19 CFR 353.38, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. Tentatively, the hearing will be held on March 8, 1996, time and place to be determined, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B–099, within ten days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by 135 days after the publication of this notice in the Federal Register.

This determination is published pursuant to section 733(f) of the Act.

Dated: November 21, 1995.

Susan G. Esserman,

*Assistant Secretary for Import Administration.*

[FR Doc. 95–29269 Filed 11–29–95; 8:45 am]

BILLING CODE 3510–DS–P

**[A–122–823]**

## Certain Cut-to-Length Carbon Steel Plate From Canada: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Order in Part

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

**ACTION:** Notice of initiation and preliminary results of changed circumstances antidumping duty administrative review, and intent to revoke order in part.

**SUMMARY:** In response to a request from Sidbec-Dosco Inc., (Sidbec-Dosco) and Canberra Industries, Inc., (Canberra), the Department of Commerce (the Department) is initiating a changed circumstances antidumping duty administrative review and issuing a preliminary intent to revoke in part the antidumping duty order on certain cut-to-length carbon steel plate from Canada, the scope of which currently includes Cobalt 60 free cut-to-length carbon steel plate. *See Antidumping Duty Orders: Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate from Canada,* 58 FR 44162 (August 19, 1993). Sidbec-Dosco and Canberra requested that the Department revoke the order in part as to imports of cut-to-length carbon steel plate free of Cobalt-60 and other radioactive nuclides (Cobalt-60 free carbon steel plate) from Canada. Based on the fact that Bethlehem Steel Corporation, Inland Steel Industries, Inc., and U.S. Steel Group, a unit of USX Corporation, (the petitioners) have expressed no interest