

certain adjustments to EP. We also used facts available for certain expenses in the calculation of CV. However, we intend to take into consideration timely responses to our requests for additional information for the final results. Please refer to the respective analysis memoranda for a detailed explanation of the facts available used for the purpose of calculating dumping margins for each respondent.

Preliminary Results of Review

We preliminarily determine that the following dumping margins exist:

Manufacturer/ exporter	Time period	Margin (per- cent)
Eagle Star Textile Mills, Ltd.	3/1/94-2/28/95	42.31
Greyfab (Ban- gladesh), Ltd.	3/1/94-2/28/95	0.01
Hashem Inter- national	3/1/94-2/28/95	0.02
Khaled Textile Mills, Ltd. ...	3/1/94-2/28/95	0.01
Shabnam Tex- tiles	3/1/94-2/28/95	0.03
Sonar Cotton (BD), Ltd. ...	3/1/94-2/28/95	0.00

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter.

Interested parties may submit case briefs within 30 days of the date of publication of this notice. Parties who submit argument in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. Rebuttal briefs, which must be 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 a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments within 180 days of issuance of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For duty assessment

purposes, we calculated an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of subject merchandise sold to each of the respective importers. This specific rate calculated for each importer will be used for the assessment of antidumping duties on the relevant entries of subject merchandise during the POR.

Furthermore, the following deposit rates will be effective upon publication of the final results of these administrative reviews for all shipments of shop towels from Bangladesh entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rates for reviewed companies will be the 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 less-than-fair-value 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) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be the rate established in the investigation of sales at less than fair value, which is 4.60 percent.

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

This notice also 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 19 CFR 353.22.

Dated: April 26, 1996.

Susan G. Esserman,
*Assistant Secretary for Import
Administration.*

[FR Doc. 96-11245 Filed 5-3-96; 8:45 am]

BILLING CODE 3510-DS-P

[A-580-811]

Steel Wire Rope from the Republic of Korea; Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of Antidumping Duty Administrative Review.

SUMMARY: In response to a request from the petitioner, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on steel wire rope from Korea. The review covers 25 manufacturers/exporters of the subject merchandise to the United States. The review period is March 1, 1994, through February 28, 1995 (the POR).

We have preliminarily determined that sales have been made below the normal value (NV). If these preliminary results are adopted in our final results of the administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the export price (EP) and the NV.

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

EFFECTIVE DATE: May 6, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas O. Barlow, Matthew Rosenbaum, or Michael Rill, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, D.C. 20230; telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:

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 (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulation published in the Federal Register on May 11, 1995 (60 FR 25130).

Background

On March 26, 1993, the Department published in the Federal Register (58 FR 16398) the antidumping duty order on steel wire rope from the Republic of Korea. On March 7, 1995, the Department published a notice of "Opportunity to Request an Administrative Review" (60 FR 12540) of this antidumping duty order for the period March 1, 1994, through February 28, 1995. On March 27, 1995, the petitioner, the Committee of Domestic Steel Wire Rope & Specialty Cable Manufacturers, requested an administrative review for 25 manufacturers/exporters of steel wire rope from Korea. We published a notice of initiation of the review on April 14, 1995 (60 FR 19017). The Department is now conducting this review in accordance with section 751 of the Act.

Unlocated Companies

We were unable to obtain addresses for Atlantic & Pacific, Dae Kyung Metal, Dong-Il Metal, Dong Yong Rope, Korope Co., Kwang Shin Industrial, Kwangshin Rope, and Seo Hae Industrial. In accordance with our practice with respect to companies to which we cannot send a questionnaire, we are assigning to these companies the "All Others" rate from the less-than-fair-value (LTFV) investigation, which is 1.51 percent. *See Sweaters Wholly or in Chief Weight of Man-Made Fiber From Hong Kong; Final Results of Antidumping Duty Administrative Review*, 59 FR 13926 (March 24, 1994).

Non-Shippers

Six companies notified us that they did not have shipments of subject merchandise during the POR, and we confirmed this with the United States Customs Service. One company, Yeon Sin Metal (Yeon Sin), did not serve its submission on interested parties, but its submission was timely submitted to the public file and provided adequate opportunity for the Department to confirm with the U.S. Customs Service that Yeon Sin did not ship steel wire rope to the United States during the POR. Because we were able to confirm that Yeon Sin had no shipments and its notification of no shipments was reasonably available to interested parties, we have accepted Yeon Sin's submission and are treating Yeon Sin as a non-shipper for this review.

Sungsan Special Steel Processing Inc. (Sungsan) submitted a letter stating that it did not produce subject merchandise during the POR and made only one shipment of subject merchandise produced by another unrelated

company. We sent a letter to Sungsan requesting that it confirm that the manufacturer of this merchandise was aware that the merchandise was destined for the United States. Sungsan replied by confirming that the manufacturer of the subject merchandise which it shipped during the POR was aware that the shipment was destined for the United States. It also submitted documentation confirming this assertion. We were able to confirm with the U.S. Customs Service that Sungsan made no shipments of subject merchandise during the POR other than those supplied by the unrelated manufacturer, as mentioned above. Accordingly, we are treating Sungsan as a non-shipper for this review.

Scope of Review

The product covered by this review is steel wire rope. Steel wire rope encompasses ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of brass-plated wire. Imports of these products are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7312.10.9030, 7312.10.9060, and 7312.10.9090.

Excluded from this review is stainless steel wire rope, *i.e.*, ropes, cables and cordage other than stranded wire, of stainless steel, not fitted with fittings or made up into articles, which is classifiable under HTS subheading 7312.10.6000. Although HTS subheadings are provided for convenience and Customs purposes, our own written description of the scope of this review is dispositive.

Export Price

For sales to the United States, the Department used EP as defined in section 772(a) of the Act, because the subject merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation and the use of constructed export price was not indicated by the facts of record.

We calculated EP based on ex-factory, f.o.b. Korea, f.o.b. customer's specific delivery point, c.i.f., c&f, or delivered prices to unrelated purchasers in, or for exportation to, the United States. We adjusted these prices for billing adjustments, where applicable. We made adjustments, where applicable, for domestic brokerage and handling, ocean freight, marine insurance, terminal handling charges, stevedoring charges, wharfage expenses, bill of lading issuing fees, export license fees, export insurance, domestic inland freight,

containerization expenses and container taxes, container freight station charges, and shoring charges in accordance with section 772(c)(2)(A) of the Act. We also added duty drawback, where applicable, for Manho Rope and Wire, Ltd. (Manho) and Chun Kee Steel & Wire Rope Co., Ltd. (Chun Kee), pursuant to section 772(c)(1)(B) of the Act. We did not make any duty drawback adjustments for Chung Woo Rope Co., Ltd., Inc. (Chung Woo), Kumho Rope (Kumho), and Ssang Yong Steel Wire Co., Ltd., because they were unable to demonstrate a connection between imports for which they paid duties and exports of steel wire rope, consistent with our practice in the previous review (*see Steel Wire Rope From the Republic of Korea; Final Results of Antidumping Duty Administrative Review*, 60 FR 63499 (December 11, 1995) (*Steel Wire Rope Final*)).

No other adjustments to EP were claimed or allowed.

Normal Value

Based on a comparison of the aggregate quantity of home market and U.S. sales, and absent any information that a particular market situation in the exporting country does not permit a proper comparison, we determined that the quantity of foreign like product each respondent sold in the exporting country was sufficient to permit a proper comparison with the sales of the subject merchandise to the United States, pursuant to section 773(a) of the Act, because each company had sales in its home market which were greater than five percent of the U. S. market. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the prices at which the foreign like products were first sold for consumption in the exporting country.

Because the Department disregarded sales below the cost of production (COP) in the last completed review for Manho and Chun Kee (*see Steel Wire Rope Final*), we had reasonable grounds to believe or suspect that sales of the foreign product under consideration for the determination of NV in this review may have been made at prices below the COP, as provided by section 773(b)(2)(A)(ii) of the Act. Therefore, pursuant to section 773(b)(1) of the Act, we initiated COP investigations of sales by Manho and Chun Kee in the home market.

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product, plus selling, general and administrative expenses (SG&A) and the cost of all expenses

incidental to placing the foreign like product in condition packed ready for shipment. We relied on the home market sales and COP information provided by Manho and Chun Kee in their questionnaire responses.

After calculating COP, we tested whether home market sales of steel wire rope were made at prices below COP within an extended period of time in substantial quantities, and whether such prices permit recovery of all costs within a reasonable period of time. We compared model-specific COP to the reported home market prices less any applicable movement charges, rebates, and direct selling expenses.

Pursuant to section 773(b)(2)(C), where less than 20 percent of respondent's sales of a given product were at prices less than COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in "substantial quantities." Where 20 percent or more of a respondent's sales of a given product during the POR were at prices less than the COP, we disregarded the below-cost sales because we determined that the below-cost sales were made within an extended period of time in "substantial quantities" in accordance with sections 773(b)(2)(B) and (C) of the Act, and because we determined that the below-cost sales of the product were at prices which would not permit recovery of all costs within a reasonable period of time, as defined in section 773(b)(2)(D) of the Act. Where all sales of a specific product were at prices below the COP, we disregarded all sales of that product, and calculated NV based on CV, in accordance with section 773(b)(1) of the Act.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual transactions to the monthly weighted-average price of sales of the foreign like product. We compared EP sales to sales in the home market of identical or similar merchandise.

We based NV on the price at which the foreign like product is first sold for consumption in the exporting country, in the usual commercial quantities, in the ordinary course of trade and at the same level of trade as the EP, in accordance with section 773(a)(1)(B)(i) of the Act. We made adjustments, where appropriate, for rebates. We increased home market price by the amount of U.S. packing costs in accordance with section 773(a)(6)(A) of the Act and reduced it by the amount of home market packing costs in accordance with section 773(a)(6)(B) of the Act. We adjusted for movement expenses in accordance with section 773(a)(6)(B)(ii)

of the Act. We also made adjustments, where applicable, for differences in the physical characteristics of merchandise in accordance with section 773(a)(6)(C)(ii) of the Act.

Pursuant to section 773(a)(6)(C)(iii) of the Act and 19 CFR 353.56, we made circumstance-of-sale (COS) adjustments to NV. We deducted home market credit expenses, inspection fees, warranty and servicing expenses and, where appropriate, added U.S. postage fees, U.S. letter of credit fees, U.S. bank charges, U.S. credit expenses, U.S. inspection fees, U.S. warranty and servicing expenses, and U.S. product liability insurance. Prices were reported net of value-added taxes (VAT) and, therefore, no adjustment for VAT was necessary.

In accordance with section 773(a)(4) of the Act, we used CV as NV for those U.S. sales for which we could not determine the NV based on home market sales pursuant to section 773(a)(1) of the Act either because there were no appropriate sales or because we disregarded below-cost sales pursuant to section 773(b) of the Act. We calculated CV, in accordance with section 773(e) of the Act, as the sum of the cost of manufacturing (COM) of the product sold in the United States, home market selling, general and administrative (SG&A) expenses, home market profit, and U.S. packing expenses. The COM of the product sold in the United States is the sum of direct material, direct labor, and variable and fixed factory overhead expenses. For home market SG&A expenses and profit, we used the actual amounts incurred and realized by the respondent in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country, in accordance with section 773(e)(2)(A) of the Act, unless these actual data were not available. If these actual data were not available, we used the actual amounts incurred and realized by the respondent in connection with the production and sale, for consumption in the foreign country, of merchandise that is in the same general category of products as the subject merchandise, in accordance with section 773(e)(2)(B)(i) of the Act. In accordance with section 773(a)(8) of the Act, we made COS adjustments to CV by deducting home market direct selling expenses and adding U.S. direct selling expenses.

No other adjustments were claimed or allowed.

Use of Facts Otherwise Available

We preliminarily determine, in accordance with section 776(a) of the Act, that the use of facts available is

appropriate for Boo Kook Corp., Dong-Il Steel Mfg. Co., Ltd., Hanboo Rope, Jinyang Wire Rope Inc., and Seo Jin Rope because they did not respond to our antidumping questionnaire. We find that these firms have withheld "information that has been requested by the administering authority." Furthermore, we determine that, pursuant to section 776(b) of the Act, it is appropriate to make an inference adverse to the interests of these companies because they failed to cooperate by not responding to our questionnaire.

Where the Department must base the entire dumping margin for a respondent in an administrative review on the facts available because that respondent failed to cooperate, section 776(b) of the Act authorizes the Department to use an inference adverse to the interests of that respondent in choosing the facts available. Section 776(b) of the Act also authorizes the Department to use as adverse facts available information derived from the petition, the final determination, a previous administrative review, or other information placed on the record. Because information from prior segments of the proceeding constitutes secondary information, section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA) provides that "corroborate" means simply that the Department will satisfy itself that the secondary information to be used has probative value. (See H.R. Doc. 316, Vol. 1, 103d Cong., 2d sess. 870 (1994).)

To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information to be used. However, unlike for other types of information, such as input costs or selling expenses, there are no independent sources for calculated dumping margins. Thus, in an administrative review, if the Department chooses as total adverse facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin for that time period. With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin not relevant. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an

appropriate margin (see, e.g., *Fresh Cut Flowers from Mexico; Final Results of Antidumping Duty Administrative Review* 61 FR 6812 (Feb. 22, 1996) (where the Department disregarded the highest margin as adverse BIA because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin)).

In this case, we have used the highest rate from any prior segment of the proceeding, 1.51 percent, as adverse facts available. This rate is the highest available rate and, to the best of our knowledge, there are no circumstances that indicate that the selected margin is not appropriate as adverse facts available.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following margins exist for the period March 1, 1994, through February 28, 1995:

Manufacturer/exporter	Margin (percent)
Atlantic & Pacific	1.51
Boo Kook Corporation	1.51
Chun Kee Steel & Wire Rope Co., Ltd	0.01
Chung Woo Rope Co., Ltd	0.04
Dae Heung Industrial Co	(1)
Dae Kyung Metal	1.51
Dong-Il Metal	1.51
Dong-Il Steel Manufacturing Co., Ltd	1.51
Dong Young	1.51
Hanboo Wire Rope, Inc	1.51
Jinyang Wire Rope, Inc	1.51
Korea Sangsa Co	(1)
Korope Co.	1.51
Kumho Rope	0.01
Kwang Shin Ind	1.51
Kwangshin Rope	1.51
Manho Rope & Wire, Ltd	0.00
Myung Jin Co	(1)
Seo Hae Ind	1.51
Seo Jin Rope	1.51
Ssang Yong Steel Wire Co., Ltd	0.06
Sung Jin	0.00
Sungsan Special Steel Processing Inc	(1)
TSK (Korea) Co., Ltd	(1)
Yeosin Metal	20.18

¹No shipments subject to this review. The firm has no individual rate from any segment of this proceeding.

²No shipments subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments/sales.

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice,

or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Parties who submit argument in this proceeding are requested to submit with each argument: (1) a statement of the issues, and (2) a brief summary of the arguments. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will issue a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or at the hearing, within 180 days from the issuance of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For duty assessment purposes, we calculated an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing this amount by the total quantity of subject merchandise sold to each of the respective importers. This specific rate calculated for each importer will be used for the assessment of antidumping duties on the relevant entries of subject merchandise during the POR.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of steel wire rope from Korea 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 rate for the reviewed companies will be the rates established in the final results of administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received an individual rate; (3) if the exporter is not a firm covered in this review, the previous review, or the original 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) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 1.51 percent, the "all others" rate established in the LTFV investigation (58 FR 16398, March 26, 1993).

This notice serves as a preliminary reminder to importers of their responsibility 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 19 CFR 353.22.

Dated: April 26, 1996.
 Susan G. Esserman,
Assistant Secretary for Import Administration.
 [FR Doc. 96-11250 Filed 5-3-96; 8:45 am]
 BILLING CODE 3510-DS-P

[A-427-078]

Sugar From France: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Finding 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 finding in part.

SUMMARY: In response to a request made on March 12, 1996, by Boiron-Borneman, Inc. (Boiron), 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 finding on sugar from France, the scope of which currently includes sugar, both raw and refined, with the exception of specialty sugars. See *Sugar From Belgium, France, and the Federal Republic of Germany; Finding of Dumping*, 44 FR 33878 (June 13, 1979), and *Memorandum For Dick Moreland From Frank R. Brennan* (June 1, 1982). Based on the fact that the Florida Sugar Marketing and Terminal Association, Inc., (the petitioner) has expressed no interest in the importation