Pennsylvania Avenue NW, Washington, DC 20230.

Dated: May 9, 1996.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 96–12513 Filed 5–17–96; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Docket 37–96]

Foreign-Trade Zone 43—Battle Creek, MI Area; Application for Expansion

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the City of Battle Creek, Michigan, grantee of FTZ 43, requesting authority to expand its zone at a site in Benton Harbor, Michigan, adjacent to the Battle Creek Customs port of entry. 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 May 7, 1996.

FTZ 43 was approved on October 19, 1978 (Board Order 138, 43 FR 50233; 10/27/78). Since then the zone has been expanded three times (B.O.s 496, 554 & 555). It currently consists of three sites in the Battle Creek area: *Site 1:* (1,731 acres)—within the Fort Custer Industrial Park and adjacent Columbia West Industrial Park, Battle Creek; *Site 2:* (23 acres)—warehouse facility owned and operated by TLC Warehousing Services, Inc. (TLC), at 6677 Beatrice Drive in Texas Township (Kalamazoo County); and *Site 3:* (22 acres)—warehouse facility, also operated by TLC, 8250 Logistic Drive, Zeeland Township (Ottawa County), some 20 miles southwest of Grand Rapids.

The applicant is now requesting authority to expand the general-purpose zone to include a site (30 acres—2 parcels) located within the 120-acre St. Joseph River Harbor Development Area adjacent to Lake Michigan in Benton Harbor (Berrien County), Michigan, some 50 miles east of Battle Creek. The first parcel is bordered by North Riverview Street, BL–94, the St. Joseph River and the Paw Paw River. The second parcel is bordered by Graham Street, 8th Street, the CSX Railroad Line and the Paw Paw River. The site will be operated by Cornerstone Alliance Council of Commerce and Community Development, a local economic development corporation.

In accordance with the Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment (original and 3 copies) is invited from interested parties (see FTZ Board address below). The closing date for their receipt is July 19, 1996. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period August 5, 1996.

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

U.S. Customs Service, North Central Region, 4950 W. Dickman Road, Battle Creek, Michigan 49016

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

Dated: May 10, 1996.

Dennis Puccinelli,

Acting Executive Secretary,

[FR Doc. 96–12514 Filed 5–17–96; 8:45 am]

BILLING CODE 3510–DS–P

[Docket 38–96]

Foreign-Trade Zone 21—Charleston, SC; Request for Manufacturing Authority, Quoizel, Inc., (Lighting Fixtures)

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the South Carolina State Ports Authority, grantee of FTZ 21, requesting authority on behalf of Quoizel, Inc., to manufacture lighting fixtures under zone procedures within FTZ 21, Site 3, Crowfield Corporate Center, Goose Creek, South Carolina. 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 May 8, 1996.

Quoizel is planning to move its headquarters and manufacturing facility to a site located within FTZ 21, Site 3, Crowfield Corporate Center by July 1996. The facility (300 employees) will produce lighting fixtures for households and commercial markets. Some 60 percent of the components are sourced abroad, including lighting fixture parts of glass, plastic, brass and steel. Exports will account for some 10 percent of production.

Zone procedures would exempt Quoizel from Customs duty payments on foreign materials used in manufacturing for export. On domestic sales, the company would be able to choose the duty rates that apply to lighting fixtures (ranging from 3.7% to 7.6%), rather than the duty rates that would otherwise apply to the foreign components (ranging from 4.7% to 13.2%). The application indicates that the savings from zone procedures would help improve the international competitiveness of the Quoizel facility.

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 July 19, 1996. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to August 5, 1996).

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, 81 St. Mary St., Charleston, South Carolina 29403

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

Dated: May 10, 1996.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 96–12515 Filed 5–17–96; 8:45 am]

BILLING CODE 3510–DS–P

International Trade Administration

[A–557–805]

Notice of Preliminary Results and Termination in Part of Antidumping Duty Administrative Review: Extruded Rubber Thread From Malaysia

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

EFFECTIVE DATE: May 20, 1996.

FOR FURTHER INFORMATION CONTACT: Cameron Werker or Shawn Thompson, 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) 482–3874 or (202) 482–1776, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 18, 1993, the Department of Commerce (the Department) published in the Federal Register a notice of ''Opportunity to Request an Administrative Review'' of the Antidumping Duty Order on Extruded Rubber Thread from Malaysia (58 FR 53709). In accordance with 19 CFR 353.22(a)(2), in October 1993, the following producers and exporters of extruded rubber thread requested an administrative review of the antidumping order covering the period April 2, 1992, through September 30, 1993: Heveafil Sdn. Bhd. (''Heveafil''), Rubberflex Sdn. Bhd. (''Rubberflex''), Filati Lastex Elastfibre (Malaysia) (''Filati''), and Rubfil Sdn. Bhd (''Rubfil''). On November 17, 1993, the Department initiated an administrative review for Rubberflex (58 FR 60600). On December 17, 1993, the Department initiated an administrative review for Heveafil, Filati, and Rubfil (58 FR 65964).

On January 26, 1994, the Department issued sales and cost questionnaires to the four companies requesting an administrative review. On March 8, 1994, Filati and Rubfil withdrew their request for administrative review in accordance with 19 CFR 353.22(a)(5). Accordingly, we are terminating this review for Filati and Rubfil.

On March 21, 1994, Heveafil submitted a request to withdraw from this administrative review with respect to sales made during the period April 2, 1992, through August 25, 1992. This request was based on Heveafil's assertion that the company was having difficulty in collecting information for this period. On March 24, 1994, we rejected Heveafil's partial termination request.

Heveafil and Rubberflex submitted questionnaire responses in April 1994. We issued supplemental questionnaires in May 1994 (to both respondents), in April 1995 (to Heveafil) and in July 1995 (to Rubberflex). Responses to these questionnaires were received in June 1994, May 1995, and August 1995, respectively.

In July and August 1995, the Department conducted sales and cost verifications of Heveafil's questionnaire responses, in accordance with 19 CFR 353.36(a)(iv), based in part on Heveafil's assertion that it did not maintain detailed sales and cost records during the first five months of the review period. Regarding Rubberflex, we determined that it was unnecessary to conduct verification, in accordance with 19 CFR 353.36, because (1) Rubberflex was involved in the original investigation (and therefore had been verified during that proceeding); and (2) no data collection problems were indicated for this company in the instant proceeding.

Scope of the Review

The product covered by this review is extruded rubber thread. Extruded rubber thread is defined as vulcanized rubber thread obtained by extrusion of stable or concentrated natural rubber latex of any cross sectional shape, measuring from 0.18 mm, which is 0.007 inch or 140 gauge, to 1.42 mm, which is 0.056 inch or 18 gauge, in diameter. Extruded rubber thread is currently classified under subheading 4007.00.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). The HTSUS subheadings are provided for convenience and Customs purposes. Our written description of the scope of this review is dispositive.

Applicable Statute and Regulations

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.

We are conducting this administrative review for Heveafil and Rubberflex in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Such or Similar Merchandise

In determining similar merchandise comparisons, in accordance with section 771(16) of the Act, we considered the following physical characteristics, which appear in order of importance: (1) Quality (*i.e.*, first vs. second); (2) size; (3) finish; (4) color; (5) special qualities; (6) uniformity; (7) elongation; (8) tensile strength; and (9) modulus. With the exception of quality, these characteristics are in accordance with matching criteria set forth in the January 26, 1994, memorandum to the file. Regarding quality, we have added this characteristic in order to address respondents' concerns regarding differences in value related to significant differences in quality.

Regarding color, both respondents assigned separate codes to each shade of color. We reassigned color codes to sales of subject merchandise, in accordance with the instructions contained in the questionnaire. This resulted in our treating all shades of white as equally similar to each other, all shades of black as equally similar, etc., instead of treating a specific shade as most similar to another specific shade.

Fair Value Comparisons

To determine whether sales of extruded rubber thread from Malaysia to the United States were made at less than fair value, we compared the United States price (USP) to the foreign market value (FMV) for Rubberflex and Heveafil, as specified in the ''United States Price'' and ''Foreign Market Value'' sections of this notice.

Respondents reported bad debt as indirect selling expenses. Therefore, because bad debt was included in the indirect selling expenses, we disregarded sales to all markets (*i.e.*, United States and third country) which were written off as bad debt in order to avoid double-counting these transactions.

United States Price

For sales by both respondents, we based USP on purchase price, in accordance with section 772(b) of the Act, when the subject merchandise was sold to unrelated purchasers in the United States prior to importation and when the exporter's sales price (ESP) methodology of section 772(c) of the Act was not otherwise indicated. In addition, where sales to the first unrelated purchaser took place after importation into the United States, we based USP on ESP, in accordance with section 772(c) of the Act.

A. Heveafil

We removed all sales from the sales database with entry dates after the period of review (POR). In addition, at verification, we found that certain sales Heveafil had designated as U.S. sales were actually sales to a U.S. customer but shipped to Hong Kong to be further manufactured into non-subject merchandise before entering the United States. Accordingly, the merchandise that eventually entered the United States was not subject to the dumping order. Therefore, we consider these sales to be third country sales and have eliminated them from the U.S. sales listing.

We based purchase price on packed, CIF prices to the first unrelated purchaser in the United States. We revised Heveafil's data based on our findings at verification. We made deductions from USP, where appropriate, for rebates. In addition, where appropriate, we made deductions for foreign inland freight, foreign brokerage and handling, ocean freight, marine insurance, U.S. customs duty, harbor maintenance and merchandise

processing fees, and U.S. brokerage and handling expenses, in accordance with section 772(d)(2) of the Act.

At verification, we found that Heveafil did not report certain purchase price sales of extruded rubber thread which entered the United States during the POR. Because we specifically instructed Heveafil to report all entries into the United States during the POR as well as all sales made during the POR, we based the margin for these unreported sales on the best information otherwise available (BIA) in accordance with section 776(c) of the Act. As BIA, we applied the weighted-average margin found in the this first administrative review, because it is the highest rate ever determined for Heveafil. This is consistent with the Department's general application of partial BIA (*see, e.g., Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al,* 60 FR 10900, 10907 (February 28, 1995) (*AFBs*)).

For sales made from the inventory of the U.S. branch office, we based USP on ESP, in accordance with section 772(c) of the Act. In addition, we reclassified certain purchase price sales as ESP sales because we found at verification that they were canceled by the original purchaser after shipment and resold after importation into the United States.

We calculated ESP based on packed, delivered prices to unrelated customers in the United States. We revised the reported data based on our findings at verification. We made deductions, where appropriate, for rebates. We also made deductions for foreign inland freight, foreign brokerage, ocean freight, marine insurance, U.S. inland freight, U.S. brokerage, entry fees, harbor maintenance and processing fees, and inspection charges. In accordance with section 772(e)(2) of the Act, we made additional deductions, where appropriate, for credit and indirect selling expenses.

B. Rubberflex

We based purchase price on packed, CIF prices to the first unrelated purchaser in the United States. We made deductions from USP, where appropriate, for foreign inland freight, foreign brokerage, containerization expenses, ocean freight, marine insurance, U.S. customs duties, harbor maintenance and merchandise processing fees, and U.S. inland freight expenses, in accordance with section 772(d)(2) of the Act. Rubberflex did not report certain movement charges, although the company reported that it incurred them on all purchase price transactions. Accordingly, we based the amount of the unreported expenses on BIA. As BIA, we used the highest amount reported in the purchase price sales listing for each specific charge (*see e.g., Chrome-Plated Lug Nuts From the People's Republic of China; Final Results of Antidumping Administrative Review* 60 FR 48687 (September 20, 1995)). We disregarded a rebate reported for one purchase price sale, because Rubberflex stated in its questionnaire response that the company did not grant any U.S. rebates during the POR.

For sales made from the inventory of the U.S. subsidiary, we based USP on ESP, in accordance with section 772(c) of the Act. We calculated ESP based on packed, delivered prices to unrelated customers in the United States. We made deductions, where appropriate, for foreign inland freight, foreign brokerage, containerization expenses, ocean freight, marine insurance, U.S. customs duties, harbor maintenance and processing fees, and U.S. inland freight. In accordance with section 772(e)(2) of the Act, we made additional deductions, where appropriate, for credit and indirect selling expenses.

Rubberflex did not report complete data for certain ESP sales. Accordingly, we used BIA to determine these data, as follows: Where price and/or credit expense data was missing for sales of second quality merchandise, we used the average price and expense data reported for other second quality sales. Where the date of sale was missing and/or the control number was missing, we applied the weighted-average margin found in the LTFV investigation, because it is the highest rate ever determined for Rubberflex. This is consistent with the Department's general application of partial BIA (*see, e.g., AFBs*).

Foreign Market Value

In order to determine whether the home market was viable during the POR, (*i.e.,* whether there were sufficient sales of extruded rubber thread in the home market to serve as a viable basis for calculating FMV), we compared the volume of each of the respondent's home market sales to the volume of its third country sales, in accordance with section 773(a)(1)(B) of the Act and 19 CFR 353.48. Based on this comparison, we determined that neither respondent had a viable home market during the POR. Consequently, we based FMV on third country sales.

In accordance with 19 CFR 353.49(b), we selected the appropriate third country markets for Heveafil and Rubberflex based on the following criteria: similarity of merchandise sold in the third country to the merchandise exported to the United States, the volume of sales to the third country, and the similarity of market organization between the third country and U.S. markets. Specifically, we chose, as the appropriate third country markets, Italy for Heveafil and Hong Kong for Rubberflex.

Because the Department disregarded sales below the cost of production (COP) for both Heveafil and Rubberflex in the original investigation (*see Final Determination of Sales at Less Than Fair Value: Extruded Rubber Thread from Malaysia,* 57 FR 38465 (August 25, 1992)), in accordance with our standard practice, there were reasonable grounds to believe or suspect that both Heveafil and Rubberflex had made third country sales at prices below its COP in this review.

In accordance with section 773(b) of the Act, and longstanding administrative practice (*see, e.g., Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip from Korea,* 56 FR 16306 (April 22, 1991) and *Final Results Administrative Review: Mechanical Transfer Presses from Japan,* 59 FR 9958 (March 2, 1994)), if over ninety percent of respondent's sales of a given model were at prices above the COP, we did not disregard any below-cost sales because we determined that the below-cost sales were not made in substantial quantities. Where we found between ten and ninety percent of respondent's sales of a given product were at prices below the COP, and the below cost sales were made over an extended period of time, we disregarded only the below-cost sales. Where we found that more than ninety percent of respondent's sales were at prices below the COP, and the sales were made over an extended period of time, we disregarded all sales for that product and calculated FMV based on constructed value (CV), in accordance with section 773(e) of the Act.

In order to determine whether third country prices were above the COP, we calculated the COP for each model based on the sum of the respondent's cost of materials, labor, other fabrication costs, and general expenses and packing. We calculated CV for each model based on the sum of respondent's cost of manufacture (COM), plus general expenses, profit and U.S. packing. For general expenses, which includes selling and financial expenses (SG&A), we used the greater of the reported general expenses or the statutory minimum of ten percent of the COM.

For profit, we used the greater of the weighted-average third country profit during the POR or the statutory minimum of eight percent of the COM and SG&A, in accordance with section 773(e)(B) of the Act.

A. Heveafil

We made the following adjustments to Heveafil's reported COP and CV data based on our findings at verification. We increased direct material costs to account for yield loss during production. We increased direct labor to include accrued retirement benefits and other labor costs that had been excluded from COP and CV. We also reclassified certain variable labor costs to fixed overhead. We revised Heveafil's net financing costs to account for the financing cost incurred by its parent company. We recomputed Heveafil's G&A expense to include certain non-production labor costs, general depreciation, the write-off of idle equipment, and a portion of Heveafil's parent company's G&A expense. For further discussion of these adjustments, see the cost calculation memorandum from Stan Bowen and Dennis McClure, accountants in the Office of Accounting, to Christian Marsh, Director of the Office of Accounting, dated April 30, 1996.

Where FMV was based on third country sales, as in the original investigation, we based FMV on CIF prices to unrelated Italian customers in comparable channels of trade as the U.S. customer. Specifically, FMV was based on direct sales from Malaysia for purchase price sales comparisons, and on sales from the inventory of Heveafil's Italian branch office for ESP sales comparisons, in accordance with section 773(a)(1)(B) of the Act. We made adjustments to Heveafil's reported sales data based on our findings at verification. We made no adjustment to FMV for credits issued by the Italian branch office based on our finding at verification that these credits were incorrectly reported (*see* the Italian Branch's sales verification report, dated August 30, 1995).

For third country price-to-purchase price comparisons, we made deductions, where appropriate, for rebates. We also deducted post-sale home market movement charges from FMV under the circumstance of sale provision of section 773 (a)(4)(B) of the Act and 19 CFR 353.56. This adjustment included Malaysian foreign inland freight, brokerage, ocean freight, marine insurance, Italian brokerage, and inland freight to Heveafil's unrelated customers in Italy, where appropriate. Pursuant to 19 CFR 353.56(a)(2), we made circumstance of sale adjustments, where appropriate, for differences in credit expenses.

For third country price-to-ESP comparisons, where appropriate, we made deductions for rebates and credit expenses. We deducted the third country market indirect selling expenses, including inventory carrying costs, pre-sale freight (*i.e.*, foreign inland freight, brokerage, ocean freight, marine insurance, Italian brokerage, and Italian freight to Heveafil's warehouse) and other indirect selling expenses, up to the amount of indirect selling expenses incurred on U.S. sales, in accordance with 19 CFR 353.56(b)(2).

For all price-to-price comparisons, we deducted third country packing costs and added U.S. packing costs, in accordance with section 773(a)(1) of the Act. At verification, we found that Heveafil had incorrectly reported its third country and U.S. packing material expenses. Therefore, we based the adjustment for packing materials on BIA. As BIA, we used the lowest packing material expense reported for any Italian sale and the highest packing expense reported for any U.S. sale (*see* Concurrence Memorandum to Barbara R. Stafford from Team, dated April 30, 1996). In addition, where appropriate, we made adjustments to FMV to account for differences in physical characteristics of the merchandise, in accordance with section 773(a)(4)(c) of the Act and 19 CFR 353.57.

For CV-to-purchase price comparisons, we made circumstance of sale adjustments, where appropriate, for credit expenses in accordance with 773 (a)(4)(B) and 19 CFR 353.56.

For CV-to-ESP comparisons, we made deductions, where appropriate, for credit expenses. We also deducted the third country market indirect selling expenses, including inventory carrying costs and other indirect selling expenses, up to the amount of indirect selling expenses incurred on U.S. sales, in accordance with 19 CFR 353.56(b)(2).

For all CV-to-price comparisons, we added U.S. packing expenses as specified above, in accordance with section 773(a)(1) of the Act.

B. Rubberflex

We made adjustments to Rubberflex's reported COP and CV data as follows: We recalculated general and administrative expenses, as well as interest expenses, based on the data contained in Rubberflex's audited financial statements. For further discussion of these adjustments, see the cost calculation memorandum from Elizabeth Lofgren, accountant in the Office of Accounting, to Christian Marsh, Director of the Office of Accounting, dated April 30, 1996.

Where FMV was based on third country sales, as in the original investigation, we based FMV on CIF prices to unrelated Hong Kong customers in comparable channels of trade as the U.S. customer. Specifically, FMV was based on direct sales from Malaysia for purchase price sales comparisons, and on sales from the inventory of Rubberflex's Hong Kong subsidiary for ESP sales comparisons.

For third country price-to-purchase price comparisons, we made deductions, where appropriate, for rebates. We also deducted post-sale home market movement charges from FMV under the circumstance of sale provision of 19 CFR 353.56. This adjustment included Malaysian foreign inland freight, brokerage and handling charges, containerization, ocean freight, and marine insurance. Pursuant to 773(a)(4)(B) of the Act and 19 CFR 353.56(a)(2), we made circumstance of sale adjustments, where appropriate, for differences in credit expenses.

For third country price-to-ESP comparisons, we made deductions for rebates, where appropriate. We also made deductions for credit expenses.

We deducted the third country market indirect selling expenses, including inventory carrying costs, bank charges, pre-sale freight expenses (*i.e.*, foreign inland freight, brokerage and handling charges, containerization, ocean freight, marine insurance, Hong Kong duty and brokerage expenses, and freight from the port in Hong Kong to Rubberflex's warehouse), and other indirect selling expenses, up to the amount of indirect selling expenses incurred on U.S. sales, in accordance with 19 CFR 353.56(b)(2).

Regarding Hong Kong duties, Rubberflex reported a combined amount for document declaration fees, terminal handling charges, and bank charges. Because the Department's practice is to treat bank charges as a selling expense (rather than a movement charge), we reclassified bank charges as indirect selling expenses and recalculated Hong Kong duties accordingly (*see, e.g., Final Determination of Sales at Less Than Fair Value (LTFV); Oil Country Tubular Goods from Korea* 60 FR 33561, 33562 (June 28, 1995) and *Final Determination of Sales at LTFV; Dynamic Random Access Memory Semiconductors of One Megabit and Above from Korea* 58 FR 15467, 15467–70 (March 23, 1993)).

For all price-to-price comparisons, we deducted third country packing costs and added U.S. packing costs, in accordance with section 773(a)(1) of the Act. In addition, where appropriate, we made adjustments to FMV to account for

differences in physical characteristics of the merchandise, in accordance with 19 CFR 353.57.

For CV-to-purchase price comparisons, we made circumstance of sale adjustments, where appropriate, for credit expenses in accordance with section 773(a)(4)(B) of the Act and 19 CFR 353.56.

For CV-to-ESP comparisons, we made deductions, where appropriate, for credit expenses. We also deducted third country market indirect selling expenses, including inventory carrying costs, bank charges, and other indirect selling expenses, up to the amount of indirect selling expenses incurred on U.S. sales, in accordance with 19 CFR 353.56(b)(2).

For all CV-to-price comparisons, we added U.S. packing expenses, in accordance with section 773(a)(1) of the Act.

Currency Conversion

We made currency conversions in accordance with 19 CFR 353.60(a). All currency conversions were made at the rates certified by the Federal Reserve Bank.

Verification

As provided in section 776(b) of the Act, we verified information provided by Heveafil by using standard verification procedures, including on-site inspection of the manufacturer's facilities, examination of relevant sales and financial records, and selection of original source documentation containing relevant information. As discussed in the ''Background'' section of this notice, we did not conduct verification of the sales and cost data submitted by Rubberflex.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the following margin exists for the period April 2, 1992, through September 30, 1993:

Manufacturer/exporter	Review period	Margin (percent)
Heveafil Sdn. Bhd.	4/02/92–9/30/93	22.74
Rubberflex Sdn. Bhd.	4/02/92–9/30/93	1.59

Interested parties may request a disclosure within 5 days of publication of this notice and may request a hearing within 10 days of the date of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication. Rebuttal briefs, 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 the final results of this administrative review, which will include the results of its analysis of issues raised in any such case briefs.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. The Department will issue appraisement instructions directly to the U.S. Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of extruded rubber thread from Malaysia entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for Heveafil and Rubberflex will be the rates established in the final results of this review, except if the rate is less than 0.50 percent and, therefore, *de minimis* within the meaning of 19 CFR 353.6, the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate 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 review conducted by the Department, the cash deposit rate will be the ''all others'' rate, as set forth below.

On March 25, 1993, the U.S. Court of International Trade (CIT), in *Floral Trade Council* v. *United States*, 822 F.Supp. 766 (CIT 1993), and *Federal-Mogul Corporation* v. *United States*, 822 F.Supp. 782 (CIT 1993), decided that once an ''all others'' rate is established for a company, it can only be changed through an administrative review. The Department has determined that in order to implement this decision, it is appropriate to reinstate the original ''all others'' rate from the LTFV investigation (or that rate as amended for correction of clerical errors or as a result of litigation) in proceedings governed by antidumping duty orders. In proceedings governed by antidumping findings, unless we are able to ascertain the ''all others'' rate from the original investigation, the Department has determined that it is appropriate to adopt the ''new shipper'' rate established in the first final results of administrative review published by the Department (or that rate as amended for correction of clerical errors or as a result of litigation) as the ''all others'' rate for the purposes of establishing cash deposits in all current and future administrative reviews. Because this proceeding is governed by an antidumping duty order, the ''all others'' rate for the purposes of this review will be 15.16 percent, the ''all others'' rate established in the LTFV investigation.

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

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: May 10, 1996.

Paul L. Joffe,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–12501 Filed 5–17–96; 8:45 am]

BILLING CODE 3510–DS–P