

respondent Usinor Sacilor and for the "All Others" rate:

	Percent
Certain Hot-Rolled Carbon Steel Products	80.56
Certain Cold-Rolled Carbon Steel Products	78.68
Certain Corrosion-Resistant Carbon Steel Products	39.40
Certain Cut-to-Length Carbon Steel Plate	52.76

Following publication of the Department's amended final determinations and antidumping order, Usinor Sacilor filed lawsuits with the CIT challenging the Department's final determinations. Thereafter, the CIT issued Slip Opinion 94-197, dated December 19, 1994, in *Usinor Sacilor*, remanding the Department's amended final determinations on certain issues. In that opinion, the CIT found that the Department had improperly rejected Usinor Sacilor's revised and corrected product concordance and then restored the "best information available" ("BIA"). The court directed the Department to accept the concordance. The court also found that the Department had improperly used BIA to remedy Usinor Sacilor's having improperly coded a particular grade of hot-rolled carbon steel. The court directed the Department either to use the relevant sales as coded or to allow Usinor Sacilor to reclassify them.

In addition, the court rejected the Department's selection of the highest non-aberrant margin as BIA for the downstream sales of Usinor Sacilor's majority-owned steel service centers. The court instructed the Department to use, instead, the "weighted-average calculated margin." Finally, with regard to the downstream sales of minority-owned steel service centers, the court instructed the Department to determine whether Usinor Sacilor controlled these service centers. If the Department were to find that Usinor Sacilor did control them, we were to select the highest non-aberrant margin as BIA in a manner consistent with the CIT's ruling in *National Steel Corp. v. United States*, Slip op. 94-194 (December 13, 1994). On the other hand, if the Department were to determine that Usinor Sacilor did not control the steel service centers in which it had minority ownership, we were to apply the "weighted-average calculated margin" as BIA.

On remand, after finding that Usinor Sacilor lacked operational control over the minority-owned service centers, the Department used the weighted-average calculated margin as BIA for the downstream sales of both the majority-

and minority-owned service centers. This weighted-average calculated margin BIA consisted of individual price-to-price margins, price-to-constructed value margins and unchallenged BIA margins. The Department also accepted Usinor Sacilor's revised and corrected concordance and permitted the company to correct the coding of the miscoded grade of steel. On February 17, 1995, the Department filed its required remand results with the CIT.

On November 9, 1995, the CIT issued a second remand opinion, in which it explained that it had intended that the Department would use a weighted-average calculated margin consisting only of price-to-price and price-to-constructed value margins, not including unchallenged margins based on BIA. The Department submitted the following recalculated weighted-average margins to the CIT on December 12, 1995:

	Percent
Certain Hot-Rolled Carbon Steel Products	25.80
Certain Cold-Rolled Carbon Steel Products	44.52
Certain Corrosion-Resistant Carbon Steel Products	29.41
Certain Cut-to-Length Carbon Steel Plate	52.76

On May 28, 1996, the CIT affirmed these recalculated margins.

Suspension of Liquidation

In its decision in *Timken*, the CAFC held that the Department must publish notice of a decision of the CIT or the CAFC which is not "in harmony" with the Department's final determination. Publication of this notice fulfills this obligation. Inasmuch as entries of the subject merchandise already are being suspended pursuant to the antidumping order in effect, the Department need not order the Customs Service to suspend liquidation. Consistent with *Timken*, the Department will order the Customs Service to change the relevant cash deposit rates in the event that the CIT's ruling is not appealed or the CAFC issues a final decision affirming the CIT's ruling.

Dated: June 14, 1996.
 Robert S. LaRussa,
Acting Assistant Secretary for Import Administration.
 [FR Doc. 96-15805 Filed 6-20-96; 8:45 am]

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Determination Not to Revoke Countervailing Duty Order

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

ACTION: Notice of Determination Not to Revoke Countervailing Duty Order.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its determination not to revoke the countervailing duty order listed below.

EFFECTIVE DATE: June 21, 1996.

FOR FURTHER INFORMATION CONTACT:

Brian Albright or Cameron Cardozo, 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 March 28, 1996, the Department published in the Federal Register (61 FR 13847) its intent to revoke the countervailing duty order listed below. Under 19 CFR 355.25(d)(4)(iii), the Secretary of Commerce will conclude that an order is no longer of interest to interested parties and will revoke the order if no domestic interested party (as defined in sections 355.2(i)(3), (i)(4), (i)(5), and (i)(6) of the regulations) objects to revocation and no interested party requests an administrative review by the last day of the 5th anniversary month.

Within the specified time frame, we received from a domestic interested party either an objection to our intent to revoke, or a request for administrative review, for this countervailing duty order. Therefore, because the requirements of 19 CFR 355.25(d)(4)(iii) have not been met, we will not revoke the order.

This determination is in accordance with 19 CFR 355.25(d)(4).

Countervailing duty order	
Peru: Pompon Chrysanthemums (C-333-601).	04/23/87 52 FR 13491

Dated: June 12, 1996.
 Joseph A. Spetrini,
Deputy Assistant Secretary for Compliance.
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