

provisional rate in effect during the review period and the rate determined in this review, plus interest. This rate, established in the notice of the final results of the eighth administrative review of the suspension agreement (*See Certain Refrigeration Compressors from the Republic of Singapore; Final Results of Countervailing Duty Administrative Review*, 57 FR 46540 (October 9, 1992)) is 5.52 percent. For this period the GOS may refund or credit, in accordance with section B.4.c of the agreement, the difference to the companies, plus interest, calculated in accordance with section 778(b) of the Tariff Act.

The Department intends to notify the GOS that the provisional export charge rate on all exports of the subject merchandise to the United States with Outward Declarations filed on or after the date of publication of the final results of this administrative review shall be 2.22 percent of the f.o.b. value of the merchandise.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 355.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and section 355.22 of the Department's regulations (19 CFR 355.22(1994)).

Dated: August 22, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

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[C- 301-003, C-301-601]

### Roses and Other Fresh Cut Flowers and Miniature Carnations From Colombia

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

**ACTION:** Amended final results of reviews pursuant to court remand: *Asociación Colombiana de Exportadores de Flores* and its members ("ASOCOLFLORES") and the Government of Colombia ("GOC") v. The United States: USA-96-04-01072.

**SUMMARY:** On March 8, 1996, the Department of Commerce ("the

Department") published the final results of its administrative reviews of the countervailing duty suspension agreements on certain roses and other fresh cut flowers and miniature carnations from Colombia. The reviews covered over 800 Colombian producers/exporters of roses, over 100 Colombian producers/exporters of miniature carnations and the GOC for the period covering January 1, 1993 through December 31, 1993. In order to remove inadvertently-included language, we are amending the final results.

**EFFECTIVE DATE:** August 28, 1996.

**FOR FURTHER INFORMATION CONTACT:** N. Gerard Zapiain at (202) 482-1090 or Jean Kemp at (202) 482-4037 at Antidumping/Countervailing Enforcement, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230.

#### Background

On June 14, 1996, the Court of International Trade ("CIT") issued an order remanding to the Department the final results of the Department's reviews of the countervailing duty ("CVD") suspension agreements on miniature carnations and roses and other cut flowers (See 61 Fed. Reg. 9429 (March 8, 1996)). The reviews covered the period January 1, 1993 through December 31, 1993. In its order, the Court granted the defendant's consent motion and ordered: (1) that the Department correct inadvertently-included language in the final results of the administrative reviews; (2) that the remand results be filed with the Court on or before 30 days from the date of the order; and (3) that the administrative record be filed with the Court, if necessary, on or before 70 days from the date of the order. In the final results of the reviews covering the 1993 period, the Department stated that the GOC and Colombian producers/exporters of the subject merchandise were to complete "repayment and/or refinancing for any outstanding peso- and dollar-denominated loans to meet the new short- and long-term benchmarks [within] 90 days" of the publication of the final results in the Federal Register (61 Fed. Reg. at 9434). The Department found in its 1993 final results that all peso-denominated loans given under the programs covered by the suspension agreements had been issued in compliance with the suspension agreements, in accordance with pre-existing benchmarks set by the Department. There is no requirement in the suspension agreements for respondents to refinance loans that the Department has found, in previous review periods, to be in compliance

with the benchmarks in effect at the time of issuance of the loans. Therefore, the Department requested a remand to correct the 1993 final results of the reviews for the limited purpose of removing the requirement to refinance loans that were issued at rates in compliance with Department-set benchmarks.

On July 15, 1996, the Department reconsidered the final results of the reviews in light of the Court's order and determined that it contained improper language. The Department concluded that it cannot compel respondents to comply with conditions not required in the suspension agreements. On July 26, 1996, the CIT affirmed the Department's redetermination. We rescind the requirement that producers/exporters of subject merchandise refinance peso-denominated loans granted in accordance with pre-existing benchmarks.

These amended final results of the reviews are published in accordance with section 751 of the Tariff Act of 1930 as amended and 19 CFR 353.28(c).

Dated: August 22, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

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### Export Trade Certificate of Review

**ACTION:** Notice of application.

**SUMMARY:** The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

**FOR FURTHER INFORMATION CONTACT:** W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act