with approval by the CIT in *PQ Corp.* v. *United States,* 11 CIT 53, 67 (1987). As the opinion notes:

Accordingly, ITA states that its practice regarding reimbursements for antidumping duties is as follows. .... If merchandise is being sold at less than fair value, then the amount of that difference—the dumping margin—will be the basis for an actual assessment of antidumping duties. Only at that point, while the merchandise is still in liquidation, does ITA apply 19 CFR § 353.55 by determining what amount, if any, of the antidumping duties to be assessed are or will be paid. . .[or]. . . refunded to the importer by the manufacturer, producer, seller or exporter. The amount ''paid'' or ''refunded'' is based on the antidumping duties *to be assessed,* not on the prior deposit of estimated antidumping duties. Thus, if a producer agrees to reimburse all antidumping duties, then the entire amount of the antidumping duties to be assessed will be added in determining the dumping margin pursuant to 19 CFR § 353.55, regardless of whether a larger or smaller deposit of estimated antidumping duties has been posted. (Emphasis added).

Thus, if a producer or reseller agrees to reimburse all antidumping duties, then the entire amount of the antidumping duties to be assessed, as reflected in the initial calculation of whether dumping is occurring in that period of review, will be added in determining the dumping margin for final assessment, pursuant to 19 CFR § 353.26. As discussed above, the evidence of record demonstrates that Hoogovens has agreed to reimburse NVW for antidumping duties. Therefore, the regulation applies.

Final Results of Review

As a result of our review, we have determined that the following margin exists:

Manufacturer/ exporter	Time period	Margin (per-cent)
Hoogovens Groep BV	8/18/93–7/31/94	5.54

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value, taking into account reimbursed duties, may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of review for all shipments of certain cold-rolled carbon steel flat products from the Netherlands entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company named above will be 5.54 percent; (2) for all other Netherlands exporters, the cash deposit rate will be the rate established in the less-than-fair-value (LTFV) investigation; and (3) the cash deposit rate for non-Netherlands exporters of the subject merchandise from the Netherlands will be the rate applicable to the Netherlands supplier of that exporter. The revised rate after remand established in the LTFV investigation is 19.32 percent. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice 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 section 353.34(d) of the Department's regulations. Timely 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 Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Department's regulations.

Dated: August 30, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–23526 Filed 9–12–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–005]

High Power Microwave Amplifiers and Components Thereof From Japan; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On May 6, 1996, the Department of Commerce (the Department) issued the preliminary results of its 1994–95 administrative review of the antidumping duty order on high power microwave amplifiers and components thereof (HPMAs) from Japan (61 FR 20223; May 6, 1996). The review covers one manufacturer/exporter. The review period is July 1, 1994, through June 30, 1995. We gave interested parties an opportunity to comment on our preliminary results. No comments were received. Therefore, as we did in the preliminary results, we have based our determination on facts available because the firm failed to submit a response to our questionnaire.

EFFECTIVE DATE: September 13, 1996.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Kris Campbell, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

On May 6, 1996, the Department published in the Federal Register the preliminary results of its 1994–1995 administrative review of the antidumping duty order on HPMAs from Japan (61 FR 20223).

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

Scope of the Review

The products covered by this review are high power microwave amplifiers and components thereof. High power microwave amplifiers are radio-frequency power amplifier assemblies, and components thereof, specifically designed for uplink transmission in C, X, and Ku bands from fixed earth stations to communications satellites and having a power output of one kilowatt or more. High power microwave amplifiers may be imported in subassembly form, as complete amplifiers, or as a component of higher level assemblies (generally earth stations). This merchandise is currently classifiable under item 8525.10.80 of the Harmonized Tariff Schedule (HTS). The HTS item number is provided for convenience and customs purposes. The written description remains dispositive.

Final Results of the Review

We gave interested parties an opportunity to comment on our preliminary results. We received no comments. After the expiration of the comment period, we received a letter from NEC, dated 28, 1996, requesting that the Department partially revoke the antidumping duty order with respect to components (TWTs and Klystron tubes). NEC claimed in its letter that the petitioner, MCL Inc., no longer has an interest in the continued application of the antidumping duty order with respect to these components. However, petitioner has not yet submitted an expression of lack of interest. Further, petitioner has advised the Department that if it does so, it would only support a prospective revocation. *See* Memorandum from Kris Campbell to File, August 27, 1996. Therefore, we are proceeding with the final results for this review based on facts available.

As explained in our preliminary determination, because NEC did not respond to our questionnaire, we assigned NEC a rate based on facts available in accordance with section 776 (b) of the Act. Consistent with our preliminary determination, we have assigned a margin of 41.4 percent to NEC for the period July 1, 1994, through June 30, 1995. For further information regarding the determination of this rate, see the preliminary results for the 1994–95 administrative review of the antidumping duty order on HPMAs from Japan (61 FR 20223; May 6, 1996).

The Department will issue appraisement instructions directly to the Customs Service. Furthermore, the following deposit requirements will be effective for all shipments of HPMAs from Japan entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed company will be that established above; (2) for manufacturers and exporters not covered in this review, but covered in a previous review or the original less-than-fair-value (LTFV) investigation, 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 previous review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be that established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rates for all other manufacturers or exporters will be 33.4 percent, as explained in the preliminary results of the administrative review of the antidumping duty order on HPMAs from Japan (61 FR 20223; May 6, 1996).

This notice serves as a final 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the 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 Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: September 3, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–23525 Filed 9–12–96; 8:45 am]

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[A–433–807]

Initiation of Antidumping Duty Investigation: Open-End Spun Rayon Singles Yarn From Austria

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

EFFECTIVE DATE: September 13, 1996.

FOR FURTHER INFORMATION CONTACT: Dana Mermelstein at (202) 482–0984 or Richard Herring at (202) 482–4149, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

INITIATION OF INVESTIGATION:

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

The Petition

On August 20, 1996, the Department of Commerce (the Department) received a petition, filed in proper form by the Ad-Hoc Committee of Open-End Spun Rayon Yarn Producers (petitioner), a committee composed of four companies that produce open-end spun rayon singles yarn. An amendment to the petition was filed on September 4, 1996.

In accordance with section 732(b) of the Act, petitioner alleges that imports of open-end spun rayon singles yarn from Austria are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, an industry in the United States.

Petitioner is an interested party, as defined under section 771(9)(F) of the Act, and therefore, may file a petition for the imposition of antidumping duties.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that petitions be filed on behalf of the domestic industry. In this regard, section 732(c)(4)(A) of the Act requires that the Department determine, prior to initiation of an investigation, that a minimum percentage of the domestic industry supports an antidumping petition. A petition meets the minimum requirements if the domestic producers or workers who support the petition account for: (1) At least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

Our review of the production data provided in the petition and other production information obtained by the Department indicates that the petitioners and supporters of the petition account for more than 50 percent of the total production of the domestic like product, thus meeting the standard of section 732(c)(4)(A) of the Act. The Department received no expressions of opposition to the petition from any domestic producers or workers. Accordingly, the Department determines that the petition is supported by the domestic industry.

Scope of the Investigation

The product covered by this investigation is open-end spun singles yarn containing 85 percent or more of