3. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46—48c) in connection with the commodities proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodities have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Paper, Kraft Wrapping

8135–00–160–7762
8135–00–160–7776
8135–00–160–7778
8135–00–160–7758
8135–00–286–7317
8135–00–160–7771
8135–00–160–7769
8135–00–160–7768
8135–00–160–7766
8135–00–160–7759
8135–00–160–7757
8135–00–160–7753
8135–00–160–7752
8135–00–160–7764
8135–00–290–3407
8135–00–160–7772

NPA: Cincinnati Association for the Blind, Cincinnati, Ohio.

Water Bag, Nylon Duck

8465–01–321–1678

NPA: Blind Industries & Services of Maryland, Baltimore, Maryland.

Beverly L. Milkman,

Executive Director.

[FR Doc. 96–31102 Filed 12–5–96; 8:45 am]

BILLING CODE 6353–01–P

Procurement List; Proposed Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed additions to procurement list.

SUMMARY: The Committee has received proposals to add to the Procurement List a commodity and services to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: January 6, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202–3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603–7740.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a)(2) and 41 CFR 51–2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed actions.

If the Committee approves the proposed additions, all entities of the Federal Government (except as otherwise indicated) will be required to procure the commodity and services listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodity and services to the Government.

2. The action does not appear to have a severe economic impact on current contractors for the commodity and services.

3. The action will result in authorizing small entities to furnish the commodity and services to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c) in connection with the commodity and services proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following commodity and services have been proposed for addition to Procurement List for production by the nonprofit agencies listed:

Commodity

Liner, Foam Impact
8465–01–420–4920
NPA: Georgia Industries for the Blind, Bainbridge, Georgia

Services

Operation of SERVMART Store, Naval Air Station, Whiting Field, Milton, Florida
NPA: Signature Works, Inc., Hazlehurst, Mississippi
Operation of SERVMART Store, Naval Air Station, Pensacola, Florida
NPA: Signature Works, Inc., Hazlehurst, Mississippi

Beverly L. Milkman,

Executive Director.

[FR Doc. 96–31103 Filed 12–5–96; 8:45 am]

BILLING CODE 6353–01–P

DEPARTMENT OF COMMERCE

[A–122–601]

Brass Sheet and Strip From Canada; 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 one respondent, Wolverine, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on brass sheet and strip from Canada. The review covers one manufacturer/exporter of the subject merchandise to the United States for the period January 1, 1995 through December 31, 1995.

We have preliminarily determined that U.S. sales have not been made below the normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will not require cash deposits. Following our final determination, we will instruct U.S. Customs to assess antidumping duties on all appropriate entries. Interested parties who submit arguments in this proceeding are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument.

EFFECTIVE DATE: December 6, 1996.

FOR FURTHER INFORMATION CONTACT: Maureen McPhillips or Linda Ludwig, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482–3019 or 482–3833, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 12, 1987, the Department published in the Federal Register (52 FR 1217) the antidumping duty order on brass sheet and strip (BSS) from Canada. On January 26, 1996, the Department published in the Federal Register a notice of ''Opportunity to Request an Administrative Review'' of this

antidumping duty order for the period January 1, 1995 through December 31, 1995 (61 FR 2488). We received a timely request for review from the respondent, Wolverine Tube (Canada), Inc. (Wolverine). On February 20, 1996, the Department initiated an administrative review of Wolverine (61 FR 6348). The period of review is January 1, 1995 through December 31, 1995.

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

Under the Act, the Department may extend the deadline for completion of administrative reviews if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. On October 1, 1996, the Department extended the time limit for preliminary results in this case. See Brass Sheet and Strip from Canada; Antidumping Administrative Review; Extension of Time Limit, 61 FR 51261.

Scope of the Review

Imports covered by this review are shipments of BSS, other than leaded and tin BSS. The chemical composition of the covered products is currently defined in the Copper Development Association's (C.D.A.) 200 series or the Unified Numbering System (U.N.S.) C2000. Products whose chemical composition is defined by other C.D.A. or U.N.S. series are not covered by this order.

The physical dimensions of the products covered by this review are BSS of solid rectangular cross section over 0.006 inches (0.15 millimeters) in finished thickness or gauge, regardless of width. Coil, wound-on-reels (traverse wound), and cut-to-length products are included. These products are currently classifiable under Harmonized Tariff Schedule (HTS) subheadings 7409.21.00 and 7409.29.00. Although the HTS subheadings are provided for convenience and for Customs Service (Customs) purposes, the written description of the scope of this order remains dispositive.

Pursuant to the final affirmative determination of circumvention of the antidumping duty order, we determined that brass plate used in the production of BSS falls within the scope of the antidumping duty order on BSS from Canada. See Brass Sheet and Strip from Canada: Final Affirmative Determination of Circumvention of Antidumping Duty Order, 58 FR 33610 (June 18, 1993).

The review covers one Canadian manufacturer/exporter, Wolverine, and the period January 1, 1995 through December 31, 1995.

United States Price (USP)

In calculating USP for Wolverine, the Department treated respondent's sales as export price (EP) sales, as defined in section 772(a) of the Tariff 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 packed, delivered, duty-paid prices to unaffiliated customers in the United States. We made deductions from the gross unit price, where appropriate, for inland freight from the plant/warehouse to the port of exit, brokerage and handling, international freight, and U.S. customs duty, in accordance with section 772(c)(2)(A) of the Tariff Act. No other adjustments to USP were claimed or allowed.

Cost of Production Analysis

Based on the fact that the Department disregarded sales below the cost of production (COP) in the 1992 administrative review of Wolverine (the most recently completed review at the time of initiation in this review), the Department found reasonable grounds, in this review, in accordance with section 773(b)(2)(A)(ii) of the Tariff Act, to believe or suspect that respondent made sales in the home market at prices below the cost of producing the merchandise. See Brass Sheet and Strip from Canada; Final Results of Antidumping Administrative Review, 60 FR 49582 (September 26, 1995). Therefore, pursuant to section 773(b)(1) of the Tariff Act, the Department initiated an investigation to determine whether Wolverine made home market sales during the POR at prices below their cost of production.

A. Calculation of COP

In accordance with section 773(b)(3) of the Tariff Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product, plus amounts for home market 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 Wolverine in its questionnaire responses.

B. Test of Home Market Prices

We used the respondent's weighted-average COP, as adjusted (see above), for the period January 1995 to December 1995. We compared the weighted-average COP figures to home market sales of the foreign like product as required under section 773(b) of the Act. In determining whether to disregard home-market sales made at prices below the COP, we examined whether (1) within an extended period of time, such sales were made in substantial quantities, and (2), such sales were made at prices which permitted the recovery of all costs within a reasonable period of time. On a product-specific basis, we compared the COP to the home market prices, less any applicable movement charges, rebates, discounts, and direct and indirect selling expenses.

C. Results of COP Test

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 the 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 found that the below-cost sales of that model were made in ''substantial quantities,'' in accordance with section 773(b)(2)(B) of the Act, and were not at prices which would permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act. When we found that below-cost sales had been made in ''substantial quantities'' and were not at prices which would permit recovery of all costs within a reasonable period of time, we disregarded the below-cost sales in accordance with section 773(b)(1) of the Act. In this review we disregarded those home market sales below cost.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the SAA accompanying the URAA at 829–831, to the extent practicable, the Department will calculate NV based on sales at the same level of trade as the U.S. sale. When the Department is unable to find sale(s) in the comparison market at the same level of trade as the U.S. sale(s), the Department may compare sales in the U.S. and foreign markets at a

different level of trade. See Final Determination of Sales at Less than Fair Value; Certain Pasta from Italy, 61 FR 30326 (June 14, 1996).

In accordance with section 773(a)(7)(A) of the Act, if we compare U.S. sales at one level of trade to NV sales at a different level of trade, the Department will adjust the NV to account for the difference in level of trade if two conditions are met. First, there must be differences between the actual selling functions performed by the seller at the level of trade of the U.S. sale and the level of trade of the normal value sale. Second, the difference must affect price comparability as evidenced by a pattern of consistent price differences between sales at the different levels of trade in the market in which NV is determined.

In order to determine that there is a difference in level of trade, the Department must find that two sales have been made at different phases of marketing, or the equivalent. Different phases of marketing necessarily involve differences in selling functions, but differences in selling functions (even substantial ones) are not alone sufficient to establish a difference in the level of trade. Similarly, seller and customer descriptions (such as ''distributor'' and ''wholesaler'') are useful in identifying different levels of trade, but are insufficient to establish that there is a difference in the level of trade.

In implementing this principle in the Department's reviews, we obtain information about the selling activities of the producers/exporters associated with each phase of marketing, or the equivalent. We ask each respondent to establish any claimed LOTs based on these marketing activities and selling functions.

In reviewing the selling functions reported by the respondents, we consider all types of selling activities performed on both a qualitative and quantitative basis. In analyzing whether separate LOTs existed in this review, we found that no single selling activity in the brass sheet and strip industry was sufficient to warrant a separate LOT (see Proposed Regulations, 61 FR, at 7348).

In determining whether separate LOTs exist in the home market, the Department considers the level-of-trade claims of each respondent after all adjustments. To test the claimed LOTs, we analyze the selling activities associated with the classes of customers and marketing phases respondents report. In applying this test, we expect that, if claimed LOTs are the same, the functions and activities of the seller should be similar. Conversely, if a party claims that LOTs are different for different groups of sales, the functions and activities of the seller should be dissimilar. The Department does not only count activities, but weighs the overall function performed by each claimed level of trade.

In its initial questionnaire response and in response to the Department's supplemental questionnaire for this administrative review, Wolverine maintains that it sells to three distinct levels of trade (LOT) in the home market: Original equipment manufacturers (OEMs), general jobber distributors, and processing distributors. Wolverine sells only to processing distributors in the United States market.

In the final results of the previous administrative review, 61 FR 46618 (September 4, 1996), we agreed with petitioners' contention that Wolverine did not adequately identify the differences among the selling functions corresponding to what it claimed to be three different home market levels of trade. For these preliminary results we requested and received further information from Wolverine. In its response Wolverine distinguished between two levels of trade; sales to OEMS and sales to distributors. To test Wolverine's claimed LOTs, we analyzed home market selling activities associated with each class of customer and marketing phase reported by Wolverine (see discussion above). We analyzed the evidence on the record for this administrative review and concluded that Wolverine had sufficiently documented and justified its claimed differences in level of trade between sales to OEMs and sales to distributors in the home market. For example, the selling functions in the areas of technical and product support, customer service, freight and delivery, administrative resources expended, procurement and resourcing services, and packing requirements are significantly different between the two levels of trade. In addition, since the vast majority of the home market sales of the subject merchandise was to distributors and not to OEMs, a pattern of ''consistent'' price differences between the two levels of trade could not be established. However, the relatively few sales made to OEMs were at prices considerably higher than the prices charged to distributors for the same merchandise.

The evidence on record in this period of review indicates that the home market data base has sales of the identical subject merchandise within the same month to the same level of trade (i.e., processing distributors) as Wolverine's U.S. sales. Therefore, the Department compared Wolverine's U.S. sales only to those home market sales at the same level of trade. No LOT adjustment was, therefore, necessary.

Normal Value

Based on the 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 the foreign like products 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 Tariff Act. Therefore, in accordance with section 773(a)(1)(B)(i) of the Tariff Act, we based NV on the prices at which the foreign like products were first sold for consumption in the exporting country.

Pursuant to section 777A(d)(2) of the Tariff 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 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, and in the ordinary course of trade and, to the extent practicable, at the same level of trade as the EP sale, in accordance with section 773(a)(1)(B)(i) of the Tariff Act. We adjusted for movement expenses in accordance with section 773(a)(6)(B)(ii) of the Tariff Act. We made circumstance-of-sale (COS) adjustments pursuant to section 773(a)(6)(C)(iii) of the Tariff Act and 19 CFR 353.56 by deducting home market credit expenses and adding U.S. credit expenses. We increased home market price by U.S. packing costs in accordance with section 773(a)(6)(A) of the Tariff Act and reduced it by home market packing costs in accordance with section 773(a)(6)(B) of the Tariff Act. Prices were reported net of value-added taxes (VAT) and, therefore, no adjustment for VAT was necessary. No other adjustments were claimed or allowed.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period	Margin (percent)
Wolverine Tube (Canada), Inc.	01/01/95–12/31/95	0.20

Parties to the proceeding may request disclosure within five 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 date of publication, or the first workday thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be filed not later than 37 days after the date of publication. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will issue the final results of this administrative review, including the results of its analysis of issues raised in any such written comments or at a hearing, within 120 days of publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and NV may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service. The final results of this review shall be the basis for assessment of antidumping duties, if any, on entries of merchandise covered by the determination and for future deposits of estimated duties, if any.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of BSS from Canada 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 Tariff Act: (1) The cash deposit rate for Wolverine will be the rate established in the final results of this administrative review (except that if the weighted-average margin is less than 0.5 percent, i.e., is de minimis, no cash deposit will be required); (2) for merchandise exported by manufacturers or exporters not covered in this review, but covered in the original less-than-fair-value (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 a company-specific rate; (3) if the exporter is not a firm covered in this 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) for all other producers and/or exporters of this merchandise, the cash deposit rate will be 8.10 percent, the rate established in the LTFV investigation, 52 FR 1217 (January 12, 1987).

This notice serves as a preliminary 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). 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 terms of an APO is a sanctionable violation.

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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: December 2, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–31104 Filed 12–5–96; 8:45 am]

BILLING CODE 3510–DS–P

International Trade Administration

[C–357–004]

Certain Carbon Steel Wire Rod From Argentina: Determination Not To Terminate Suspended Investigation

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

ACTION: Notice of determination not to terminate suspended investigation.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its determination not to terminate the suspended countervailing duty investigation on certain carbon steel wire rod from Argentina.

EFFECTIVE DATE: December 6, 1996.

FOR FURTHER INFORMATION CONTACT: Robert Bolling or Jean Kemp, AD/CVD Enforcement, Group III, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Background

On September 5, 1996, the Department published in the Federal Register (61 FR 46783) its third notice of intent to terminate the suspended countervailing duty investigation on certain carbon steel wire rod from Argentina (47 FR 42393, September 27, 1982). The second notice of intent to terminate was published in August 1990, at which time the Department received an objection to termination from the petitioners and one interested party. In addition, we received a request for an administrative review and conducted an administrative review (Final Results of Administrative Review, 56 FR 40309, August 14, 1991).

The Department will terminate a suspended investigation if the Secretary concludes that the agreement is no longer of interest to interested parties. (19 CFR 355.25(d)(4)) On September 26 and 30, 1996, two petitioners, Atlantic Steel Industries, Inc. and North Star Steel Texas, Inc., objected to the Department's third notice of intent to terminate this suspended investigation. Therefore, we no longer intend to terminate the suspended investigation. We did not, however, receive a request for an administrative review at that time.

This notice is published in accordance with § 355.25(d)(4) of the Commerce Department's regulations. 19 CFR 355.25(d)(4).

Dated: November 26, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 96–31105 Filed 12–5–96; 8:45 am]

BILLING CODE 3510–DS–P

[C–533–063]

Certain Iron-Metal Castings From India: Preliminary Results of Countervailing Duty Administrative Review

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