

Contact: Amy Wei at (202) 482-1131

Dated: February 26, 1997.

Richard W. Moreland,
Acting Deputy Assistant Secretary for
AD/CVD Enforcement.

[FR Doc. 97-5628 Filed 3-6-97; 8:45 am]

BILLING CODE 3510-DS-P

**Determination Not To Revoke
Antidumping Duty Orders and
Findings Nor To Terminate Suspended
Investigations**

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

ACTION: Determination not to revoke
antidumping duty orders and findings
nor to terminate suspended
investigations.

SUMMARY: The Department of Commerce
is notifying the public of its
determination not to revoke the
antidumping duty orders and findings
nor to terminate the suspended
investigations listed below.

EFFECTIVE DATE: March 7, 1997.

FOR FURTHER INFORMATION CONTACT:
Michael Panfeld or the analyst listed
under Antidumping Proceeding at:
Import Administration, International
Trade Administration, U.S. Department
of Commerce, 14th Street & Constitution
Avenue, N.W., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION: The
Department of Commerce (the
Department) may revoke an
antidumping duty order or finding or
terminate a suspended investigation,
pursuant to 19 CFR § 353.25(d)(4)(iii), if
no interested party has requested an
administrative review for four
consecutive annual anniversary months
and no domestic interested party objects
to the revocation or requests an
administrative review.

We had not received a request to
conduct an administrative review for
the most recent four consecutive annual
anniversary months. Therefore,
pursuant to § 353.25(d)(4)(i) of the
Department's regulations on January 6,
1997, we published in the Federal
Register a notice of intent to revoke
these antidumping duty orders and
findings and to terminate the suspended
investigations and served written notice
of the intent to each domestic interested
party on the Department's service list in
each case. Within the specified time
frame, we received objections from
domestic interested parties to our intent
to revoke these antidumping duty orders
and findings and to terminate the
suspended investigations. Therefore,
because domestic interested parties

objected to our intent to revoke or
terminate, we no longer intend to revoke
these antidumping duty orders and
findings or to terminate the suspended
investigations.

Antidumping Proceeding

A-351-603

Brazil
Brass Sheet and Strip
Objection Date: January 6, 1997
Objector: Copper & Brass Fabricators
Council, Inc.
Contact: Tom Killiam at (202) 482-
2704

A-122-605

Canada
Color Picture Tubes
Objection Date: January 31, 1997
Objector: AFL-CIO et al
Contact: Valerie Owenby at (202)
482-0145

A-559-601

Singapore
Color Picture Tubes
Objection Date: January 31, 1997
Objector: AFL-CIO et al
Contact: Michael Heaney at (202)
482-4475

A-791-502

South Africa
Brazing Copper Wire and Rod
Objection Date: January 6, 1997
Objector: Copper & Brass Fabricators
Council, Inc.
Contact: Valerie Owenby at (202)
482-0145

A-580-603

South Korea
Brass Sheet and Strip
Objection Date: January 6, 1997
Objector: Copper & Brass Fabricators
Council, Inc.
Contact: Tom Killiam at (202) 482-
2704

A-580-605

South Korea
Color Picture Tubes
Objection Date: January 17, 1997;
January 31, 1997
Objector: Thompson Consumer
Electronics, AFL-CIO et al
Contact: Tamara Underwood at (202)
482-0197

A-583-603

Taiwan
Stainless Steel Cooking Ware
Objection Date: January 9, 1997;
January 14, 1997; January 16, 1997
Objector: Regal Ware, Inc., Revere
Ware Corporation; Fair Trade
Committee of the Cookware
Manufacturers Association
Contact: Valerie Owenby at (202)
482-0145

A-122-701

Canada

Potassium Chloride
Objection Date: January 21, 1997;
January 30, 1997
Objector: Agrium (US), Inc.,
Mississippi Potash, Inc.
Contact: James Rice at (202) 482-1374

Dated: February 26, 1997.

Richard W. Moreland,
Acting Deputy Assistant Secretary for AD/
CVD Enforcement.

[FR Doc. 97-5629 Filed 3-6-97; 8:45 am]

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[A-421-805]

**Aramid Fiber Formed of Poly Para-
Phenylene Terephthalamide (PPD-T)
From the Netherlands; Preliminary
Results of Antidumping Administrative
Review**

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

ACTION: Notice of preliminary results of
the antidumping duty administrative
review; Aramid fiber formed of poly
para-phenylene terephthalamide from
The Netherlands.

SUMMARY: The Department of Commerce
(the Department) is conducting an
administrative review of the
antidumping duty order on aramid fiber
formed of poly para-phenylene
terephthalamide (PPD-T aramid) from
the Netherlands in response to requests
by respondent, Akzo Nobel Aramid
Products, Inc. and Aramid Products
V.o.F. (Akzo) and petitioner, E.I. du
Pont de Nemours and Company. This
review covers sales of this merchandise
to the United States during the period
June 1, 1995 through May 31, 1996, by
Akzo Nobel V.o.F. The results of the
review indicate the existence of
dumping margins for the above period.

We invite interested parties to
comment on these preliminary results.
Parties who submit arguments are
requested to submit with the argument
(1) a statement of the issue and (2) a
brief summary of the argument.

EFFECTIVE DATE: March 7, 1997.

FOR FURTHER INFORMATION CONTACT:
Nithya Nagarajan at (202) 482-0193,
Eugenia Chu at (202) 482-3964, or Ellen
Knebel at (202) 482-1398, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, Room 7866, 14th Street and
Constitution Avenue, N.W., Washington
D.C. 20230.

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). 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).

SUPPLEMENTARY INFORMATION:

Background

The Department published in the Federal Register the antidumping duty order on PPD-T aramid from the Netherlands on June 24, 1994 (59 FR 32678). On June 6, 1996, we published in the Federal Register (61 FR 28840) a notice of opportunity to request an administrative review of the antidumping duty order on PPD-T aramid from the Netherlands covering the period June 1, 1995, through May 31, 1996.

In accordance with 19 CFR 353.22(a)(1), Akzo and petitioner requested that we conduct an administrative review for the aforementioned period. On August 8, 1996, the Department published a notice of "Initiation of Antidumping Review" (60 FR 41373). The Department is now conducting this administrative review pursuant to section 751 of the Act.

Scope of Review

The products covered by this review are all forms of PPD-T aramid from the Netherlands. These consist of PPD-T aramid in the form of filament yarn (including single and corded), staple fiber, pulp (wet or dry), spun-laced and spun-bonded nonwovens, chopped fiber, and floc. Tire cord is excluded from the class or kind of merchandise under review. This merchandise is currently classifiable under the Harmonized Tariff Schedule (HTS) item numbers 5402.10.3020, 5402.10.3040, 5402.10.6000, 5503.10.1000, 5503.10.9000, 5601.30.0000, and 5603.00.9000. The HTS item numbers are provided for convenience and Customs purposes. The written description of the scope remains dispositive.

Verification

As provided in section 782(i) of the Act, we verified information provided by the respondent, using standard verification procedures, including on-site inspection of the manufacturer's facilities, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. Our verification results are outlined in

public versions of the verification reports, available to the public in Room B-099 of the H.C. Hoover Building (the main Commerce Building).

Transactions Reviewed

In accordance with section 751 of the Act, the Department is required to determine the normal value (NV) and export price (EP) or constructed export price (CEP) of each entry of subject merchandise. Because there can be a significant lag between entry date and sale date for CEP sales, it has been the Department's practice to examine U.S. CEP sales during the period of review. *See Gray Portland Cement and Clinker from Japan; Final Results of Antidumping Duty Administrative Review*, 58 FR 48826 (1993) (the Department did not consider ESP (now CEP) entries which were sold after the POR). The Court of International Trade (CIT) has upheld the Department's practice in this regard. *See The AD Hoc Committee of Southern California Producers of Gray Portland Cement v. United States*, Slip Op. 95-195 (CIT December 1, 1995).

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced and sold by the respondent in the home market during the POR, (and covered by the Scope of the Review) to be foreign like products for purposes of product comparisons to U.S. sales. Where there were no sales of identical or similar merchandise in the home market to compare to U.S. sales, we compared U.S. sales to the constructed value (CV) of the product sold in the U.S. market during the comparison period.

Normal Value Comparisons

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared Akzo's volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Because Akzo's aggregate volume of home market sales of the foreign like product was greater than five percent of its aggregate volume of U.S. sales of the subject merchandise, we determined that the home market provides a viable basis for calculating NV for Akzo.

To determine whether sales of PPD-T aramid by Akzo to the United States were made at less than NV, we compared the CEP (Akzo had no EP sales) to the NV, as described in the "Constructed Export Price" and

"Normal Value" sections of this notice. In accordance with section 777A(d)(2), we calculated monthly weighted-average prices for NV and compared them to individual U.S. transactions.

Constructed Export Price

The Department based its margin calculation on CEP, as defined in section 772 (b), (c), and (d) of the Act, for those sales to the first unaffiliated purchaser that took place after importation into the United States.

We calculated CEP based on delivered prices in connection with sales to unaffiliated purchasers in the United States. When appropriate, the Department made adjustments for discounts, rebates, credit expenses, and direct selling expenses. We deducted those indirect selling expenses, including inventory carrying costs, that related to commercial activity in the United States. We also made deductions for movement expenses (international freight, brokerage and handling, U.S. duties, domestic inland freight, and insurance). Finally, pursuant to section 772(d)(3), an adjustment was made for CEP profit.

Normal Value

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared respondent's volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Because Akzo's aggregate volume of the home market sales of the foreign like product was greater than five percent of its aggregate volume of U.S. sales for the subject merchandise, we determined that the home market provides a viable basis for calculating NV on home market sales.

Where appropriate, we adjusted for discounts, credit expenses, warranty expenses, inland freight, and inland insurance. We also adjusted the starting price for billing adjustments to the invoice price.

We made adjustments, where appropriate, for physical differences in merchandise (DIFMER) in accordance with section 773(a)(6)(C)(ii) of the Act. A weighted-average (upward, if applicable) DIFMER adjustment was applied, as reported by respondent. In addition, in accordance with section 773(a)(6), we deducted home market packing costs and added U.S. packing costs.

Arm's Length Sales

Sales to affiliated customers in the home market not made at arm's length were excluded from our analysis, in accordance with 19 CFR 353.45(a). To test whether these sales were made at arm's length, we compared the starting prices of sales to affiliated and unaffiliated customers, net of all movement charges, direct selling expenses, discounts, and packing. Where the price to the affiliated party was, on average, 99.5 percent or more of the price to the unaffiliated party, we determined that the sales made to the affiliated party were at arm's length.

Cost of Production Analysis

In the most recently completed administrative review of Akzo, we disregarded sales found to be below the cost of production (COP). Therefore, in accordance with section 773(b)(2)(A)(ii) of the Act, the Department has reasonable grounds to believe or suspect that sales below the COP may have occurred during this review period. Thus, pursuant to section 773(b) of the Act, we initiated a COP investigation of Akzo in the instant review.

In accordance with section 773(b)(3) of the Act, we calculated an average COP, by model, based on the sum of the cost of materials and fabrication employed in producing the foreign like product, plus amounts for home market general and administrative expenses (G&A) and packing costs in accordance with section 773(b)(3) of the Act. We used the home market sales data and COP information provided by Akzo in its questionnaire responses.

After calculating a weighted-average COP, we tested whether home market sales of PPD-T aramid were made at prices below COP within an extended period of time in substantial quantities, and whether such prices permit recovery of all costs within a reasonable period of time. We compared model-specific COP to the reported home market prices less any applicable movement charges, discounts, rebates, and direct and indirect selling expenses.

Pursuant to section 773(b)(2)(C), where less than 20 percent of Akzo's sales of a given model were at prices less than 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." In accordance with sections 773(b)(2) (B) and (D), where 20 percent or more of home market sales of a given product were at prices less than the COP, we disregarded only the below-cost sales where such sales were found to be made within an extended period

of time and at prices which would not permit recovery of all costs within a reasonable period of time.

We found that, for certain types of PPD-T aramid, more than 20 percent of the home market sales were sold at below-cost prices in substantial quantities within the period of review. We therefore find that these below-cost sales were made in substantial quantities within an extended period of time. To determine whether prices were such as to provide for recovery of costs within a reasonable period of time, we tested whether the per unit price was above the weighted average per unit cost of production for the POR. If it was, we disregarded those below cost sales and used the remaining above-cost sales as the basis of determining NV if such sales existed, in accordance with section 773(b)(1). For those models of PPD-T aramid for which there were no above-cost sales available for matching purposes, we compared CEP to CV.

Price-to-Price Comparisons

Pursuant to section 777A(d)(2), we compared the CEPs of individual U.S. transactions to the monthly weighted-average NV of the foreign like product where there were sales at prices above COP, as discussed above. We based NV on packed, ex-factory or delivered prices to unaffiliated purchasers in the home market. We made adjustments, where applicable, in accordance with section 773(a)(6) of the Act. Where applicable, we made adjustments to home market price for discounts, rebates, inland freight and insurance. To adjust for differences in circumstances of sale between the home market and the United States, we reduced home market prices by an amount for home market credit expenses. In order to adjust for differences in packing between the two markets, we adjusted home market price by deducting HM packing costs and adding U.S. packing costs. Prices were reported net of value added taxes (VAT) and, therefore, no deduction for VAT was necessary. We made adjustments, where appropriate, for physical differences in merchandise in accordance with section 773(a)(6)(C)(ii) of the Act.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the Statement of Administrative Action (SAA) at 829-831, to the extent practicable, the Department will calculate NV based on sales at the same level of trade as U.S. sales. (For both EP and CEP, "U.S. Sale" refers to the transition between the foreign exporter and the importer, whether affiliated or independent.)

When the Department is unable to find sales in the comparison market at the same level of trade as the U.S. sales, 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 at the level of trade of the NV sale. Second, the difference must affect price comparability as evidenced by a pattern of consistent price differences between sales at different levels of trade in the country in which NV is determined.

When CEP is applicable, section 773(a)(7)(B) of the Act establishes the procedure for making a CEP offset when NV is established at level of trade which constitutes a more advanced stage of distribution than the CEP level of trade, but the data available does not provide an appropriate basis for a level of trade adjustment. In addition, to qualify for a CEP offset, the level of trade in the home market must also constitute a more advanced stage of distribution than the level of trade of the CEP sale.

Akzo reported one level of trade and one channel of distribution in the home market (direct to end users/converters). For the U.S. market, Akzo reported that all sales were made on a CEP basis. The level of trade of the U.S. sale is determined for the CEP rather than for the starting price. The CEP sales do not reflect certain selling functions such as customer sales contacts, technical services, and inventory maintenance, that are reflected in Akzo's home market sales to end users/converters. Therefore, the selling functions performed for Akzo's CEP sales are sufficiently different than those performed for Akzo's home market sales to consider CEP sales and home market sales to be at a different level of trade.

Because we compared these CEP sales to home market sales at a different level of trade, we examined whether a level of trade adjustment may be appropriate. In this case, Akzo only sold at one level of trade in the home market; therefore, there is no basis upon which to discern whether there is a pattern of consistent price differences between levels of trade. Further, we do not have information which would allow us to examine pricing patterns on Akzo's sales of other products and there are no other respondents or other record information on which such an analysis could be based.

Because the data available do not provide an appropriate basis for making a level of trade adjustment but the level of trade of the home market sale is a more advanced stage of distribution

than the level of trade of the CEP sale, a CEP offset is appropriate. Akzo has claimed a CEP offset. We applied the CEP offset to NV or CV, as appropriate.

We based the CEP offset amount on the amount of the home market indirect selling expenses. We limited the home market indirect selling expense deduction by the amount of the indirect selling expenses incurred on sales to the United States, in accordance with section 772(d)(1)(D).

Constructed Value

In accordance with section 773(e) of the Act, we calculated CV based on the sum of Akzo's cost of materials and fabrication employed in producing the subject merchandise, SG&A and profit incurred and realized in connection with production and sale of the foreign like product, and U.S. packing costs. In accordance with section 773(e)(2)(A), we based SG&A and profit on the amounts incurred and realized by Akzo in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country. We used the costs of materials, fabrication, and SG&A as reported in the CV portion of Akzo's questionnaire response. We used the U.S. packing costs as reported in the U.S. sales portion of Akzo's questionnaire response. We based selling expenses and profit on the information reported in the home market sales portion of Akzo's questionnaire response. See *Certain Pasta from Italy; Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination*, 61 FR 1344, 1349 (January 19, 1996). For selling expenses, we used the average of the home market selling expenses weighted by the total quantity sold. For actual profit, we first calculated the difference between the home market sales value and home market COP for all home market sales in the ordinary course of trade, and divided the sum of these differences by the total home market COP for these sales. We then multiplied this percentage by the COP for each U.S. model to derive an actual profit.

We derived the CEP offset amount from the amount of the indirect selling expenses on sales in the home market. We limited the home market indirect selling expense deduction by the amount of the indirect selling expenses incurred on sales to the United States.

Preliminary Results of the Review

As a result of our comparison of CEP and NV, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period	Margin (percent)
Akzo	06/01/95-05/31/96	28.40

Parties to the proceeding may request disclosure within 5 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 publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. Parties who submit argument are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will publish a notice of final results of this administrative review, including its analysis of issues raised in any written comments or at a hearing, not later than 120 days after the date of publication of this notice.

Upon issuance of the final results of review, the Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Because the inability to link sales with specific entries prevents calculations of duties on an entry-by-entry basis, we will calculate an importer-specific ad valorem duty assessment rate for each class or kind of merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the POR to the total customs value of the sales used to calculate those duties. This rate will be assessed uniformly on all entries of that particular importer made during the POR. (This is equivalent to dividing the total amount of the antidumping duties, which are calculated by taking the difference between statutory NV and statutory CEP, by the total statutory CEP value of the sales compared, and adjusting the result by the average difference between CEP and customs value for all merchandise examined during the POR).

Furthermore, the following deposit requirements will be effective for all shipments of PPD-T aramid from the Netherlands entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this review; (2) 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 (3) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be 66.92 percent, the "all others" rate established in the LTFV investigation (59 FR 32678, June 24, 1994), as explained before. These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

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 published pursuant to section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22(c)(5).

Dated: February 27, 1997.

Robert S. LaRussa

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-5700 Filed 3-6-97; 8:45 am]

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[A-580-807]

Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Review and Termination in Part

AGENCY: Import Administration, International Trade Administration, Department of Commerce and Termination in Part.

ACTION: Notice of preliminary results of antidumping duty administrative review, and termination in part.

SUMMARY: In response to a request from two respondents and three U.S. producers, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from the Republic of Korea. The review covers two manufacturers/exporters of the subject merchandise to the United States and the period June 1, 1995 through May 31, 1996. The review indicates the existence