Notices

Federal Register
Vol. 62, No. 174
Tuesday, September 9, 1997

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

ASSASSINATION RECORDS REVIEW BOARD

Sunshine Act Meeting

DATES: September 17, 1997.

PLACE: ARRB, 600 E STREET, NW., WASHINGTON, DC.

STATUS: CLOSED. OPEN: 1:30 P.M.

MATTERS TO BE CONSIDERED:

Closed Meeting:
1. Review and Accept Minutes of Closed Meeting
2. Review of Assassination Records
3. Other Business

Open Meeting:
1. Selection of New Executive Director
2. Review and Accept Minutes of April 24 Open Meeting
3. Other Business

CONTACT PERSON FOR MORE INFORMATION: Eileen Sullivan, Press Officer, 600 E Street, NW, Second Floor, Washington, DC 20530. Telephone: (202) 724–0088; Fax: (202) 724–0457.

T. Jeremy Gunn,
General Counsel.

[FR Doc. 97–23939 Filed 9–5–97; 10:18 am]

BILLING CODE 6118–01–P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Rhode Island Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Rhode Island Advisory Committee to the Commission will convene at 8:30 a.m. and adjourn at 12:00 p.m. on Monday, September 22, 1997, at the Providence Marriott, One Orms Street, Providence, Rhode Island 02904. The purpose of the meeting is to conduct a briefing session on the effects of welfare reform on legal immigrants in Rhode Island, and to plan future projects.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Robert Lee, 401–863–1693, or Ki-Taek Chun, Director of the Eastern Regional Office, 202–376–7533 (TDD 202–376–8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, August 26, 1997.

Carol-Lee Hurley,
Chief, Regional Programs Coordination Unit.

[FR Doc. 97–23747 Filed 9–8–97; 8:45 am]

BILLING CODE 6355–01–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–421–804]

Cold-Rolled Carbon Steel Flat Products From the Netherlands: 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 the petitioners and respondent, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on cold-rolled carbon steel flat products from the Netherlands. The review covers one manufacturer/exporter of the subject merchandise to the United States and the period August 1, 1995 through July 31, 1996.

We have preliminarily determined that respondent has made sales below normal value during the period of review. If these preliminary results are adopted in our final results of review, we will instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Interested parties are invited to comment on these preliminary results. 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 (no longer than five pages, including footnotes).

EFFECTIVE DATE: September 9, 1997.

FOR FURTHER INFORMATION CONTACT: Helen M. Kramer or Linda Ludwig, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482–0405 or 482–3833, respectively.

APPLICABLE STATUTE: Unless otherwise indicated, all citations to the Trade and Tariff Act of 1930, as amended (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act of 1994 (URAA). In addition, unless otherwise indicated, all references to the Department's regulations are to part 353 of 19 CFR, (1997).

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce published an antidumping duty order on cold-rolled carbon steel flat products from the Netherlands on August 19, 1993 (58 FR 44172). The Department published a notice of ''Opportunity To Request Administrative Review'' of the antidumping duty order for the 1995/1996 review period on August 12, 1996 (61 FR 41768). On August 23, 1996, the respondent, Hoogovens Staal BV, filed a request for review. On August 30, 1996, the petitioners filed a similar request. We published a notice of initiation of the review on September 17, 1996 (61 FR 48882).

Due to the complexity of issues involved in this case, the Department extended the time limit for completion of the preliminary results until September 2, 1997, in accordance with section 751(a)(3)(A) of the Act (19 U.S.C. 1675 (a)(3)(A)). The deadline for the final results of this review will continue to be 120 days after the date of publication of this notice. The Department is conducting this review in accordance with section 751 of the Act, as amended.

Scope of the Review

The products covered by this review include cold-rolled (cold-reduced) carbon steel flat-rolled products, of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished or coated with plastics or other nonmetallic substances, in coils (whether or not in successively superimposed layers) and of a width of 0.5 inch or greater, or in straight lengths which, if of a thickness less than 4.75 millimeters, are of a width of 0.5 inch or greater and which measures at least 10 times the thickness or if of a thickness of 4.75 millimeters or more are of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (HTS) under item numbers 7209.15.0000, 7209.16.0030, 7209.16.0060, 7209.16.0090, 7209.17.0030, 7209.17.0060, 7209.17.0090, 7209.18.1530, 7209.18.1560, 7209.18.2550, 7209.18.6000, 7209.25.0000, 7209.26.0000, 7209.27.0000, 7209.28.0000, 7209.90.0000, 7210.70.3000, 7210.90.9000, 7211.23.1500, 7211.23.2000, 7211.23.3000, 7211.23.4500, 7211.23.6030, 7211.23.6060, 7211.23.6085, 7211.29.2030, 7211.29.2090, 7211.29.4500, 7211.29.6030, 7211.29.6080, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7215.50.0015, 7215.50.0060, 7215.50.0090, 7215.90.5000, 7217.10.1000, 7217.10.2000, 7217.10.3000, 7217.10.7000, 7217.90.1000, 7217.90.5030, 7217.90.5060, and 7217.90.5090. Included in this review are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (i.e., products which have been ''worked after rolling'')—for example, products which have been beveled or rounded at the edges. Excluded from this review is certain shadow mask steel, i.e., aluminum-killed, cold-rolled steel coil that is open-coil annealed, has a carbon content of less than 0.002 percent, is of 0.003 to 0.012 inch in thickness, 15 to 30 inches in width, and has an ultra flat, isotropic surface. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Verification

As provided in section 782(i)(3) of the Act, we verified information provided by Hoogovens at its headquarters in IJmuiden, the Netherlands, using standard verification procedures, including inspection of the manufacturing facilities, examination of relevant sales and financial records, and selection of original documentation containing relevant information. We also verified information provided by Hoogovens Steel USA, Inc. at its office in Scarsdale, New York.

United States Price (USP)

In calculating USP, the Department treated respondent's sales as export price (EP) sales, as defined in section 772(a) of the Act, when Hoogovens first sold the merchandise to unaffiliated U.S. purchasers prior to the date of importation. The Department treated respondent's sales as constructed export price (CEP) sales, as defined in section 772(b) of the Act, when the merchandise was first sold to unrelated U.S. purchasers after importation by an affiliated seller in the United States. All of the CEP sales of prime merchandise were further manufactured in the United States. A small number of CEP sales of secondary merchandise were sold ''as is.''

We calculated EP based on the delivered, duty-paid price to unaffiliated purchasers in the United States. We made adjustments, where applicable, for foreign inland freight, post-sale warehousing, ocean freight and marine insurance, brokerage and handling, U.S. inland freight, U.S. customs duties, early payment discounts and post-sale price adjustments in accordance with section 772(c) of the Act.

We based CEP on the delivered price to unaffiliated customers in the United States. We made deductions for foreign inland freight, ocean freight and marine insurance, brokerage and handling, U.S. inland freight, and U.S. customs duties. In accordance with section 772(d)(1) of the Act, we calculated the CEP by deducting selling expenses associated with economic activities occurring in the United States, including credit expenses, indirect selling expenses, inventory carrying costs and where applicable, commissions and post-sale price adjustments. We split the reported indirect selling expenses into two groups: one consisting of the expenses of the New York office plus warranty and technical service expenses for U.S. sales, and the other consisting of indirect selling expenses incurred in the Netherlands and allocated to U.S. sales of subject merchandise. We deducted the first group from the CEP, but we did not deduct the second group or inventory carrying costs incurred in the home market for U.S. sales, because these expenses did not relate to economic activities in the United States. In accordance with section 772(d)(2) of the Act, we also deducted the cost of further manufacturing, including repacking expenses. We added general, administrative and interest expenses to the reported further manufacturing costs for certain sales involving additional processing by an unaffiliated contractor. Finally, we made an adjustment for an amount of profit allocated to these expenses in accordance with section 772(d)(3) of the Act, using information from respondent's audited financial statement.

Hoogovens also claimed an offsetting adjustment to U.S. indirect selling expenses for CEP sales to account for the cost of financing cash deposits during the POR. In recent determinations in the bearings cases, we accepted such an adjustment, mainly to account for the opportunity cost associated with making a deposit (i.e., the cost of having money unavailable for a period of time). See *e.g., Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Final Results of Antidumping Duty Administrative Reviews and Termination in Part*, 62 FR 11825, 11826–30 (March 13, 1997); *Antifriction Bearings (Other than Tapered Roller Bearings) and Parts thereof From France, et al.; Final Results of Antidumping Duty Administrative Review*, 62 FR 2081, 2104 (January 15, 1997). However, we have preliminarily determined to change our practice of accepting such an adjustment.

We are not convinced that there are such opportunity costs associated with paying deposits. Moreover, while it may be true that importers sometimes incur an expense if they borrow money in order to pay antidumping duty cash deposits, it is a fundamental principle that money is fungible within a corporate entity. Thus, if an importer acquires a loan to cover one operating cost, that may simply mean that it will not be necessary to borrow money to cover a different operating cost. We find that the calculation of the dumping margin should not vary depending on whether a party has funds available to pay cash deposits or requires additional funds in the form of loans.

Therefore, we find that an adjustment to indirect selling expenses where parties have claimed financing costs for cash deposits is inappropriate and we have denied such adjustments for the preliminary results of this review. (See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts*

Thereof from France, et. al.; Preliminary Results of Antidumping Administrative Review, 62 FR 31568 (June 10, 1997).) We invite interested parties to comment on this issue.

Normal Value (NV)

In order to determine whether sales of the foreign like product in the home market are a viable basis for calculating NV, we compared the volume of home market sales of the foreign like product to the volume of subject merchandise sold in the United States, in accordance with section 773(a)(1)(C) of the Act. Hoogovens' aggregate volume of home market sales of the foreign like product was greater than five percent of its respective aggregate volume of U.S. sales of the subject merchandise. Therefore, we have based NV on home market sales.

Hoogovens made sales to both affiliated and unaffiliated customers in the home market during the period of review. We included sales to affiliated customers when we determined those sales to be at arms length (i.e., at weighted average prices that were 99.5 percent or more of weighted average prices for identical products sold to unaffiliated customers in the home market). When the weighted average price to an affiliated customer was less than 99.5 percent of the weighted average price to unaffiliated customers, or there were no sales of identical merchandise to unaffiliated customers, we excluded sales to that affiliated customer from our calculation of NV. See *e.g., Rules and Regulations, Antidumping Duties; Countervailing Duties* 62 FR 27296, 27355 (May 19, 1997): ''The Department's current policy is to consider transactions between affiliated parties as 'arm's length' if the prices to affiliated purchasers are on average at least 99.5 percent of the prices charged to unaffiliated purchasers.''

Home market prices were based on the packed, ex-factory or delivered prices to customers. We made deductions to NV for inland freight and insurance, early payment discounts, rebates, credit expenses, and packing. We made deductions or additions, as appropriate, for post-sale price adjustments.

Level of Trade (LOT)

In accordance with section 773(a)(1)(A) of the Act, and the Statement of Administrative Action (SAA) accompanying the URAA (at pages 829–831), to the extent practicable, the Department will calculate NV based on sales at the same LOT as the U.S. sale (either EP or CEP). When there are no sales in the comparison market at the same LOT as the U.S. sale(s), the Department may compare sales in the U.S. and foreign markets at a different LOT, and adjust NV if appropriate. The NV LOT is that of the starting price of sales in the home market. (See *e.g., Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan; Preliminary Results of Antidumping Duty Administrative Review,* 62 FR 31070 (June 6, 1997)).

As the Department explained in *Gray Portland Cement and Clinker from Mexico: Final Results of Antidumping Duty Administrative Review, (Cement from Mexico)* 62 FR 17148, 17156 (April 9, 1997), for both EP and CEP, the relevant transaction for the LOT analysis is the sale from the exporter to the importer. While the starting price for CEP is that of a subsequent resale to an unaffiliated buyer, the construction of the CEP results in a price that would have been charged if the importer had not been affiliated. Because the expenses deducted under section 772(d) represent selling activities in the United States, the deduction of these expenses may yield a different LOT for the CEP than for the later resale (which we use for the starting price).

To determine whether home market sales were at a different LOT than U.S. sales, we examine whether the home market sales were at different stages in the marketing process than the U.S. sales. The marketing process in both markets begins with goods being sold by the producer and extends to the sale to the final user. The chain of distribution between the producer and the final user may have many or few links, and each respondent's sales occur somewhere along this chain. In the United States, the respondent's sales are generally to an importer, whether independent or affiliated. We review and compare the distribution systems in the home market and the United States, including selling functions, class of customer, and the extent and level of selling expenses for each claimed LOT. Customer categories such as distributor, retailers or end-users are commonly used by respondents to describe levels of trade, but without substantiation, they are insufficient to establish that a claimed LOT is valid. An analysis of the chain of distribution and of the selling functions substantiates or invalidates the claimed levels of trade. If the claimed levels are different, the selling functions performed in selling to each level should also be different. Conversely, if levels of trade are nominally the same, the selling functions performed should also be the same. Different levels of trade necessarily involve differences in selling functions, but differences in selling functions, even substantial ones, are not alone sufficient to establish a difference in the levels of trade. Differences in levels of trade are characterized by purchasers at different stages of marketing or their equivalent, which may be different stages in the chain of distribution and sellers performing qualitatively different functions in selling to them.

When we compare U.S. sales to home market sales at a different LOT, we make a LOT adjustment if the difference in LOT affects price comparability. We determine any effect on price comparability by examining sales at different levels of trade in the home market (or the third-country market) used to calculate NV. Any price effect must be manifested in a pattern of consistent price differences between home market (or third-country) sales used for comparison and sales at the equivalent LOT of the export transaction. (See, *e.g. Granular Polytetrafluorethylene Resin from Italy; Preliminary Results of Antidumping Duty Administrative Review,* 62 FR 26283, 26285 (May 13, 1997); *Cement from Mexico,* at 17148.) To quantify the price differences, we calculate the difference in the weighted average of the net prices of the same models sold at different levels of trade in the home market. Net prices are used because any difference will be due to differences in LOT rather than other factors. We use the average percentage difference between these weighted averages to adjust NV when the LOT of NV is different from that of the export sale. If there is a pattern of no price differences, then the difference in LOT does not have a price effect and no adjustment is necessary.

In the case of CEP sales, section 773 of the statute also provides for an adjustment to NV if it is compared to U.S. sales at a different LOT, provided the NV is more remote from the factory than the CEP sales and we are unable to determine whether the difference in levels of trade between CEP and NV affects the comparability of their prices. This latter situation might occur when there is no home market (or third-country) LOT equivalent to the U.S. sales level, or where there is an equivalent home market (or third-country) level, but the data are insufficient to support a conclusion on price effect. (See *e.g., Certain Corrosion Resistant Carbon Steel Flat Products and Cut-to-Length Carbon Steel Plate from Canada; Final Results of Antidumping Duty Administrative Reviews,* 62 FR 18448, 18466 (April 15,

1997)). This adjustment, the CEP offset, is identified in section 773(a)(7)(B) and is the lower of the (1) indirect selling expenses of the home market (or third-country) sale; or (2) indirect selling expenses deducted from the starting price used to calculate CEP. The CEP offset is not automatic each time we use CEP. (See *Mechanical Transfer Presses from Japan, Final Results of Antidumping Administrative Review,* 62 FR 17148, 17156 (October 9, 1996)). The CEP offset is made only when the LOT of the home market (or third country) sale is more advanced than the LOT of the U.S. CEP sale and there is not an appropriate basis for determining whether there is an effect on price comparability. (See *e.g., Cement from Mexico,* at 17156.)

In implementing this principle in this review, we requested information concerning the selling functions associated with each phase of marketing, or the equivalent, in each of Hoogovens' markets. In its response, Hoogovens stated that it cannot differentiate among the selling functions performed and services offered to different classes of home market and export price customers. Further, at verification, the senior sales executive stated that the same services are provided to all customers, including the U.S. affiliated companies.

In this review, the affiliated importer of record did not take title to or possession of the merchandise, which was shipped directly by the manufacturer to affiliated steel service centers in the United States. We calculated the CEP by removing from the first resale to an independent U.S. customer the expenses under section 772(d) of the Act and the profit associated with these expenses. These expenses represent activities undertaken by the affiliated service centers, which further process the merchandise. Hoogovens claimed it had no home market sales at a LOT equivalent to the CEP LOT. The company argued that the CEP price is adjusted to the equivalent of an ex-factory LOT, but the starting price of its home market sales includes selling expenses not reflected in the adjusted CEP price, such as indirect selling activities, indirect warranty and technical service expenses, and inventory carrying costs. Hoogovens therefore claimed that the home market LOT is a more advanced LOT than the adjusted CEP LOT, and requested that the Department make an adjustment to normal value for indirect selling expenses up to the amount of indirect selling expenses deducted from CEP.

In reviewing the selling functions reported by Hoogovens, we considered the selling functions performed in the home market for domestic sales and the selling functions performed in the home market for sales to the affiliated resellers in the United States (functions associated with allocated indirect expenses that we did not deduct from CEP). For this review, we determined that the following selling functions and activities occur in relation to Hoogovens' sales of subject merchandise in the domestic and U.S. markets: (1) Carrying inventory, and (2) maintaining a sales office and Quality Assurance Department in IJmuiden. We did not consider packing arrangements to be a selling function, since packing is accounted for in the Department's calculations as a separate adjustment.

We examined the selling functions performed by Hoogovens with respect to both markets to determine whether U.S. sales can be matched to home market sales at the same LOT. Hoogovens' sales office in IJmuiden made EP sales directly to two categories of customers: end users and service centers. These are the same categories as in the home market, and in both markets there was only one channel of distribution, *i.e.,* direct sales. In addition, Hoogovens reported the same types of selling activities in both markets. Therefore, the EP sales are at the same LOT as the comparison market sales.

For the sales made by Hoogovens' affiliated companies, Rafferty-Brown Steel Company, Inc. of Connecticut (RBC) and Rafferty-Brown Steel Company of North Carolina (RBN), the LOT of the U.S. sales is determined for the CEP rather than for the starting price to unaffiliated purchasers. In the current review, the CEP sales reflect certain selling functions, such as carrying inventory from the time between production at IJmuiden and Customs clearance at the U.S. port of entry, at which time the merchandise entered the inventory of either RBC or RBN, and maintaining a sales office in IJmuiden. Although delivery times are shorter for domestic sales, Hoogovens also carries inventory for these sales and operates the sales office. Therefore, we have determined that there are no differences in LOT and neither a LOT adjustment nor a CEP offset is warranted in this review.

Sales Comparisons

To determine whether sales of cold-rolled carbon steel flat products in the United States were made at less than fair value, we compared USP to the NV, as described in the ''United States Price'' and ''Normal Value'' sections of this notice. In accordance with section 777(A) of the Act, we calculated monthly weighted-average prices for NV and compared these to individual U.S. transactions. When there were no contemporaneous home market sales of the foreign like product, we used constructed value (CV) as the basis for normal value, in accordance with section 773(a)(4) of the Act. All the sales to which CV was applied were CEP sales of secondary merchandise. We calculated CV in accordance with section 773(e) of the Act and the methodology enunciated in the Memorandum of April 19, 1995, entitled ''Treatment of Non-Prime Merchandise for the First Administrative Review of Certain Carbon Steel Flat Products.'' We included the cost of manufacture, and selling, general and administrative expenses (SG&A). In accordance with section 773(e)(2)(A) of the Act, we based SG&A expenses on the amounts incurred by the respondent in connection with the production and sale of the foreign like product in the ordinary course of trade for consumption in the home market. For selling expenses, we used the weighted average home market selling expenses. For profits we used the audited 1995 Profit and Loss Statement for Hoogovens Staalbedrijf (Steel Division) to determine the ratio of profit to expenses for merchandise in the same general category of products as the subject merchandise, in accordance with section 773(e)(2)(B)(i) of the Act. We adjusted CV for credit expenses.

Reimbursement

Section 353.26 of the antidumping regulations requires the Department to deduct from USP the amount of any antidumping duty that is reimbursed to the importer. Based on verified evidence on the record in this review, including the revised agency agreement between Hoogovens and Hoogovens Steel USA, the Department has preliminarily determined that Hoogovens Steel USA, the importer of record, is solely responsible for the payment of antidumping duties. Therefore, for this period of review, we have determined that Hoogovens has not reimbursed Hoogovens Steel USA for antidumping duties to be assessed. See the public version of the proprietary memorandum on Reimbursement dated August 29, 1997, in Import Administration's Central Records Unit.

Duty Absorption

On October 15, 1996, the petitioners requested, pursuant to section 751(a)(4) of the Act, that the Department determine whether antidumping duties had been absorbed by respondent during the POR. Section 751(a)(4)

provides for the Department, if requested, to determine, during an administrative review initiated two years or four years after publication of the order, whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order if the subject merchandise is sold in the United States through an importer who is affiliated with such foreign producer or exporter. Section 751(a)(4) was added to the Act by the URAA. The Department's current regulations do not address this provision of the Act.

For transition orders as defined in section 751(c)(6)(C) of the Act, *i.e., orders in effect as of January 1, 1995, § 351.213(j)(2) of the Department's new antidumping regulations provides that the Department will make a duty absorption determination, if requested, in any administrative review initiated in 1996 or 1998. See 19 CFR § 351.213(j)(2), 62 FR 27394 (May 19, 1997). While the new regulations are not binding on the Department in the instant reviews, which were initiated under the interim regulations, they nevertheless serve as a statement of departmental policy. Because the order on certain cold-rolled carbon steel flat products from the Netherlands has been in effect since 1993, it is a transition order in accordance with section 751(c)(6)(C) of the Act. Since this review was initiated in 1996 and a request for a duty-absorption inquiry was made, the Department will undertake a duty absorption inquiry as part of this administrative review.*

The Act provides for a determination on duty absorption if the subject merchandise is sold in the United States through an affiliated importer. In this case, the reviewed firm sold through an importer of record, Hoogovens Steel USA, Inc., that is ''affiliated'' within the meaning of section 751(a)(4) of the Act. Furthermore, we have preliminarily determined that there are dumping margins for respondent with respect to 18.50 percent of its U.S. sales, by quantity.

We presume that the duties will be absorbed for those sales which were dumped. This presumption can be rebutted with evidence that the unaffiliated purchasers in the United States will pay the ultimately assessed duty. However, there is no such evidence on the record. Under these circumstances, we preliminarily find that antidumping duties have been absorbed by Hoogovens Steel BV on the percentages of U.S. sales indicated. If interested parties wish to submit evidence that the unaffiliated purchasers in the United States will pay the ultimately assessed duty, they must do so no later than 15 days after publication of these preliminary results.

Preliminary Results of Review

We preliminarily determine that the following margin exists for the period August 1, 1995 through July 31, 1996:

Company	Margin (percent)
Hoogovens Steel BV	1.95

Parties to this proceeding may request disclosure within five days of publication of this notice and 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 working day thereafter. Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication. The Department will publish the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or at a hearing, within 120 days after the publication of this notice.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by this review and for future deposits of estimated duties.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of cold-rolled carbon steel flat products from the Netherlands 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 Act: (1) The cash deposit rate for the reviewed firm will be the rate established in the final results of administrative review, except if the rate is less than 0.50 percent, and therefore, *de minimis* within the meaning of 19 CFR 353.6, in which case the cash deposit rate will be zero; (2) if the exporter is not a firm covered in this review or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in the final results of this review; and (3) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the original fair value investigation, the cash deposit rate will be 19.32 percent.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26(b) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. 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 Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: September 2, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97–23849 Filed 9–8–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–815 & A–580–816]

Certain Cold-Rolled and Corrosion-Resistant Carbon Steel Flat Products From Korea: Preliminary Results of Antidumping Duty Administrative Reviews

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

ACTION: Notice of preliminary results of antidumping duty administrative reviews.

SUMMARY: In response to requests from three respondents and from the petitioners in the original investigation, the Department of Commerce (''the Department'') is conducting administrative reviews of the antidumping duty orders on certain cold-rolled and corrosion-resistant carbon steel flat products from Korea. These reviews cover three manufacturers and exporters of the subject merchandise. The period of review (''POR'') is August 1, 1995, through July 31, 1996.

We preliminarily determine that sales have been made below normal value (''NV''). If these preliminary results are adopted in our final results of administrative reviews, we will instruct U.S. Customs to assess antidumping duties based on the difference between