300-acre Sunplex Industrial Park, Mississippi Highway 57 between Interstate 10 and US Highway 90, within one mile of the city limits of Ocean Springs (Jackson County); *Site 11* (621 acres)—within the 3,600-acre Port Bienville Industrial Park, mouth of the Pearl River, 2.7 miles south of U.S. Highway 90, Pearlington (Hancock County); *Site 12* (87 acres)—Mississippi Army Ammunition Plant (part of the 14,000-acre John C. Stennis Space Center), 4 miles north of Interstate 10, State Highway 607, Kiln, (Hancock County); and, *Site 13* (67 acres)—Stennis International Airport, Kiln (Hancock County). All of these sites are owned or controlled by either the Jackson County Port Authority or the Hancock County Port and Harbor Commission. No specific manufacturing requests are being made at this time. Such requests would be made to the Board on a case-by-case basis.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is March 17, 1998. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to April 1, 1998.

A copy of the application and accompanying exhibits will be available for public inspection at each of the following locations:

Gulf Regional Planning Commission, 1232 Pass Road, Gulfport, MS 39501

Office of the Executive Secretary, Foreign-Trade Zones Board, Room 3716, U.S. Department of Commerce, 14th and Pennsylvania Avenue, NW., Washington, DC 20230

Dated: January 7, 1998.

Dennis Puccinelli,

Acting Executive Secretary.

[FR Doc. 98–1162 Filed 1–15–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–820]

Ferrosilicon From Brazil: Notice of Partial Termination and 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 timely requests for administrative review, the Department of Commerce has conducted an administrative review of the antidumping duty order on ferrosilicon from Brazil. Because we determined that Companhia Brasileria Carbureto de Calcio had no shipment of the subject merchandise, we are terminating this review with regard to that firm. This notice of preliminary results covers one manufacturer/exporter, Companhia de Ferro Ligas da Bahia, for the period March 1, 1996, through February 28, 1997. The review indicates that there was no dumping margin during this period. If these preliminary results are adopted for purposes of the final results of our administrative review, we will instruct the Customs Service to assess antidumping duties of zero on entries during the period of review. Interested parties are invited to comment on these preliminary results. Parties who submit arguments in this proceeding are requested to submit with the arguments (1) a statement of the issues, and (2) a brief summary of each argument.

EFFECTIVE DATE: January 16, 1998.

FOR FURTHER INFORMATION CONTACT: Wendy Frankel or Sal Tauhidi, AD/CVD Enforcement Group II, Office Four, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–5849 or (202) 482–4851, respectively.

SUPPLEMENTAL INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all references to the Department of Commerce's (the Department's) regulations are to the regulations as codified at 19 CFR Part 353 (1997). Where appropriate, we have cited the Department's new regulations, codified at 19 CFR Part 351 (62 FR 27296, May 19, 1997). While not binding on this review, the new regulations serve as a restatement of the Department's policies.

Background

On March 7, 1997 (62 FR 10521), the Department published in the **Federal Register** a notice of ''Opportunity to Request an Administrative Review'' of the antidumping duty order on Ferrosilicon from Brazil covering the period March 1, 1996, through February 28, 1997. In accordance with 19 CFR 353.22(a)(2), in March 1997, Companhia de Ferro Ligas da Bahia (Ferbasa), Companhia Brasileira Carbureto De Calcio (CBCC), and Companhia Ferroligas Minas Gerais (Minasligas) requested that the Department conduct an administrative review of their respective shipments of ferrosilicon to the United States during this period. On April 24, 1997, the Department published a notice of initiation of administrative review (62 FR 19988). The Department is now conducting this administrative review in accordance with section 751 of the Act.

On May 14, 1997, the Department issued an antidumping duty questionnaire to Ferbasa, CBCC, and Minasligas. On June 20, 1997, CBCC submitted a letter to the Department stating that it had no shipments or sales of the subject merchandise to the United States during the period of review (POR). On June 25, 1997, we requested the Customs Service (Customs) to confirm that CBCC had no shipments of the subject merchandise during the POR. On June 27, 1997, Customs did so. Therefore, because we determined that CBCC had no shipments of the subject merchandise during the POR, we are terminating this review with respect to CBCC. Further, on July 7, 1997, Minasligas requested that it be allowed to withdraw its request for review and that the review be terminated pursuant to 19 CFR 353.22(a)(5). On July 29, 1997, the Department published a partial termination notice of the administrative review on ferrosilicon from Brazil with respect to Minasligas. (*See Ferrosilicon From Brazil: Partial Termination of Antidumping Duty Administrative Review (62 FR 40501) (July 29, 1997).)*

Ferbasa submitted its response to the questionnaire on July 11, 1997. The Department issued supplemental questionnaires on August 13, 1997, and October 14, 1997. We received Ferbasa's

responses to the supplemental questionnaires on September 2, 1997, and October 24, 1997, respectively. Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for completion of a preliminary determination if it determines that it is not practicable to complete the review within the statutory time limit. On September 15, 1997, the Department published an extension of the time limits for the preliminary results. (*See Ferrosilicon from Brazil: Extension of Time Limits of Antidumping Duty Administrative Review,* (62 FR 48218).)

Verification

In accordance with section 782(i) of the Act, we verified the sales and cost questionnaire responses of Ferbasa from November 3, 1997 to November 11, 1997. We conducted verification of home market and U.S. sales information provided by Ferbasa using standard verification procedures, including on-site inspection of the company's sales and production facility, the examination of relevant sales and financial records, and original documentation containing relevant information.

Scope of Review

The merchandise subject to this review is ferrosilicon, a ferro alloy generally containing, by weight, not less than four percent iron, more than eight percent but not more than 96 percent silicon, not more than 10 percent chromium, not more than 30 percent manganese, not more than three percent phosphorous, less than 2.75 percent magnesium, and not more than 10 percent calcium or any other element. Ferrosilicon is a ferro alloy produced by combining silicon and iron through smelting in a submerged-arc furnace. Ferrosilicon is used primarily as an alloying agent in the production of steel and cast iron. It is also used in the steel industry as a deoxidizer and a reducing agent, and by cast iron producers as an inoculant.

Ferrosilicon is differentiated by size and by grade. The sizes express the maximum and minimum dimensions of the lumps of ferrosilicon found in a given shipment. Ferrosilicon grades are defined by the percentages by weight of contained silicon and other minor elements. Ferrosilicon is most commonly sold to the iron and steel industries in standard grades of 75 percent and 50 percent ferrosilicon. Calcium silicon, ferrocalcium silicon, and magnesium ferrosilicon are specifically excluded from the scope of this review. Calcium silicon is an alloy containing, by weight, not more than five percent iron, 60 to 65 percent silicon, and 28 to 32 percent calcium. Ferrocalcium silicon is a ferro alloy containing, by weight, not less than four percent iron, 60 to 65 percent silicon, and more than 10 percent calcium. Magnesium ferrosilicon is a ferro alloy containing, by weight, not less than four percent iron, not more than 55 percent silicon, and not less than 2.75 percent magnesium. Ferrosilicon is currently classifiable under the following subheadings of the Harmonized Tariff Schedule of the United States (HTSUS): 7202.21.1000, 7202.21.5000, 7202.21.7500, 7202.21.9000, 7202.29.0010, and 7202.29.0050. The HTSUS subheadings are provided for convenience and customs purposes. Our written description of the scope of this review is dispositive.

Ferrosilicon in the form of slag is included within the scope of this order if it meets, in general, the chemical content definition stated above and is capable of being used as ferrosilicon. Parties that believe their importations of ferrosilicon slag do not meet these definitions should contact the Department and request a scope determination.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced by Ferbasa, covered by the description in the ''Scope of the Review'' section, above, and sold in the home market during the POR, to be foreign like products for purposes of determining appropriate product comparisons to the U.S. sale. During the month of the U.S. sale, Ferbasa had home market sales of identical merchandise; therefore, pursuant to section 771(16) of the Act we used those sales for comparison purposes and made no adjustments for differences in merchandise.

Level of Trade

In accordance with section 773(a)(1)(B) of the Act, to the extent practicable, we determine normal value (NV) based on sales in the comparison market at the same level of trade (LOT) as the export price (EP) or constructed export price (CEP) transaction. The NV LOT is that of the starting-price sales in the comparison market or, when NV is based on constructed value (CV), that of the sales from which we derive selling, general and administrative (SG&A) expenses and profit. For EP, the U.S. LOT is also the level of the starting-price sale, which is usually from exporter to importer. For CEP, it is the level of the constructed sale from the exporter to the importer.

To determine whether NV sales are at a different LOT than EP or CEP, we examine stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison-market sales are at a different LOT, and the difference affects price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the LOT of the export transaction, we make an LOT adjustment under section 773(a)(7)(A) of the Act. Finally, for CEP sales, if the NV level is more remote from the factory than the CEP level and there is no basis for determining whether the difference in the levels between NV and CEP affects price comparability, we adjust NV under section 773(a)(7)(B) of the Act (the CEP offset provision). See Notice of Final Determination of Sales at Less Than Fair Value: *Certain Cut-to-Length Carbon Steel Plate from South Africa,* 62 FR 61731 (November 19, 1997).

In implementing these principles in this review, we obtained information from Ferbasa regarding the marketing stages involved in the reported home market and U.S. sales, including a description of the selling activities performed by Ferbasa for each channel of distribution. Pursuant to section 773(a)(1)(B)(i) of the Act and the SAA at 827, in identifying levels of trade for EP and home market sales we considered the selling functions reflected in the starting prices before any adjustments. Ferbasa made only one U.S. sale during the period of review, which was to an unaffiliated reseller in the U.S. market. It made sales to unaffiliated resellers and to steel producers in the home market. The selling functions for the U.S. sale and for all home market sales are almost identical. The selling functions include invoicing, order acknowledgment, order processing, quality control, marketing, and price negotiation. With regard to the U.S. sale, Ferbasa also incurred freight expenses for movement of the subject merchandise from the factory to the port of embarkation. This does not represent a significant difference in selling functions. Thus, based on our analysis of the selling functions performed by Ferbasa, we conclude that a single level of trade exists in each market and that home market sales and the U.S. sale were all made at the same level of trade. Therefore, we have not made a level of trade adjustment because the price comparison is at the same level of trade and an adjustment pursuant to section

773(a)(7)(A) of the Act is not appropriate.

Export Price

We calculated EP, in accordance with subsections 772(a) and (c) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and constructed export price was not otherwise warranted based on the facts of record. We calculated EP based on the packed FOB prices to Ferbasa's unaffiliated customer in the United States. In accordance with section 772(c)(2)(A) of the Act, we made deductions, where appropriate, for foreign inland freight from the plant to the port and for brokerage and handling, because these expenses were incident to bringing the subject merchandise from the original place of shipment in the exporting country to the place of delivery. No other adjustments to EP were claimed or allowed.

Normal Value

Viability

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 Ferbasa's volume of home market sales of foreign like product to the volume of U.S. sales of the subject merchandise in accordance with section 773(a)(1)(C)(ii) of the Act. Since the aggregate volume of home market sales of the foreign like product was greater than five percent of the aggregate volume of U.S. sales of the subject merchandise, we determined that the home market was viable for Ferbasa. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the prices at which the foreign like products were first sold for consumption in the exporting country. We calculated NV as noted in the ''Price-to-Price Comparisons'' section of this notice, below.

Cost of Production (COP) Analysis

Because we disregarded sales below the COP in the last completed segment of the proceeding for Ferbasa (*i.e., Ferrosilicon from Brazil; Final Results of Administrative Review* (61 FR 59407) (November 22, 1996)), we had reasonable grounds to believe or suspect that sales of the foreign product under consideration for the determination of NV in this review may have been made at prices below the COP, as provided by section 773(b)(2)(A)(ii) of the Act. Therefore, pursuant to section 773(b)(1) of the Act, we initiated a COP investigation of sales by Ferbasa in the home market.

1. Calculation of COP

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of Ferbasa's cost of materials and fabrication employed in producing the foreign like product, plus amounts for general and administrative expenses (G&A). We adjusted Ferbasa's reported costs to calculate the cost of manufacturing for the months corresponding to the company's sales reporting period. We further adjusted Ferbasa's reported net interest expense calculations to account for certain items of income or expense that were improperly excluded or included in the company's calculation.

2. Net Home Market Prices for Comparison to COP

We calculated net price by reducing the gross unit price by amounts for IPI and ICMS taxes, indirect selling expenses, home market packing expenses, direct selling expenses, and billing adjustments. We also made upward adjustments to the home market prices for interest revenue and packing revenue earned by Ferbasa. We adjusted Ferbasa's reported home market packing costs for errors found at verification.

3. Test of Home Market Prices

We used Ferbasa's weighted-average COP, as adjusted (see above), for the period September 1996, through February 1997. We compared the weighted-average COP figure to the net home-market sales prices (see above) 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 (which did not include value added taxes) (VAT) less any applicable movement charges, discounts, and rebates. Since the COP did not contain VAT, for purposes of our sales-below-cost analysis, we used home market prices which were exclusive of VAT.

4. Results of the COP Test

In accordance with section 773(b)(2)(C), where less than 20 percent of Ferbasa's sales of ferrosilicon were at prices below 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 Ferbasa's sales during the POR were at prices less than the COP, we determined such sales to have been made in ''substantial quantities'' within an extended period of time in accordance with section 773(b)(2)(B) of the Act, and 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. Therefore, we disregarded such below-cost sales of Ferbasa.

Fair Value Comparisons

To determine whether sales of ferrosilicon by Ferbasa to the United States were made at less than fair value, we compared the EP to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice. In accordance with section 777A(d)(2) of the Act, we calculated a monthly weighted-average price for NV and compared this to the U.S. transaction.

Price to Price Comparisons

We based NV on the price at which the foreign like product was first sold for consumption in the exporting country, in the usual commercial quantities and in the ordinary course of trade, and at the same level of trade as the export price, as defined by section 773(a)(1)(B)(i) of the Act. We increased NV by U.S. packing costs in accordance with section 773(a)(6)(A) and reduced it by home market packing costs and ICMS and IPI taxes in accordance with 773(a)(6)(B) (i) and (iii) of the Act. We adjusted Ferbasa's reported U.S. and home market packing costs to correct for errors found at verification. In addition, we increased NV for packing revenue and interest revenue earned by Ferbasa and decreased NV for billing adjustments reported by Ferbasa. We made a circumstance of sale adjustment for credit expenses under 773(a)(6)(C)(iii). Further, in accordance with 19 CFR 353.56(a)(2), we made an offset to NV for U.S. commissions. No other adjustments to NV were claimed or allowed.

Currency Conversion

We made currency conversions in accordance with section 773(A) of the Act. Currency conversions were made based on the rates certified by the Federal Reserve Bank. Section 773(A) directs the Department to use a daily exchange rate to convert foreign currencies into U.S. dollars unless the daily rate involves a ''fluctuation.'' It is our practice to find that a fluctuation exists when the daily exchange rate differs from a benchmark rate by 2.25 percent. *See Preliminary Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel*

Pipe and Tube from Turkey (61 FR 35188, 35192) (July 5, 1996). The benchmark rate is defined as the rolling average of the rates for the past 40 business days.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that the weighted-average dumping margin for Ferbasa is zero percent for the period March 1, 1996, through February 28, 1997.

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 the date of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties are invited to comment on the preliminary results. Parties who submit arguments in this proceeding are requested to submit with each argument: (1) A statement of the issue and (2) a brief summary of the argument. All case briefs must be submitted within 30 days of the date of publication of this notice. Rebuttal briefs, which are limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments within 120 days from the publication of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Upon completion of this review, 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 the determination and for future deposits of estimated duties. For duty assessment purposes, because this review covers only one importer, we will divide the total dumping margin (calculated as the difference between NV and EP) by the total number of metric tons imported. We will direct Customs to assess the resulting per-metric ton dollar amount against each metric ton of subject merchandise entered by the importer during the POR. Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of ferrosilicon from Brazil 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 Ferbasa will be the rate established in the final results of this administrative review, except if the rate is less than 0.5 percent, *ad valorem* and, therefore, *de minimis* within the meaning of 19 CFR 353.6, the cash deposit rate will be zero; (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 rate will continue to be the company-specific rate published in the most recent period; (3) if the exporter is not a firm covered in this review, a previous review, or the 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; (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 35.95 percent, the ''All Others'' rate made effective by the antidumping duty order (59 FR 11769, March 14, 1994) and; (5) consistent with our practice in previous reviews of this order, for those companies that did not have shipments of the subject merchandise during the POR but which had previously been reviewed or investigated, their cash deposit rate will continue to be the company-specific rate published for the most recently reviewed period. These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

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

Dated: January 12, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–1157 Filed 1–15–98; 8:45 am]

BILLIGN CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–337–803]

Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Fresh Atlantic Salmon From Chile

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

EFFECTIVE DATE: January 16, 1998.

FOR FURTHER INFORMATION CONTACT: Gabriel Adler or Kris Campbell, Office of AD/CVD Enforcement 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1442 or (202) 482–3813, respectively.

SUPPLEMENTARY INFORMATION:

The 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 Department of Commerce (Department) regulations refer to the regulations last codified at 19 CFR part 353 (April 1, 1997).

Preliminary Determination

We preliminarily determine that fresh Atlantic salmon from Chile is being sold, or is likely to be sold, in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margins are shown in the *Suspension of Liquidation* section of this notice.

Case History

This investigation was initiated on July 2, 1997. *See Initiation of Antidumping Duty Investigation: Fresh Atlantic Salmon From Chile,* 62 FR 37027 (July 10, 1997) (*Initiation Notice*). Since the initiation of the investigation, the following events have occurred:

On July 12, 1997, the United States International Trade Commission (the ITC) preliminarily determined that there is a reasonable indication that imports of the product under investigation are materially injuring the United States industry.

On July 21, 1997, the Department invited interested parties to submit comments regarding selection of respondents and model matching. After considering those comments, on August