

Dated at Washington, DC, February 26, 1999.

**Carol-Lee Hurley,**

*Chief, Regional Programs Coordination Unit.*

[FR Doc. 99-5568 Filed 3-5-99; 8:45 am]

BILLING CODE 6335-01-P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Order No. 1023]

#### Expansion of Foreign-Trade Zone 151; Findlay, OH; Correction

The **Federal Register** notice (64 FR 8542, 2/22/99) describing Foreign-Trade Zones Board Order 1023 (approved 2/10/99) authorizing expansion of Foreign-Trade Zone 151 in Findlay, Ohio, is corrected as follows:

Paragraph 6, Sentence 1, should read "The application to expand FTZ 151-Site 1 and to include Site 2 is approved, \* \* \*"

Dated: March 2, 1999.

**Dennis Puccinelli,**

*Acting Executive Secretary.*

[FR Doc. 99-5638 Filed 3-5-99; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-806]

#### Carbon Steel Wire Rope From Mexico: 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:** The Department of Commerce ("the Department") is conducting an administrative review of the antidumping duty order on carbon steel wire rope from Mexico in response to requests by respondent, Aceros Camesa S.A. de C.V. ("Camesa"), and petitioner, the Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers ("the Committee"). This review covers exports of subject merchandise to the United States during the period March 1, 1997 through February 28, 1998.

We have preliminarily determined that sales have not been made below normal value ("NV"). If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service to liquidate

appropriate entries without regard to antidumping duties. Interested parties are invited to comment on these preliminary results. Parties who submit comments are requested to submit with each comment a statement of the issue and a brief summary of the comment.

**EFFECTIVE DATE:** March 8, 1999.

#### FOR FURTHER INFORMATION CONTACT:

Mark Hoadley, (202) 482-4106, Laurel LaCivita, (202) 482-4236, or Maureen Flannery, (202) 482-3020, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230.

#### Applicable Statute and Regulations

Unless otherwise stated, 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. In addition, unless otherwise stated, all citations to the Department's regulations are references to the regulations as codified at 19 CFR Part 351 (April 1998).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department published in the **Federal Register** the antidumping duty order on steel wire rope from Mexico on March 25, 1993 (58 FR 16173). On March 11, 1998 we published in the **Federal Register** (63 FR 11868) a notice of opportunity to request an administrative review of the antidumping duty order on steel wire rope from Mexico covering the period March 1, 1997 through February 28, 1998.

In accordance with 19 CFR 351.213(b)(2), Camesa requested that we conduct an administrative review of Camesa's sales. The Committee also requested a review of Camesa's sales, in accordance with 19 CFR 351.213(b)(1). We published a notice of initiation of this antidumping duty administrative review on April 24, 1998 (63 FR 20378).

On May 22, 1998, Camesa requested that it be allowed to limit its sales reporting to sales involving identical or nearly identical merchandise. This request was opposed by the Committee in a letter dated June 19, 1998, but was granted by the Department on June 24, 1998. On June 26, 1998, the Committee submitted a letter objecting to the Department's decision. On September 25, 1998, the Department issued an amendment to its decision, expanding Camesa's reporting requirements while still allowing some limitation to the

sales reported. For further information, see the "Product Comparisons" section below.

On September 1, 1998, the Department, in accordance with section 773(b)(2)(A)(ii), initiated an investigation of sales below cost. The Department determined to initiate this inquiry because, during the first administrative review of this proceeding, the Department disregarded some of Camesa's below-cost sales. The final results of the first administrative review were published on September 2, 1998 (63 FR 46753). We received cost data from Camesa on October 21, 1998.

During this review, the Department did not conduct a verification of the information provided by Camesa.

#### Scope of the Review

The product covered by this review is carbon steel wire rope. Steel wire rope encompasses ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of brass plated wire. Imports of these products are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7312.10.9030, 7312.10.9060 and 7312.10.9090.

Excluded from this review is stainless steel wire rope, which is classifiable under the HTS subheading 7312.10.6000, and all forms of stranded wire, with the following exception.

Based on the affirmative final determination of circumvention of the antidumping duty order, 60 FR 10831 (Feb. 28, 1995), the Department has determined that steel wire strand, when manufactured in Mexico by Camesa and imported into the United States for use in the production of steel wire rope, falls within the scope of the antidumping duty order on steel wire rope from Mexico. Such merchandise is currently classifiable under subheading 7312.10.3020 of the HTS.

Although HTS subheadings are provided for convenience and Customs purposes, the written description of the scope of this order remains dispositive.

This review covers one manufacturer and exporter, Camesa, and the period March 1, 1997 through February 28, 1998.

#### Product Comparisons

In accordance with section 771(16) of the Act, we considered all products produced by Camesa covered by the description in the "Scope of Review" section, above, and sold in the home market during the period of review (POR) to be foreign like products for the purposes of determining appropriate

product comparisons with U.S. sales. In the Product Concordance section (Appendix V) of the questionnaire, we provided the following hierarchy of product characteristics to be used for reporting identical and most similar comparisons of merchandise: (1) Type of steel wire (finishing type); (2) diameter of wire rope; (3) type of core; (4) class of wire rope; (5) grade of steel; (6) number of wires per strand; (7) design of strands; and (8) lay of rope.

Camesa requested that we limit its reporting of home market sales of steel wire rope during the POR because it made contemporaneous sales of models of rope in its home market that were identical to all of its models sold in the United States. Thus, it argued, the Department could conduct its analysis with these identical matches alone, and any other reported sales would be superfluous. We told Camesa that it could limit its reporting of home market sales to identical and a range of similar foreign like products sold during the POR, but that we might, at a later date, require the reporting of additional home market sales at short notice.<sup>1</sup> Petitioners objected, both before and after our decision, arguing that allowing limited reporting would prevent the identification of all possible matches of home market sales to U.S. sales. We later requested that Camesa expand its home market sales and cost reporting to include information on all models of steel wire rope belonging to the classes of rope sold in the United States. See memorandum to the file, dated September 25, 1998.

#### United States Price

We based United States price on export price (EP), as defined in section 772(a) of the Act, because the merchandise was sold directly by the exporter to unaffiliated U.S. purchasers prior to the date of importation, and because constructed export price was not indicated by other facts of record.

The Department calculated EP for Camesa based on packed, delivered prices to customers in the United States. We made deductions, where applicable, for domestic and foreign inland freight expenses, inland insurance, U.S. customs duties, and brokerage and handling in accordance with section 772(c)(2)(A). We added to U.S. price an

amount for duty drawback received by Camesa.

#### Normal Value

Based on a comparison of the aggregate quantity of home market and U.S. sales, we determined, pursuant to section 773(a)(1)(B) of the Act, that the quantity of foreign like product sold in the home market was sufficient to permit a proper comparison with sales of the subject merchandise to the United States. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the price (exclusive of value-added tax (VAT)) at which the foreign like product was first sold for consumption in the home market, in the usual commercial quantities, and in the ordinary course of trade. Camesa made sales of subject merchandise both to unaffiliated and affiliated home market customers. None of the sales used for matches were sales to affiliated parties. Therefore, none of these sales were used in the margin calculation.

Camesa originally submitted its home market sales database on July 7, 1998. In response to our supplemental questionnaire, Camesa resubmitted the database on October 20, 1998. In our supplemental questionnaire we asked Camesa to revise its reporting of its database in two ways: (1) Expand its sales reporting as described above in the "Product Comparisons" section of this Notice; and (2) revise its home market database to include additional details regarding the physical characteristics of each product. We did not ask Camesa to recalculate any of the figures reported in the database. The October 20, 1998 submission, however, contained numerous discrepancies with data that had already been reported in the July 7th submission.

Because sufficient sales of identical merchandise reported in the original, July 7th submission, were found to be above cost, we did not need to rely on sales of similar merchandise reported in the October 20th submission in order to calculate a margin. Therefore, it was not necessary to rely on the expanded sales reporting of the October 20th database.

Because we did not need the additional sales reported in the October 20th database and because that database contained changes not requested by the Department,<sup>2</sup> we relied solely on the July 7th database for our calculations.

We relied on the product characteristics reported in Appendix SB-4 of Camesa's October 20th submission to confirm that the home market products reported in the July 7th submission were in fact identical to those products sold to the United States.

#### Cost of Production Analysis

Section 773(b)(1) requires the Department to conduct a sales-below-cost investigation if it has reasonable grounds to believe or suspect sales below cost in the respondent's home market. According to section 773(b)(2)(A)(ii) of the Act, there are reasonable grounds to believe or suspect that sales in the home market have been made at below cost if sales were disregarded in a previous administrative review for having been at prices below cost. Therefore, because some of Camesa's home market sales were excluded from the margin calculation in the last review, after having been found to be at prices below cost, *Carbon Steel Wire Rope from Mexico, Final Results of Antidumping Duty Administrative Review*, 63 FR 46753 (Sept. 2, 1998), the Department is required to conduct a sales-below-cost investigation before determining a margin in this review. Accordingly, we requested and obtained from Camesa the cost data necessary to determine whether below-cost home market sales occurred during the current POR. Before making any NV comparisons for Camesa, we conducted the cost of production (COP) analysis described below.

In accordance with section 773(b)(3) of the Act, we calculated a weighted-average COP for each model sold in the home market based on the sum of Camesa's cost of materials and fabrication for the foreign like product (i.e., cost of manufacturing (COM)), plus amounts for home market general and administrative expenses (GNA), interest expenses, and indirect selling expenses. We relied on the COP data submitted by Camesa in its cost questionnaire response.

Camesa submitted cost data for each model reported for each month of the review period. For each model, we calculated a single weighted-average figure by weighting monthly COMs by the amount produced in each month.

We compared the weighted-average COPs for Camesa to home market sales of the foreign like product, as required under section 773(b) of the Act, in order to determine whether these sales had been made at prices below cost. On a product-specific basis, we compared COPs to home market prices, less discounts, movement expenses, direct selling expenses, and packing costs.

<sup>1</sup> Specifically, we originally asked for sales of all "merchandise that is: (1) identical to the U.S. product; or (2) that is identical except that the merchandise is in the millimeter size just above or just below the size of the U.S. merchandise; and/or (3) that is identical to the U.S. product with respect to all product characteristics other than wire lay." See letter from Edward Yang, dated June 24, 1998.

<sup>2</sup> Section 351.301(b)(2) provides that with respect to administrative reviews, submission of unsolicited factual information is due no later than 140 days after the last day of the anniversary month. Included within respondents submission of October 20 was additional information not requested by the Department. Because this information was not requested and was untimely we rejected it.

In determining whether to disregard home market sales made at prices below cost, we examined whether such sales were made: (1) Within an extended period of time in substantial quantities; and (2) at prices which permitted the recovery of all costs within a reasonable period of time in the normal course of trade, in accordance with sections 773(b)(1)(A) and (B) of the Act. In accordance with section 773(b)(2)(C), where 20 percent or more of home market sales during the POR of a particular model were made at prices below cost we disregard the below-cost sales for the model because the sales were made in substantial quantities within an extended period and at prices that would not permit the recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act.

When making price comparisons with U.S. sales, in accordance with section 771(16) of the Act, the Department considers all products sold in the home market within the "Scope of Review" and in the ordinary course of trade. If sales of identical merchandise in the home market are disregarded because they are sold below cost, or because they are otherwise not made in the ordinary course of trade, we compare U.S. sales to home market sales of the most similar foreign like products made in the ordinary course of trade. Product similarity is based on the characteristics listed in Sections B and C of our antidumping questionnaires. See also the section entitled "Product Comparisons" in this Notice.

#### Level of Trade

In accordance with section 773(a)(1)(B) of the Act, to the extent practicable, we determine NV based on sales in the comparison market at the same level of trade (LOT) as the U.S. transaction. The NV LOT is that of the starting-price sales in the comparison market or, when NV is based on constructed value, that of the sales from which we derive selling, general and administrative 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 a 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 NV and CEP levels 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, 61732 (November 19, 1997).

Camesa did not claim a LOT adjustment; however, we requested information concerning Camesa's distribution system, including classes of customers, selling functions, and selling expenses, to determine whether such an adjustment was necessary. Camesa reported that all sales to the United States during the POR were to distributors, and sales in the comparison market, the home market in this case, were to industrial end users and distributors. After reviewing Camesa's response to our questions involving its sales functions in both channels of distribution in its home market and the United States, we preliminarily determine that sales in the home market and sales in the United States are at the same LOT, and that no adjustment is warranted. See Memorandum to the File ("Analysis Memo"), dated March 2, 1999.

#### Price-to-Price Comparisons

Pursuant to section 777A(d)(2), we compared the EPs of individual transactions to the monthly weighted-average prices (NV) of sales of the foreign like product made in the ordinary course of business. We based NVs on packed, 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 prices for discounts and inland movement expenses. We also made circumstance-of-sale adjustments for differences in credit and warranty expenses, pursuant to section 773(a)(6)(C)(iii) of the Act, by adding to NVs the amounts of U.S. credit and warranty expenses for each U.S. sale and subtracting the home market credit and warranty expenses. Similarly, in order to adjust for differences in packing expenses between the two markets, we increased home market price by U.S. packing costs and reduced it by home market packing costs. Prices were

reported net of VAT and, therefore, no deduction for VAT was necessary.

#### Sales of Strand to a U.S. Affiliate

Pursuant to the affirmative final determination of circumvention of this antidumping duty order (see *Steel Wire Rope from Mexico: Affirmative Final Determination Circumvention of Antidumping Duty Order*, 60 FR 10831 (Feb. 28, 1995)), steel wire strand, when manufactured in Mexico by Camesa and imported into the United States for use in the production of steel wire rope, falls within the scope of the antidumping duty order on steel wire rope from Mexico.

In its October 20, 1998 supplemental questionnaire response, Camesa reported that during the POR all of its exports of steel wire strand to the United States were made to its U.S. subsidiary, Camesa, Inc. These strands consisted of three product types: prestressed concrete strand, post-tension tendon, and oilfield strands (DYCAM and swab lines). Camesa reports that these strands are not used by Camesa Inc. in the manufacture of steel wire rope and that they fall outside the scope of the circumvention order; thus we have preliminarily determined that they do not fall within the types of steel wire rope strand covered by the 1995 circumvention determination.

#### Preliminary Results of the Review

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

Exporter/manufacturer	Weighted-average margin percentage
Aceros Camesa S.A. de C.V. ...	0.00

Parties to the proceeding may request disclosure within 5 business days of the date of publication of this notice. Any interested party may request a hearing within 30 days of publication. Pursuant to 19 CFR 351.310(d), any hearing, if requested, will be held 37 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 35 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, 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 Customs Service shall assess, antidumping duties on all appropriate entries. If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service not to assess antidumping duties on the merchandise subject to review. Upon completion of this review, the Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of steel wire rope products from Mexico 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) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original investigation of sales at less than fair value (LTFV) or a previous review, the cash deposit will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this or a previous 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 shall be 111.68 percent, the "all others" rate established in the LTFV investigation (58 FR 7531, February 8, 1993).

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 351.402(f) 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 issued and published in accordance with sections 751(a)(1) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.213.

Dated: February 26, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-5629 Filed 3-5-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-002]

#### **Chloropicrin From the People's Republic of China: Extension of Time Limit for Final Results of Five-Year Review**

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

**ACTION:** Notice of extension of time limit for final results of five-year ("sunset") review.

**SUMMARY:** The Department of Commerce ("the Department") is extending the time limit for the final results of the sunset review on the antidumping duty order on chloropicrin from the People's Republic of China. Based on adequate response from domestic interested parties and inadequate response (in this case no response) from respondent interested parties, the Department is conducting an expedited sunset review to determine whether revocation of the order would be likely to lead to continuation or recurrence of dumping. As a result of this extension, the Department intends to issue its final results not later than June 1, 1999.

**EFFECTIVE DATE:** March 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Scott E. Smith or Melissa G. Skinner, Import Administration, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street, N.W., Washington, D.C. 20230; telephone: (202) 482-6397, or (202) 482-1560 respectively.

#### **Extension of Final Results**

The Department has determined that the sunset review of the antidumping duty order on chloropicrin from the People's Republic of China are extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). See section 751(c)(6)(C) of the Act. The Department is extending the time limit for completion of the final results of this review until not later than June 1, 1999,

in accordance with section 751(c)(5)(B) of the Act.

Dated: March 2, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-815 & A-580-816]

#### **Certain Cold-Rolled Carbon Steel Flat Products and Certain Corrosion-Resistant Carbon Steel Flat Products From Korea: Extension of Time Limit**

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

**ACTION:** Notice of extension of time limit.

**SUMMARY:** The Department of Commerce (the Department) is extending the time limit for the preliminary results of the antidumping duty administrative reviews of Certain Cold-Rolled Carbon Steel Flat Products & Certain Corrosion-Resistant Carbon Steel Flat Products from Korea. These reviews cover the period August 1, 1997 through July 31, 1998.

**EFFECTIVE DATE:** March 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Becky Hagen or Jim Doyle, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.; telephone (202) 482-1102 or 482-0159, respectively.

**SUPPLEMENTARY INFORMATION:** Due to the complexity of issues involved in these cases, it is not practicable to complete these reviews within the original time limit. The Department is extending the time limit for completion of the preliminary results from May 3, 1999 until August 31, 1999, in accordance with Section 751(a)(3)(A) of the Tariff Act of 1930, as amended. See memorandum to Robert S. LaRussa from Joseph A. Spetrini regarding the extension of the case deadline. The time limit for the final results would remain at 120 days after the preliminary results are issued.

This extension is in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. § 1675(a)(3)(A)).