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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 7.30 percent, the ''all others'' rate established in the LTFV investigation.

This notice also serves as a final 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 the 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 notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.304. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 4, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–20557 Filed 8–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–826]

Collated Roofing Nails From Taiwan: Preliminary Results of Antidumping 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 is conducting an administrative review of the antidumping duty order on collated roofing nails from Taiwan in response to a request by Dinsen Fastening System, Inc., a producer/exporter of subject merchandise. This review covers the period November 20, 1997, through October 31, 1998.

We have preliminarily determined that sales have not been made below normal value. Interested parties are invited to comment on these preliminary results. If these preliminary results are adopted in our final results of administrative review, we will instruct the Customs Service not to assess antidumping duties on entries subject to this review.

EFFECTIVE DATE: August 10, 1999.

FOR FURTHER INFORMATION CONTACT: Mary J. Jenkins or Katherine Johnson, Office 2, AD/CVD Enforcement Group I, Import Administration, Room 3099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482–1756, or 482–4929, respectively.

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 made to the Act by the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all citations to the Department of Commerce's (''the Department's'') regulations are to the regulations at 19 CFR Part 351 (1998).

SUPPLEMENTARY INFORMATION:

Background

On November 19, 1997, the Department published in the **Federal Register** the antidumping duty order on collated roofing nails from Taiwan (62 FR 61729).

On November 12, 1998, we published in the **Federal Register** (63 FR 63287) a notice of opportunity to request an administrative review of the antidumping duty order on collated roofing nails from Taiwan covering the period November 20, 1997, through October 31, 1998.

In accordance with 19 CFR 351.213(b)(1), Dinsen Fastening System, Inc. (''Dinsen'') requested that we conduct an administrative review of its sales. We published a notice of initiation of this antidumping duty administrative review on December 23, 1998 (63 FR 71091).

On January 14, 1999, the Department issued an antidumping duty questionnaire to Dinsen. We also issued a supplemental questionnaire on April 12, 1999. On March 8, March 15, and May 3, 1999, we received from Dinsen responses to the original antidumping questionnaire and the supplemental questionnaire. We conducted verification of Dinsen's antidumping duty questionnaire responses from June 1, through June 4, 1999, and issued our report on July 6, 1999, (*see* Memorandum to the File: Sales and Cost of Production Verification) (Verification Report).

On June 2, 1999, Dinsen provided the Department with changes to its response as a result of errors found during the preparation for verification. At the Department's request, on June 30, 1999, the respondent provided revised sales and cost databases reflecting the correction of certain errors found by Dinsen in preparing for verification and also to account for certain errors found at verification.

We made the following additional adjustments to Dinsen's June 30, 1999, reported databases based on verification findings:

1. We deleted threading cost for all control numbers except one, based on the verification results. We also corrected an error in the per-unit threading cost for the one control number based on the verification results.
2. We adjusted the plastic sheet cost to account for a correction in the cost of packing.
3. We corrected the product code and control number for a specific transaction.

Scope of the Review

The product covered by this review is collated roofing nails made of steel, having a length of 13⁄16 inch to 1 13⁄16 inches (or 20.64 to 46.04 millimeters), a head diameter of 0.330 inch to 0.415 inch (or 8.38 to 10.54 millimeters), and a shank diameter of 0.100 inch to 0.125 inch (or 2.54 to 3.18 millimeters), whether or not galvanized, that are collated with two wires.

Collated roofing nails within the scope of this investigation are classifiable under the Harmonized Tariff Schedule of the United States (''HTSUS'') subheadings 7317.00.55.06. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this review is dispositive.

Fair Value Comparisons

To determine whether sales of the subject merchandise sold by Dinsen and exported to the United States were made at less than normal value (''NV''), we compared export price (''EP'') to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual

U.S. transactions to the weighted-average NVs of the foreign like product.

Consistent with our July 29, 1999, preliminary determination that stainless steel collated roofing nails are not within the scope of the antidumping duty order on collated roofing nails from Taiwan (*see* Memorandum for Richard Moreland from Louis Apple regarding ''Preliminary Scope Ruling-Antidumping Duty Order on Collated Roofing Nails from Taiwan Requested by the Stanley Bostitch Fastener Division of Stanley Works, Inc.'' dated July 29, 1999), we have excluded all U.S. sales of such merchandise from our preliminary margin analysis in this review.

Export Price

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

We calculated EP based on packed, FOB Taiwan port or C&I (cost and insurance) U.S. port prices to customers in the United States, or FOB at Taiwan port for trading companies in Taiwan that purchase the subject merchandise from Dinsen and export the subject merchandise to its U.S. customers. We made deductions, where applicable, for inland freight expenses, brokerage and handling expenses (inclusive of marine insurance charges) and harbor maintenance fees, in accordance with section 772(c) of the Act.

Home Market or Third Country Viability

In order to determine whether there was a sufficient volume of sales in the home market or third country to serve as a viable basis for calculating NV (*i.e.*, the aggregate volume of home market or third country sales of the foreign like product are equal to or greater than five percent of the aggregate volume of U.S. sales), we compared the respondent's volume of home market and third country sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with sections 773(a)(1)(B) and (C) of the Act. Because the respondent's aggregate volume of home market and third country sales of the foreign like product was less than five percent of its aggregate volume of U.S. sales of the subject merchandise, we determined that its home and third country markets were not viable. Therefore, we used constructed value (''CV'') as the basis for calculating NV, in accordance with section 773(a)(4) of the Act.

Normal Value

After testing home market viability, we calculated NV as noted in the ''Price-to-CV Comparisons'' section of this notice.

Calculation of CV

We calculated CV for the respondent in accordance with section 773(e)(1) of the Act, which indicates that CV shall be based on the sum of the respondent's cost of materials and fabrication for the foreign like product, plus amounts for selling, general, and administrative expenses (SG&A), profit, and U.S. packing costs.

Because there are no viable comparison markets for the respondent and, hence, no actual company-specific profit and selling expense data available for the respondent, we calculated these items in accordance with section 773(e)(2)(B)(iii) of the Act and the Statement of Administrative Action (''SAA'') accompanying the URAA, H.R. Doc. No. 316, 103d Cong, 2d Sess (1994), at 841. Dinsen reported general and administrative expenses in its questionnaire response.

Specifically, the SAA provides that where, due to the absence of data, the Department cannot determine amounts for profit under alternatives (i) or (ii) of section 773(e)(2)(B) of the Act or a ''profit cap'' under alternative (iii) of section 773(e)(2)(B) of the Act, the Department may apply alternative (iii) on the basis of the facts available. In this case, we are unable to determine an amount for profit under alternatives (i) or (ii), or a ''profit cap'' under alternative (iii) because the respondent does not have a viable home market. *See* 19 CFR 351.405(b)(2) (clarifying that under section 773(e)(2)(B) of the Act, ''foreign country'' means the country in which the merchandise is produced) (62 FR 27296, 27412–13 (May 19, 1997)). The statute directs us to use an amount which reflects profit in connection with sales for consumption in the foreign country of the same general category of products as the subject merchandise. *See* section 773(e)(2) of the Act. Because Dinsen did not have a viable home market, the profit and selling expenses shown on its financial statement do not reflect profit and selling expenses realized in the home market. Therefore, we did not rely on the profit or selling expense data in the respondent's financial statements in calculating CV. Instead, we applied alternative (iii) and determined profit and selling expense on the basis of the facts available consistent with the SAA (*see Notice of Final Determination of Sales at Less Than Fair Value: Certain Preserved Mushrooms from Indonesia*, 63 FR 72268, 72273, (December 31, 1998)). As facts available, we calculated Dinsen's profit and selling expenses for CV based on the weighted-average selling expenses and profit contained in the 1998 financial statement of Chun Yu Works & Company, Ltd. (''Chun Yu''), a Taiwan producer of fasteners, lug nuts and steel bars. *See* Calculation Memorandum dated August 2, 1999.

Price-to-CV Comparisons

For price-to-CV comparisons, we did not make a circumstance-of-sale adjustment, pursuant to section 773(a)(6)(C)(iii) of the Act, because the Department was unable to distinguish between home market direct and indirect selling expenses based on the 1998 financial statement of Chun Yu.

Preliminary Results of the Review

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

Manufacturer/exporter	Period	Margin (percent)
Dinsen Fastening System, Inc	11/20/97–10/31/98	0.02 (*de minimis*).

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within 30 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first business day thereafter.

Issues raised in the hearing will be limited to those raised in the respective case briefs and rebuttal briefs. Case briefs from interested parties and rebuttal briefs, limited to the issues raised in the respective case briefs, may be submitted not later than 30 days and 37 days, respectively, from the date of publication of these preliminary results. *See* 19 CFR 351.309(c)(1)(ii) and (d)(1).

Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. Parties are also encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

The Department will subsequently issue the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or at the hearing, if held, not later than 120 days after the date of publication of this notice.

Interested parties who wish to request a hearing or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, Room B–099, within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. *See* 19 CFR 351.310(c).

Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appropriate appraisement instructions directly to the Customs Service upon completion of this review. 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. We will instruct the Customs Service to assess antidumping duties on all appropriate entries covered by this review if any assessment rate calculated in the final results of this review is above *de minimis* (*i.e*, at or above 0.5 percent) (*see*, 19 CFR 351.106(c)(2)). For assessment purposes, if applicable, we intend to calculate an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales and dividing this amount by the total quantity sold.

Cash Deposit Requirements

The following cash deposit requirements will be effective for all shipments of the subject merchandise 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 Dinsen will be that established in the final results of this review, except if the rate is less than 0.5 percent, and therefore, *de minimis* within the meaning of 19 CFR 351.106(c)(1), in which case 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, the cash deposit rate will continue to be the rate published in the final determination; or (3) if the manufacturer or exporter is not a firm covered in this 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; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 2.98 percent, the ''All Others'' rate made effective by the LTFV investigation. 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 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. *See* 19 CFR 351.402(f)(3).

This administrative review and notice are published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 2, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–20559 Filed 8–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–823]

Professional Electric Cutting Tools From Japan: Preliminary Results of Antidumping Duty Administrative Review and Intent To Revoke Order in Part

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

ACTION: Notice of preliminary results of antidumping duty administrative review and intent to revoke order in part.

SUMMARY: In response to a request by the respondents, Makita Corporation and Makita U.S.A., Inc., the U.S. Department of Commerce is conducting an administrative review of the antidumping duty order on professional electric cutting tools from Japan. The period of review is July 1, 1997, through June 30, 1998.

We have preliminarily found that no sales of subject merchandise have been made below normal value. If these preliminary results are adopted in our final results of administrative review, we will instruct the Customs Service not to assess antidumping duties on the subject merchandise exported by Makita Corporation. Furthermore, if these preliminary results are adopted in our final results of this administrative review, we intend to revoke the antidumping duty order with respect to Makita Corporation, based on three consecutive review periods of sales at not less than normal value (*see* 19 CFR 351.222(b)(i)). *See Intent to Revoke* section of this notice.

EFFECTIVE DATE: August 10, 1999.

FOR FURTHER INFORMATION CONTACT: Brian Smith, at (202) 482–1766, Barbara Wojcik-Betancourt at (202) 482–0629, or Brian Ledgerwood, at (202) 482–3836, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, DC 20230.

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, as amended (''the Act''), by the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all references are made to the U.S. Department of Commerce's (''the Department's'') final regulations at 19 CFR Part 351 (1998).

Case History

On July 12, 1993, the Department published in the **Federal Register** an antidumping duty order on professional electric cutting tools from Japan. *See* 58 FR 37461. On July 1, 1998, the Department published a notice providing an opportunity to request an administrative review of this order for the period July 1, 1997, through June 30, 1998 (63 FR 35909). On July 24, 1998, we received a timely request for an administrative review from Makita Corporation (''Makita Japan'') and Makita U.S.A. Inc. (''Makita USA''), Makita Japan's affiliated selling agent in the United States. In addition, Makita