

injury to the domestic producers of a like product by reason of the subject imports, allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of turbo-compressor systems from Japan are being, or are likely to be, sold at less than fair value in the United States. Unless extended, we will make our preliminary determination by October 15, 1996.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of the petition has been provided to the representatives of the Government of Japan. We will attempt to provide a copy of the public version of the petition to each exporter of turbo-compressor systems named in the petition.

International Trade Commission ("ITC") Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determinations by the ITC

The ITC will determine by June 24, 1996, whether there is a reasonable indication that imports of turbo-compressor systems from Japan are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

Dated: May 28, 1996.

Paul L. Joffe,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96-13966 Filed 6-3-96; 8:45 am]

BILLING CODE 3510-DS-P

[A-201-601]

Fresh Cut Flowers From Mexico; Preliminary Results and Partial Termination of Antidumping Duty Administrative Review, and Intent to Revoke Antidumping Duty Order in Part

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

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

SUMMARY: The Department of Commerce (the Department) is conducting an

administrative review of the antidumping duty order on certain fresh-cut flowers from Mexico, in response to a request by a respondent, Rancho El Aguaje (Aguaje). Although we initiated reviews for two other producers, Rancho El Toro (Toro) and Rancho Guacatay (Guacatay), we are terminating these reviews because Toro and Guacatay timely withdrew their requests for review. We preliminarily intend to revoke the antidumping duty order with respect to Aguaje, based on our preliminary determination that Aguaje has had a three-year period of sales at not less than normal value (NV). This review covers one producer/exporter and entries of the subject merchandise into the United States during the period April 1, 1994 through March 31, 1995.

We have preliminarily determined that sales have not been made below NV. Interested parties are invited to comment on these preliminary results. Parties who submit comments are requested to submit with each comment (1) a statement of the issue and (2) a brief summary of the comment.

EFFECTIVE DATE: June 4, 1996.

FOR FURTHER INFORMATION CONTACT:

Rebecca Trainor or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4733.

Applicable Statutes and Regulations

Unless otherwise states, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

SUPPLEMENTARY INFORMATION:

Background

On April 23, 1987, the Department published in the Federal Register an antidumping duty order on certain fresh cut flowers from Mexico (52 FR 13491).

On April 27, 1995, Toro and Guacatay requested that the Department conduct an administrative review in accordance with 19 CFR 353.22(a)(1). Toro and Guacatay also requested that the Department revoke the antidumping duty order as it pertains to them upon completion of the review. On April 28,

1995, Aguaje requested an administrative review and revocation of the order as it pertains to it upon completion of the review. We published a notice of initiation on May 15, 1995 (60 FR 25885), covering Toro, Guacatay, and Aguaje, and the period April 1, 1994 through March 31, 1995. On August 11, 1995, Toro and Guacatay timely withdrew their requests for review. Because there were no other requests for review for these two respondents from any other interested party, the Department is now terminating this review for Toro and Guacatay in accordance with section 353.22(a)(5) of the Department's regulations. We shall instruct the Customs Service to liquidate Toro's and Guacatay's entries of this period at the rates in effect at the time of entry. Because they are previously reviewed companies, the cash deposit rates will continue to be the company-specific rates currently in effect.

The Department is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Review

The products covered by this review are certain fresh cut flowers, defined as standard carnations, standard chrysanthemums, and pompon chrysanthemums. During the period of review, such merchandise was classifiable under *Harmonized Tariff Schedule of the United States* (HTSUS) items 0603.10.7010 (pompon chrysanthemums), 0603.10.7020 (standard chrysanthemums), and 0603.10.7030 (standard carnations). The HTSUS item numbers are provided for convenience and Customs purposes only. The written description remains dispositive as to the scope of the order.

This review covers sales of the subject merchandise entered into the United States during the period April 1, 1994 through March 31, 1995.

Verification

From April 17 through April 19, 1996, the Department conducted verification of the questionnaire responses submitted by Aguaje, as provided in section 782(i) of the Act. We used standard verification procedures, including onsite inspection of the manufacturer's facilities, the examination of relevant accounting, sales, and other financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public version of the verification report.

Intent to Revoke

Aguaje submitted a request, in accordance with 19 CFR 353.25(b), that the Department revoke the order covering certain fresh cut flowers from Mexico with respect to its sales of this merchandise.

In accordance with 19 CFR 353.25(b)(1), this request was accompanied by a certification from Aguaje that it had not sold the relevant class or kind of merchandise at less than NV for a three year period including this review period, and would not be so in the future. Aguaje also agreed to its immediate reinstatement in the relevant antidumping order, as long as any firm is subject to that order, if the Department concludes under 19 CFR 353.22(f) that, subsequent to revocation, it sold the subject merchandise at less than NV.

In the two prior reviews of this order, we determined that Aguaje sold the subject flowers from Mexico at not less than NV. The Department conducted a verification of the ranch's response for this period of review. In this review, we preliminarily determine that Aguaje has sold flowers at not less than NV, which will satisfy the three-year period of no sales at less than NV. Therefore, we intend to revoke the order in part on certain fresh cut flowers from Mexico with respect to Aguaje, if these preliminary findings are affirmed in our final results.

United States Price

In calculating United States price, we used constructed export price (CEP), in accordance with subsections 772(b), (c) and (d) of the Act, because Aguaje's sales to the first unaffiliated purchaser occurred after importation into the United States. As in the original less-than-fair-value (LTFV) investigation and in all prior administrative reviews, all United States prices were weight-averaged on a monthly basis to account for perishability of the product. CEP was based on the packed prices to the first unrelated purchaser in the United States.

Where appropriate, we made deductions from CEP for Mexican and U.S. inland freight, Mexican and U.S. brokerage and handling, and those imputed credit and warranty expenses that were incurred in the United States. We also deducted those selling expenses that related to commercial activity in the United States, and added amounts for revenues earned from box charges and delivery charges. Finally, we made an adjustment for CEP profit in accordance with section 772(d)(3) of the Act.

Normal Value

Because Aguaje had no sales of comparable merchandise in the home market or to third countries, we based NV on constructed value (CV) as defined in section 773(a) of the Act. CV consists of the cost of materials and cultivation, general expenses, profit, and U.S. packing costs. We made a circumstance-of-sale adjustment to CV for the differences in direct selling expenses between CEP and CV.

Aguaje reported no profit figure to be added to CV because it had no home market or third country sales of subject merchandise. As there was no suitable information on the record from which to derive a home market profit rate, we used facts otherwise available for Aguaje's profit rate. There was no suitable publicly available information on the record for Aguaje for any prior review period and no other respondent in the current review. In addition, there is insufficient information on the record to calculate Aguaje's profit for the same general category of product as the subject merchandise. Therefore, we used the weighted average publicly available profit rate for other flower producers examined in the 1992-1993 review.

Aguaje's overall corporate G&A figure could not be verified because Aguaje could not locate all of the G&A support documents at verification. However, the company was generally cooperative. From the information in the current review and publicly available information from prior reviews, we identified three possible alternatives for G&A in this case: (1) Aguaje's submitted G&A data; (2) Aguaje's publicly available G&A data from a prior review period; and (3) publicly available G&A data submitted by other Mexican flower producers for prior review periods. We chose the alternative that resulted in the highest G&A percentage. Therefore, we have calculated an amount for G&A based on Aguaje's publicly available information from the most recently verified review period as facts otherwise available. For each month, we used the higher of this amount, or Aguaje's reported G&A costs. Our calculation of profit and G&A is discussed further in the memo to the file dated May 23, 1996, on file in Room B-099 of the Commerce Department.

Use of Facts Otherwise Available

Section 776(b) of the Act authorizes the Department to use as facts otherwise available information derived from the petition, the final determination, a previous administrative review, or other information placed on the record.

Because information from prior proceedings constitutes secondary information, section 776(c) provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA) provides that "corroborate" means simply that the Department will satisfy itself that the secondary information to be used has probative value.

In this case, we used the weighted-average publicly available profit rates of different Mexican flower producers, from verified data they reported for the 1992-1993 review period. We compared the separate home market profit rates of these companies to each other, and found them to be comparable. The profit rate we have applied to Aguaje is reliable and relevant, and therefore has probative value, because it is representative of the profits found to be earned by other Mexican flower producers during a recent review period. The G&A percentage we used also has probative value because it is the company's own verified rate from a recent review period.

Preliminary Results of Review

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

Manufacturer/exporter	Margin (percent)
Rancho El Aguaje	0.00

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed no later than 37 days after the date of publication. Parties who submit comments are requested to submit with their comments (1) a statement of the issue and (2) a brief summary of the comment. 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.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate

entries. Individual differences between CEP and NV may vary from the percentage stated above. 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 certain fresh cut flowers 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 these reviews but covered in the original LTFV investigation or 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 the merchandise, the cash deposit rate shall be 18.20 percent, the rate established in the LTFV investigation.

These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with sections 751(a)(1) and 751(d)(1) of the Act (19 U.S.C. 1675(a)) and 19 CFR 353.22 and 353.25.

Dated: May 23, 1996.

Paul L. Joffe,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96-13964 Filed 6-3-96; 8:45 am]

BILLING CODE 3510-DS-P-M

[A-588-028]

Roller Chain, Other Than Bicycle, From Japan; Preliminary Results of Antidumping Duty Administrative Review and Intent to Revoke Order (in Part)

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

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

SUMMARY: In response to requests from the American Chain Association (ACA), petitioner in this proceeding, Izumi Chain Manufacturing Co., Ltd. (Izumi), Daido Kogyo Co., Ltd (Daido), and Enuma Chain Mfg. Co., Ltd. (Enuma), respondents in this proceeding, the Department of Commerce (the Department) is conducting an administrative review of the antidumping finding on roller chain, other than bicycle, from Japan. This review covers seven manufacturers/exporters of the subject merchandise to the United States during the April 1, 1994 through March 31, 1995 period of review (POR).

While we have preliminarily determined that four manufacturers/exporters reviewed made sales below normal value (NV) during the POR, we determined the weighted-average dumping margin for three of the four manufacturers/exporters to be *de minimis*. We have also preliminarily determined that the remaining three manufacturers/exporters reviewed had no sales or shipments of the subject merchandise during the POR. If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service (Customs) to assess antidumping duties equal to the difference between the United States price (USP) and the NV.

In accordance with section 353.25 of the Department's regulations, we intend to revoke the antidumping duty finding with respect to Daido and Enuma because we have reason to believe that Daido and Enuma have sold the subject merchandise at not less than NV for a period of at least three consecutive years and are not likely to sell the subject merchandise at less than NV in the future. 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.

EFFECTIVE DATE: June 4, 1996.

FOR FURTHER INFORMATION CONTACT: Jack K. Dulberger, Matt Blaskovich, Ron Trentham, or Joseph Hanley, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone (202) 482-5253.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 225130).

Background

The Department published an antidumping duty finding on roller chain, other than bicycle, from Japan on April 12, 1973 (38 FR 9926). The Department published a notice of "Opportunity to Request an Administrative Review" of the antidumping finding for the 1994-95 review period on April 4, 1995 (60 FR 17052). On April 25, 1995, petitioner requested that the Department conduct an administrative review of the antidumping duty finding on roller chain, other than bicycle, from Japan for seven manufacturers/exporters (Daido, Enuma, Izumi, Hitachi Metals Techno Ltd. (Hitachi), Pulton Chain Co., Ltd. (Pulton), Peer Chain Company (Peer), and R.K. Excel). Additionally, on April 28, 1995, Izumi, Daido, and Enuma also requested that the Department conduct an administrative review of their sales of the subject merchandise during the POR. In its April 28, 1995 letter, Daido and Enuma requested partial revocation of the finding pursuant to § 353.25(b) of the Department's regulations. We initiated the review on May 15, 1995, (60 FR 25885).

Hitachi, Pulton, and Peer reported, and the Department verified through Customs, that they had no shipments/sales of the subject merchandise during the POR.

The Department extended the time limits for the deadlines for the preliminary and final results of review because of the additional time required for the development of a new questionnaire that accorded with URAA. *See Antidumping Duty*