

Intent To Revoke

Tamini requested, pursuant to 19 C.F.R. 353.25(b), revocation of the order with respect to its sales of the merchandise in question and submitted the certification required by 19 C.F.R. 353.25(b)(1). Tamini was not required to provide the certification required by 19 C.F.R. 353.25(b)(2) (a statement in writing agreeing to its immediate reinstatement in the order if the Department concludes, subsequent to revocation, that the respondent sold merchandise at less than normal value) because the Department has not previously determined that Tamini sold subject merchandise in the United States at less than NV. Based on the preliminary results in this review and the two preceding reviews (see *Large Power Transformers from Italy; Final Results of Antidumping Duty Administrative Review*, 59 FR 48851 (September 23, 1994), and *Large Power Transformers from Italy; Final Results of Antidumping Duty Administrative Review*, 61 FR 37443 (July 18, 1996)), Tamini has demonstrated three consecutive years of sales at not less than NV.

Given the results of the two preceding reviews, if the final results of this review demonstrate that Tamini sold the merchandise at not less than NV, and if we determine that it is not likely that Tamini will sell the subject merchandise at less than NV in the future, we intend to revoke the order with respect to merchandise produced and exported by Tamini.

Preliminary Results of Review

As a result of our comparison of USP to NV, we preliminarily determine that a weighted-average margin of zero percent exists for sales of LPTs made to the United States by Tamini during the period June 1, 1994, through May 31, 1995.

Parties to this proceeding may request disclosure within 5 days of publication of this notice and may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication or the first business day thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those comments, may be filed not later than 37 days after the date of publication of this notice. Parties who submit comments in this proceeding are requested to submit with each argument (1) a statement of the issue, and (2) a

brief summary of the argument. Service of all briefs and written comments must be in accordance with 19 C.F.R. 353.38(e). The Department will publish the final results of the administrative review, including the results of its analysis of any such comments or hearing, within 180 days of publication of these preliminary results of review.

The Department will issue appropriate appraisal instructions directly to the Customs Service upon completion of this review. Furthermore, the following 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) for Tamini, if we revoke the order with respect to its merchandise, suspension of liquidation and cash deposits will no longer be required; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate 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 review, a prior review, or the original less-than-fair-value (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) the cash deposit rate for all other manufacturers or exporters will be 92.47 percent, which is the "new shipper" rate established in the first final results of review of this finding. See *Large Power Transformers from Italy: Notice of Final Results of Administrative Review*, 49 FR 31313 (August 6, 1984). For a further explanation of our policy concerning the all other deposit rate in this case, see *Large Power Transformers from Italy: Notice of Final Results of Administrative Review*, 59 FR 48851 (September 23, 1994). These deposit requirements, 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 C.F.R. 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 C.F.R. 353.22(c)(5).

Dated: July 26, 1996.

Robert S. LaRussa,
Acting Assistant Secretary for Import Administration.

[FR Doc. 96-19999 Filed 8-5-96; 8:45 am]

BILLING CODE 3510-DS-P

[A-570-847]

Initiation of Antidumping Duty Investigation: Persulfates From the People's Republic of China

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

EFFECTIVE DATE: August 6, 1996.

FOR FURTHER INFORMATION CONTACT: James Terpstra, Irene Darzenta, or Howard Smith at (202) 482-3965, 482-6320, and 482-5193 respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Initiation of Investigation

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").

The Petition

On July 11, 1996, the Department of Commerce ("the Department") received a petition filed in proper form by FMC Corporation ("FMC" or "petitioner"). On July 22 and 25, 1996, the petitioner submitted a supplement to the petition in response to the Department's request for additional information. The supplement contained updated normal values and revised margin calculations.

In accordance with section 732(b) of the Act, the petitioner alleges that imports of persulfates from the People's Republic of China ("PRC") are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, the U.S. industry.

Because the petitioner is an interested party, as defined under section 771(9)(C) of the Act, it has standing to file the petition.

Determination of Industry Support for the Petition

Section 732(c)(4)(A) of the Act requires the Department to determine, prior to the initiation of an investigation, that a minimum percentage of the domestic industry supports an antidumping petition. A petition meets these minimum requirements if the domestic producers or workers who support the petition account for (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

The petitioner is the only known U.S. producer of persulfates. Accordingly, the Department determines that the petition is supported by the domestic industry.

Scope of Investigation

The products covered by this petition are persulfates, including ammonium, potassium, and sodium persulfates. The chemical formulae for these persulfates are, respectively, $(\text{NH}_4)_2\text{S}_2\text{O}_8$, $\text{K}_2\text{S}_2\text{O}_8$, and $\text{Na}_2\text{S}_2\text{O}_8$. Ammonium and potassium persulfates are currently classified under subheading 2833.40.60 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Sodium persulfate is classified under HTSUS subheading 2833.40.20. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Export Price

The petitioner based export prices for ammonium, potassium, and sodium persulfates on price quotes obtained from U.S. importers. Petitioner reduced these prices to account for estimated importer mark-ups, and for U.S. duties and customs fees, ocean freight, insurance, foreign inland freight and foreign handling fees.

Normal Value

In previous investigations, the Department has determined that the PRC is a nonmarket economy ("NME") country within the meaning of section 771(18) of the Act. See, e.g., *Final Determination of Sales at Less Than Fair Value: Manganese Metal from the People's Republic of China* (60 FR 56045, 56047 (November 6, 1995)). In accordance with section 771(18)(C), the presumption of NME status for the PRC shall continue for purposes of the initiation of this investigation. In the course of this investigation, all parties will have the opportunity to provide

relevant information related to the NME status of the PRC and the assignment of separate rates to individual exporters. (See, e.g., *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the PRC* (59 FR 22585 (May 2, 1994))).

In antidumping investigations in which the comparison market is not a market economy, section 773(c) of the Act requires that the normal value of the foreign like product be based on the producer's factors of production valued in a surrogate market economy country or countries that is/are a significant producer of comparable merchandise and at a level of economic development comparable to the NME country. Publicly available published information from India was used by the petitioner to value the factors of production because India is the only persulfate producer among surrogate countries that the Department typically uses for the PRC. The petitioner based the fixed factory overhead, selling, general and administrative, and profit elements of its normal value calculation on data from an annual report of an Indian producer of hydrogen peroxide. According to the petitioner, it relied on data from a producer of hydrogen peroxide because public financial data for Indian persulfate producers was not available, and the production processes for hydrogen peroxide and persulfates are comparable.

The petitioner based the quantities of factors (i.e., raw materials, labor, and energy) used in production of ammonium, potassium, and sodium persulfates on the experience of certain PRC producers. The petitioner relied on its own production experience where PRC usage factors were not available. See, *Initiation of Antidumping Duty Investigation: Certain Brake Drums and Certain Brake Rotors from the People's Republic of China* (61 FR 14740 (April 3, 1996)). The petitioner maintains that it is reasonable to use its own production experience because the production process is the same whether the persulfates are produced in the United States or in the PRC.

Based on comparisons of the export prices with normal values constructed from factors of production, the calculated dumping margins range from 15.87 percent to 182.37 percent. If it becomes necessary at a later date to consider the petition as a source for facts available, we may re-examine the information in the petition and, if necessary, revise the margin calculations therein.

Normal Value Comparisons

Based on the data provided by the petitioner, there is reason to believe that imports of persulfates from the PRC are being, or are likely to be, sold at less than fair value.

Initiation of Investigation

We have examined the petition on persulfates from the PRC and have found that it meets the requirements of section 732 of the Act, including the requirements concerning allegations of material injury or threat of material injury to the domestic producers of domestic like products by reason of the complained-of imports, allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of persulfates from the PRC are being, or are likely to be, sold in the United States at less than fair value. Unless the investigation is extended, we will make our preliminary determination by December 18, 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 the PRC.

International Trade Commission ("ITC") Notification

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

Preliminary Determination by the ITC

The ITC will determine by August 26, 1996, whether there is a reasonable indication that imports of persulfates from the PRC are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination in this investigation will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

Dated: July 31, 1996.

Robert S. LaRussa,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 96-19997 Filed 8-5-96; 8:45 am]

BILLING CODE 3510-DS-P