Manufacturer/exporter	Time period	Margin [5] (percent)
Sulbow Minerals	12/1/92–11/30/93	[2] 42.80

[1] No shipments or sales subject to this review. The firm has no individual rate from any segment of this proceeding. As a result, the firm will be subject to the ''all others'' rate.
[2] Non-cooperative total BIA rate.
[3] Cooperative total BIA rate.
[4] No shipments to the United States during the period of review. Rate is the rate established during the immediately preceding administrative review.
[5] Both the cooperative and the non-cooperative BIA rates may change for the final review results, if Husky's rates change for the final results.

Parties to these reviews may request disclosure within 5 days of the date of publication of this notice. Interested parties may request a hearing within 10 ten days of the date of publication. Any hearing, if requested, will be held not later than 44 days after the date of publication or the first workday thereafter. Case briefs from interested parties may be submitted not later than 30 days after 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 37 days after the date of publication of this notice. The Department will publish the final results of these administrative reviews, including the results of its analysis of issues raised in any such written comments.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. Upon completion of the reviews, the Department will issue appraisement instructions directly to the U.S. Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of elemental sulphur, entered or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be those rates established in the final results of the most recent review in which the company was involved; (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 either of these reviews, a prior 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) if neither the exporter nor the manufacturer is a firm covered in these or any previous review, or the LTFV investigation, the cash deposit rate will be the ''new shipper'' rate of 5.56 percent established in the first review conducted by the Department in which a ''new shipper'' rate was established (*see Sulphur Final*). 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 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.

These administrative reviews 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: August 22, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–22237 Filed 8–29–96; 8:45 am]

BILLING CODE 3510–DS–P

[C–301–003; C–301–601]

Roses and Other Cut Flowers From Colombia; Miniature Carnations From Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations

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

ACTION: Notice of final results of countervailing duty administrative reviews and termination of suspended investigations.

SUMMARY: On March 8, 1996, the Department of Commerce (''the Department'') published the preliminary results of its administrative reviews of, and its intent to terminate, the agreements suspending the countervailing duty investigations on roses and other cut flowers (''roses'') from Colombia and on miniature carnations (''minis'') from Colombia. We gave interested parties an opportunity to comment on the preliminary results. After reviewing all the comments received, we determine that the Government of Colombia (''GOC'') and producers/exporters of roses and minis have complied with the terms of the suspension agreements during the period January 1, 1994 through December 31, 1994. We also determine that the producers/exporters of subject merchandise have not received countervailable benefits or used any program under review for a period of at least five consecutive years. Additionally, we determine that the GOC and producers/exporters of the subject merchandise (respondents) have provided sufficient evidence for the Department to determine that it is likely that producers/exporters of subject merchandise will not in the future apply for or receive any net subsidy on the subject merchandise from those programs the Department has found countervailable in any proceeding involving Colombia or from other countervailable programs. Therefore, we determine that respondents have met the requirements for termination of the countervailing duty suspended investigation on roses and other cut flowers and on miniature carnations as outlined in the Department's Regulations.

EFFECTIVE DATE: August 30, 1996.

FOR FURTHER INFORMATION CONTACT: Rick Johnson or Jean Kemp, AD/CVD Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on or after January 1, 1995, the

effective date of amendments made to the Tariff Act in accordance with the Uruguay Round Agreements Act (URAA).

Background

On March 8, 1996, the Department published in the Federal Register (61 FR 9426) the preliminary results of its administrative reviews of the agreements suspending the countervailing duty investigations on roses and minis from Colombia. *See Roses and Other Cut Flowers From Colombia; Suspension of Investigation*, 48 FR 2158 (January 18, 1983); *Roses and Other Cut Flowers From Colombia; Final Results of Countervailing Duty Administrative Review and Revised Suspension Agreement*, 51 FR 44930 (December 15, 1986); and *Miniature Carnations from Colombia; Suspension of Countervailing Duty Investigation*, 52 FR 1353 (January 13, 1987). We have now completed these administrative reviews in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act), and 19 CFR 355.22.

Scope of Review

The products covered by these administrative reviews constitute two ''classes or kinds'' of merchandise: roses and minis from Colombia. During the period of review (''POR''), such merchandise covered by these suspension agreements was classifiable under *Harmonized Tariff Schedule* (''HTS'') item numbers 0603.10.60, 0603.10.70, 0603.10.80, and 0603.90.00 for roses, and 0603.10.30 for minis. The HTS item numbers are provided for convenience and Customs purposes only. The written descriptions remain dispositive.

These reviews of the suspended investigations involve over 600 Colombian flower producers/exporters of roses, over 100 Colombian flower producers/exporters of minis, as well as the GOC. The suspension agreement for minis covers ten programs: (1) BANCOLDEX (funds for the promotion of exports); (2) Plan Vallejo; (3) Instituto de Fomento Industrial (IFI); (4) Fondo Financiero de Proyectos de Desarrollo (FONADE); (5) Financiero de Desarrollo Territorial (FINDETER); (6) Tax Reimbursement Certificate Program (''CERT''); (7) Free Industrial Zones; (8) Export Credit Insurance; (9) Countertrade; and (10) Research and Development. The suspension agreement for roses covers the ten programs listed above, as well as (11) Air Freight Rates. The POR is January 1, 1994 through December 31, 1994.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received comments from the respondents, the GOC and Associaciòn Colombiana de Exportadores de Flores (''Asocolflores''); and the petitioner, the Floral Trade Council (''FTC''). Comments submitted consist of petitioner's case brief of April 8, 1996; and respondents' case brief of April 5, 1996 and rebuttal brief of April 12, 1996.

Comment 1: The FTC asserts that, prior to any termination, the Department must request confirmation that no CERT rebates were fraudulently received on flower exports of subject merchandise. The FTC further contends that this confirmation should be submitted in the form of warehoused documents or affidavits of personnel at Direcciòn de Investos y Aduanas Nacionales (''DIAN,'' the customs authority) associated with the preparation of DIAN's 1992 Annual report, in which it was noted that Panama and the Netherlands Antilles were eliminated from the CERT program due to fraud. Moreover, the FTC states that DIAN officials should also submit a certification describing what measures they put in place to eliminate the possibility of fraudulent receipt of CERT rebates over the five-year period. The FTC concludes that, absent such confirmation, the record shows ''only that flower exporters can receive CERT rebates on U.S. exports without detection in the absence of an investigation.''

Respondents note that the Department examined the allegation regarding the submission of fictitious invoices for exports to Panama and the Netherlands Antilles in the 1991–92 review period, and found no evidence to support FTC's claims, and thus found that there was no evidence that CERT rebates were received for exports to the United States.

Department's Position: In order to meet the regulatory requirements for termination of a suspended investigation under 355.25(a)(2), the Department must determine that all producers and exporters covered have not applied for or received any net subsidy on the merchandise for a period of at least five consecutive years, which in this case is the period 1990 through 1994. Petitioner's allegation concerning the 1991–92 period was examined by the Department during that review, and the Department found no evidence to support an allegation of transshipment or reshipment of the subject merchandise. *See Roses and Other Cut Flowers from Colombia; Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations (1991–2 Review)* 60 FR 42539, 42540–1 (August 16, 1995), Comment 3. Hence, the Department determined that ''with respect to this issue the GOC and the flower producers/exporters were in compliance with the suspension agreements during the PORs.'' Because the Department found no indication that the terms of the suspension agreements were violated through the fraudulent receipt of CERT rebates on subject merchandise, there is no requirement on respondents to place any further documents, affidavits, or certifications on the record.

In fact, the GOC has already certified that it has ''eliminated all subsidies on (i) miniature carnations and (ii) roses and all other fresh cut flowers exported to the United States, by abolishing for such merchandise for at least three consecutive years, all programs that the Secretary of Commerce has found countervailable,'' and that it will ''not reinstate for such merchandise those programs or substitute other countervailable programs.'' *See Letter from Counsel to Respondents to the Department of Commerce*, February 2, 1996. Thus, the Department determines that no further certifications are warranted with regard to this issue.

Comment 2: The FTC argues that because CERT rebates are not necessarily tied to third-country exports, the Department should reconsider its position that ''rebates tied to exports to third countries do not benefit the production or export of the subject merchandise.'' In particular, the FTC contends that under the new statute (19 U.S.C. § 1677(5)(A)), a countervailable subsidy is a subsidy which is specific, and export subsidies are specific if they are contingent upon export performance (19 U.S.C. § 1677(5A) (A) & (B)). Petitioners request that, prior to termination, the Department should require the GOC to abolish CERT rebates for all flower exports.

Respondents argue that the statute, the Department's regulations, and past determinations clearly refute petitioner's contention. Furthermore, respondents assert that there is nothing in the URAA which would change the Department's policy.

Department's Position: We agree with respondents. It is the Department's continuing policy that rebates tied to exports to third countries do not benefit the production or export of the subject merchandise destined for the United States. We found no evidence in the

questionnaire responses or at verification that would cause us to reconsider our position, in this POR or in the last five consecutive review periods. (*See Roses and Other Cut Flowers from Colombia; Miniature Carnations From Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations, 1993 Review,* 61 FR 94229 (Comment 3) (March 8, 1996); *Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Review and Determination not to Terminate Suspended Investigation,* 59 FR 10790 (Comment 7) (March 8, 1994), and *Roses and Other Cut Flowers from Colombia; Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations,* 60 FR 42541 (Comment 4) (August 16, 1995)).

As the Department has previously noted in this case, it is the Department's policy that we will not allocate benefits tied to a product not under investigation over a product under investigation unless we have a clear reason to believe that such a benefit encourages production or export to the United States of the product under investigation. *See Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Review and Determination Not to Terminate Suspended Investigation,* 59 FR 10790, 10794 (March 8, 1994), citing *Industrial Nitrocellulose From France; Final Results of Countervailing Duty Administrative Review,* 52 FR 833 (January 9, 1987), and *Certain Fresh Cut Flowers from Israel; Final Affirmative Countervailing Duty Determination,* 52 FR 3316 (February 3, 1987). As respondents have noted, the existence of export subsidies to third countries could in fact serve to encourage producers to export to those other countries, and not to the United States.

While the URAA makes it clear that export subsidies are *per se* specific, specificity is not the issue. The issue is whether export subsidies explicitly tied to non-subject merchandise (*i.e.*, exports to third countries) provide a countervailable benefit to subject merchandise. Nothing in the URAA or its legislative history indicates that Congress intended to countervail subsidies tied to exports to third countries. In fact, 19 U.S.C. § 1671(a) provides for the imposition of countervailing duties when a countervailable subsidy is provided to ''a class or kind of merchandise imported, or sold (or likely to be sold) for importation, *into the United States* * * * .'' (emphasis added). The Department is continuing its longstanding practice of not countervailing export subsidies tied to third countries. Moreover, since the CERT rebates do not benefit subject merchandise, it is not necessary that the GOC eliminate them on exports to third countries.

Comment 3: The FTC asserts that the Department cannot terminate the suspended investigations for a period in which the Department could not determine whether signatories to both suspension agreements accounted for 85 percent of imports of the subject merchandise. Specifically, the FTC argues that for the purposes of satisfying termination requirements, the Department requires that the same producer/exporters account for 85 percent of the merchandise for a period of five consecutive years. Because the Department discovered, in the 1991 and 1992 reviews, that the GOC had not maintained an up-to-date list of signatories for both suspension agreements, the FTC suggests that respondents have no way to guarantee that the same exporters have accounted for 85 percent of the merchandise for the periods 1990 through 1994. *See Roses and Other Cut Flowers from Colombia; Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations (1991–2 Review)* 60 FR 42539, 42540 (August 16, 1995).

Respondents argue that there is no 85-percent test for termination, but rather the termination standards require that no producer/exporter covered by the suspension agreement receive any net subsidy over the five-year period. Respondents note further that the Department found, in the 1993 review, that no countervailable benefits were provided during the POR to *any* flower producer/exporter. Because the statutory purpose of the 85 percent rule is to ensure that ''substantially all'' imports do not benefit from countervailable subsidies, according to respondents, the 85 percent requirement is met, given that the Department has verified that 100 percent of exports do not receive any benefit.

Finally, respondents state that there is no Departmental requirement that the same producer/exporters must account for 85 percent of the merchandise for a period of five consecutive years.

Department's Position: Section 704(b) of the statute provides that Commerce may enter into a suspension agreement if the producers/exporters accounting for ''substantially all'' of the imports of the subject merchandise agree to eliminate (or offset completely) countervailable subsidies. The regulations do not define ''substantially all'' imports. However, the suspension agreements require that producer/exporters accounting for 85 percent of the imports must be subject to the terms of the suspension agreements. *See* 48 FR 2158, 2161 (January 18, 1983) (roses); 52 FR 1353, 1356 (January 13, 1987) (miniature carnations).

The Department's regulations provide that the Secretary may terminate a suspended investigation if the Secretary concludes that all producer/exporters covered by the suspension agreements have not applied for or received any net subsidy on the subject merchandise for a period of at least five consecutive years. 19 C.F.R. § 355.25(2)(i) (1995). In *Certain Fresh Cut Flowers from Costa Rica,* the case cited by petitioner, the Department determined that the same producer/exporters who have accounted for 85 percent of the merchandise for a period of five consecutive years must not have applied for or received any net subsidy on the merchandise during that period in order for the Department to terminate the suspended investigation. However, the Department's concern in that case stemmed from the fact that, in its administration of that suspension agreement, the Government of Costa Rica eliminated subsidies only to signatories, not all producers/exporters of the subject merchandise.

In contrast, in implementing these agreements, the GOC has acted to ensure that 100 percent of companies producing and exporting the subject merchandise were in compliance with the terms of the roses and minis suspension agreements, whether or not those companies had signed these suspension agreements.

The Department has found that all Colombian producers/exporters were in full compliance in the 1990, 1991, 1992, and 1993 administrative reviews of these suspension agreements. In the current 1994 administrative reviews, the Department reviewed and verified information at each GOC agency for all producers/exporters of the subject merchandise, regardless of their signatory status. The record evidence for the 1994 administrative reviews indicates that all Colombian producers/exporters have been in full compliance with the agreements. At verification, we analyzed the Colombian Customs Authority's export statistics of all flower companies exporting roses and minis to the United States and Puerto Rico. At the Central Bank, we checked computer records of exports with U.S. and Puerto Rican country identification codes showing that no CERT payments were made to any flower producers/exporters

for shipments of the subject merchandise.

At BANCOLDEX, we reviewed and verified all PROEXPO/BANCOLDEX loans issued and outstanding in the POR (*see Government Verification Report* of February 27, 1996) and we have determined that all Colombian flower producers/exporters have complied with the terms of the suspension agreements during the POR. Similarly, we verified that no countervailable benefits were granted to or received by any flower producers/exporters for Plan Vallejo, Air Freight Rates, Free Industrial Zones, and the Export Credit Insurance Program.

Thus, all Colombian flower producers/exporters have been required to comply with the terms of the suspension agreements. Further, the Department has determined that all producers/exporters of the subject merchandise have been in full compliance with the suspension agreements for five consecutive years. The Department has verified that *all* producers/exporters of subject merchandise (not just signatories to the agreements) have not received subsides on the subject merchandise during the current POR or during any POR from 1990 through the 1994 period. Therefore, the Department has determined that the requirements for termination of the suspended investigations have been met.

Comment 4: The FTC claims that under the terms of the suspension agreements, the Department applies outdated benchmark interest rates to determine ''compliance'' with the suspension agreements. The FTC objects to the Department's practice in setting prospective and outdated benchmark interest rates to determine compliance with the terms of the suspension agreements. The FTC claims that the suspension agreements are not in the public interest because Colombian flower producers/exporters can ''technically'' comply with the terms of the suspension agreements while at the same time receive loans at preferential interest rates. Because the benchmarks are outdated, the FTC asserts, they are incapable of eliminating the net subsidy on flowers. FTC concludes that to terminate the suspension agreements, the Department must compare the PROEXPO/Bancoldex interest rates to current interest rate benchmarks for the five year period to determine that all producer/exporters covered by the suspension agreements have not applied for or received any net subsidy on the merchandise for a period of at least five consecutive years.

Respondents note that the Department has addressed and rejected these arguments in earlier reviews of these suspension agreements. *See Roses and Other Cut Flowers from Colombia; Miniature Carnations From Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations, 1993 Review,* at 9431–32 (Comment 5), March 8, 1996. Furthermore, respondents claim that petitioners have offered no basis that would support a different finding in the 1994 review.

Department's Position: We agree with respondents. Because these suspension agreements are forward-looking, the Department sets benchmark interest rates prospectively for these agreements. (*See Miniature Carnations from Colombia: Final Results of Countervailing Duty Administrative Review*; 56 FR 14240 (April 8, 1991), *Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Review and Determination Not To Terminate Suspended Investigation,* 59 FR 10790, (March 8, 1994), and *Roses and Other Cut Flowers from Colombia: Miniature Carnations from Colombia: Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations,* 60 FR 42541 (August 16, 1995)).

At verification for the 1994 POR, the Department examined documentation that indicated that BANCOLDEX charged interest rates on its short- and long-term loans above the Department's established benchmark rates in effect during the POR. The Department also found that the companies received BANCOLDEX loans on terms consistent with the suspension agreements. Consequently, we have determined that respondents were in compliance with the terms of the suspension agreements for the BANCOLDEX programs. Therefore, we determine that the GOC did not confer any countervailable benefits through the BANCOLDEX programs during the POR. Respondents complied with the suspension agreements' benchmarks and avoided receiving countervailable benefits during the POR, resulting in a situation analogous to non-use for the BANCOLDEX programs by Colombian flower producers/exporters of the subject merchandise. Therefore, there is no basis for petitioner's claim that the suspension agreements are not in the public interest.

Comment 5: The FTC asserts that the Department should reconsider its use of the subsidized FINAGRO interest rate when establishing short- and long-term benchmarks. The FTC argues instead that the Department use weighted-average interest rates of available non-government-related financing at commercial lending rates maintained by the Central Bank. In addition, the FTC asserts, citing *Rice From Thailand; Preliminary Results of Countervailing Duty Administrative Review,* 57 FR 8437, and 8439 (March 10, 1992), that the Department is not required to look to interest rates available to the agricultural sector, when the rates are not available to flower producers/exporters.

Respondents note that the FTC has argued this issue repeatedly in the course of these proceedings, and the Department has consistently rejected these arguments on an equal number of occasions. Moreover, according to respondents, this is an issue of no relevance to the termination proceeding, as long as the producer/exporters complied with the terms of the suspension agreements.

Department's Position: We agree with respondents. The Department has repeatedly determined that FINAGRO is a major intermediary lender to the agricultural sector, and therefore is an appropriate alternative basis for the Department's benchmarks. *See Roses and Other Cut Flowers from Colombia; Miniature Carnations From Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations, 1993 Review* (Comment 8), 61 FR 9429, 9433, (March 8, 1996); *Roses and Other Cut Flowers from Colombia; Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Reviews of Suspended Investigations (1991–2 Review)* (Comments 6 and 7), 60 FR 42539, 42542 (August 16, 1995); and *Miniature Carnations from Colombia; Final Results of Countervailing Duty Administrative Review and Determination Not To Terminate Suspended Investigation* (Comment 8), 59 FR 10790, 10794–95 (March 8, 1994). In this review we examined potential alternative benchmarks and continued to find that FINAGRO was the most appropriate alternative source of financing to the agricultural sector.

Finally, we note that by terminating these suspension agreements, any issue regarding the establishment of prospective benchmarks for these cases is moot.

Comment 6: The FTC asserts that the Department had inadequate evidence concerning whether signatories are likely to apply for or receive any net subsidy on the merchandise. The FTC argues that the Department relied on GOC certifications that were substantially the same as the

commitments made under the suspension agreements. Furthermore, petitioner claims that the GOC still maintains BANCOLDEX benefits and the CERT program. The FTC cites the Statement of Administrative Action (''SAA'') accompanying the URAA as stipulating that, ''as long as a subsidy program continues to exist, Commerce will not consider company- or industry-specific renunciations of countervailable subsidies, by themselves, as an indication that continuation or recurrence of countervailable subsidies is unlikely.''

Respondents argue that the certifications supplied to the Department exceed both the requirements of the Department's regulations and the terms of the suspension agreements. Second, respondents claim that abolition of programs (such as the BANCOLDEX program) is not required for termination for non-use, and that the FTC has failed to point out that the GOC has eliminated countervailable benefits by eliminating preferential rates to flower producers/exporters under the BANCOLDEX program. Third, respondents note that the Department has found that the CERT program has been abolished for flower exports to the United States since ''at least'' 1988. In conclusion, respondents claim that the FTC's reliance on the SAA is ill-conceived, because the Department has relied on more than simply company-specific renunciations: in fact, for the most part, the subsidy programs at issue no longer exist for flower producers/exporters; the Department has the aforementioned certifications from the GOC; and finally, there is a record of ''7–11 years'' compliance with the suspension agreements.

Department's Position: We agree with respondents. With regard to CERT, flower producers/exporters are prohibited by Colombian law from receiving CERT rebates on exports to the United States and Puerto Rico. With regard to BANCOLDEX loans for the period 1990–94, flower producers/exporters have been prohibited by the terms of various GOC resolutions from receiving loans at countervailable rates, and have been unable to obtain loans at rates below the Department's benchmarks pursuant to Colombian law and BANCOLDEX instructions to refinancers of BANCOLDEX loans. Furthermore, the GOC has certified that it will not confer any loans constituting countervailable subsidies on flower producers/exporters. Finally, the record of compliance with the terms of these suspension agreements over the period 1990–94, together with the actions described above, indicates that continuation or recurrence of countervailable subsidies is unlikely.

Final Results of Reviews

After considering all of the comments received, we determine that the GOC and the producers/exporters of the subject merchandise have complied with all the terms of the suspension agreements during the period January 1, 1994 through December 31, 1994. We determine that no countervailable benefits have been bestowed on subject merchandise, and furthermore, that producers/exporters of subject merchandise have not used the above programs for at least five years (or, in the case of programs only recently created, for the life of the program). Additionally, we note that the GOC has stated for the record that it will institute or maintain appropriate measures to ensure that export loan programs will be administered to guarantee that loans granted to recipients are comparable to commercial loans that a flower producer/exporter could obtain in the market, such as those alternative sources of financing available to agriculture in Colombia, and will not confer any loan program countervailable subsidies on flower producers/exporters. Furthermore, the GOC has certified that, for the subject merchandise, it shall not reinstate those programs which the Department has found countervailable, and it shall not substitute other countervailable programs. Finally, producers/exporters have certified that they will not apply for or receive any net subsidy on exports to the United States of subject merchandise from those programs that the Department has found countervailable in any proceeding involving Colombia or from other countervailable programs.

Therefore, we determine that the GOC and the producers/exporters covered by these agreements have met the requirements for termination of the suspended countervailing duty investigations on roses and other cut flowers and miniature carnations, as required by 19 CFR 355.25. We, therefore, determine to terminate the suspended investigation on roses and other cut flowers from Colombia and the suspended investigation on miniature carnations from Colombia.

Lastly, as a result of this determination, we will also terminate the reviews in progress for these agreements covering the 1995 period.

These administrative reviews and this notice are in accordance with sections 751(a)(1)(C) of the Tariff Act (19 U.S.C. 1675(a)(1)(C) and 1675(c)) and 19 CFR 355.22 and 355.25.

Dated: August 26, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–22235 Filed 8–29–96; 8:45 am]

BILLING CODE 3510–DS–P

Intent To Revoke Countervailing Duty Order

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

ACTION: Notice of intent to revoke countervailing duty order.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its intent to revoke the countervailing duty order listed below. Domestic interested parties who object to revocation of this order must submit their comments in writing not later than the last day of September 1996.

EFFECTIVE DATE: August 30, 1996.

FOR FURTHER INFORMATION CONTACT: Brian Albright or Maria MacKay, Office of CVD/AD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

The Department may revoke a countervailing duty order if the Secretary of Commerce concludes that it is no longer of interest to interested parties. Accordingly, as required by the Department's regulations (at 19 C.F.R. 355.25(d)(4)), we are notifying the public of our intent to revoke the countervailing duty order listed below, for which the Department has not received a request to conduct an administrative review for the most recent four consecutive annual anniversary months.

In accordance with section 355.25(d)(4)(iii) of the Department's regulations, if no domestic interested party (as defined in sections 355.2 (i)(3), (i)(4), (i)(5), and (i)(6) of the regulations) objects to the Department's intent to revoke this order pursuant to this notice, and no interested party (as defined in section 355.2(i) of the regulations) requests an administrative review in accordance with the Department's notice of opportunity to request administrative review, we shall conclude that the countervailing duty order is no longer of interest to