surrogate market economy country in accordance with section 773(c) of the Act.

In the course of this investigation, all parties will have the opportunity to provide relevant information related to the issues of Ukraine's NME status and the granting 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).

For the normal value calculation, petitioners based the factors of production, as defined by section 773(c)(3) of the Act (raw materials, labor, energy, and capital costs), for CTL plate on petitioners' own usage amounts, adjusted for known differences in production efficiencies on the basis of available information. Petitioners asserted that no detailed information is available regarding the quantities of inputs used by plate producers in Ukraine. Thus, they have assumed, for purposes of the petition, that producers in Ukraine use the same inputs in the same quantities as petitioners, except where a variance from petitioners' cost model can be justified on the basis of available information. Petitioners argued that the use of their own data is conservative because the U.S. steel industry is more efficient and technologically-advanced than the Ukrainian steel industry. Petitioners cited two different sources to support this contention. Based on the information provided by petitioners, we believe that petitioners' use of its own adjusted factors of production is appropriate for purposes of initiation of this investigation.

In accordance with section 773(c)(4) of the Act, petitioners valued these factors, where possible, on reasonably available, published surrogate country data. Petitioners selected Peru as their primary surrogate. Petitioners argued that Peru is an acceptable surrogate country because its level of economic development is comparable to that of Ukraine and it is a significant producer of comparable merchandise (in accordance with 773(c)(4) of the Act). *See, Preliminary Determination of Sales at Less-than-Fair-Value and Postponement of Final Determination of Silicomanganese From Ukraine* 59 FR 31201 (June 17, 1996). Petitioners stated that because the per-capita GNP of Peru and Ukraine are relatively close, the two countries may be considered economically comparable. Based on the information provided by petitioners, we believe that petitioners' use of Peru as a surrogate country is appropriate for purposes of initiation of this investigation.

Petitioners were unable to obtain port unloading charges for Peru and, therefore, chose the lowest charge applicable in Brazil based on a published news article. Petitioners were also unable to find a published source for the number of man-hours used to produce a ton of any steel product in Ukraine or Peru, and, therefore, used a labor-per-ton figure for Mexico based on a news article, as the surrogate value. Petitioners chose values from Brazil and Mexico, respectively, as surrogates because the information was reasonably available and the per-capita GNPs of these countries were most comparable to Ukraine's. Based on the information provided by petitioners, we believe that their use of the noted Brazilian and Mexican surrogate values is acceptable for purposes of initiation of this investigation.

Petitioners were also unable to find values for natural gas rates, factory overhead, selling, general & administrative (SG&A) expenses, and profit from Peru. Therefore, petitioners used surrogate natural gas rates from Indonesia and Turkish values for factory overhead, SG&A, and profit. Values from Indonesia and Turkey were selected on the basis that these countries were closer to Ukraine in per-capita GNP than were other countries from which values could be ascertained by petitioners. Based on the information provided by petitioners, we believe that their use of the noted Indonesian and Turkish surrogate values is acceptable for purposes of initiation of this investigation.

Based on comparisons of export price to the factors of production, the calculated dumping margins for CTL plate from Ukraine ranged from 201.61–274.82 percent.

Fair Value Comparisons

Based on the data provided by petitioners, there is reason to believe that imports of CTL plate from China, Ukraine, Russia and South Africa are being, or are likely to be, sold at less than fair value. If it becomes necessary at a later date to consider these petitions as a source of facts available, under section 776 of the Act, we may further review the calculations.

Initiation of Investigations

We have examined the petitions on CTL plate from China, Ukraine, Russia and South Africa and have found that they meet 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 a domestic like product by reason of the complained-of imports, allegedly sold at less than fair value. In reaching this determination, we have examined the accuracy and adequacy of the evidence provided in the petitions based on information readily available to us, as required by section 732(c)(1)(A)(i). Therefore, we are initiating antidumping duty investigations to determine whether imports of CTL plate from China, Ukraine, Russia and South Africa are being, or are likely to be, sold in the United States at less than fair value. Unless extended, we will make our preliminary determination by April 14, 1997.

Distribution of Copies of the Petitions

In accordance with section 732(b)(3)(A) of the Act, copies of the public version of the petitions have been provided to the representatives of the governments of China, Ukraine, Russia and South Africa. We will attempt to provide copies of the public versions of the petitions to the exporters named in the petitions.

International Trade Commission (ITC) Notification

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

Preliminary Determination by the ITC

The ITC will determine by December 20, 1996, whether there is a reasonable indication that imports of CTL plate from China, Ukraine, Russia and South Africa are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination in any of these investigations will result in the respective investigation being terminated; otherwise, these investigations will proceed according to statutory and regulatory time limits.

Dated: November 25, 1996.

Robert S. LaRussa

Acting Assistant Secretary of Import Administration

[FR Doc. 96–30756 Filed 12–2–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–412–602]

Certain Forged Steel Crankshafts From the United Kingdom; Preliminary Results of Antidumping Duty Administrative Review and Intent to Revoke Order

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

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain forged steel crankshafts from the United Kingdom in response to a request by respondent British Steel Forgings (BSF), a producer. This review covers shipments of this merchandise to the United States during the period September 1, 1994 through August 31, 1995. Based upon BSF's three consecutive years of *de minimis* margins, we intend to revoke the order with respect to crankshafts from the United Kingdom, based on our preliminary determination that BSF is the only known producer of crankshafts.

We have preliminarily determined that sales have not been made below normal value (NV).

Interested parties are invited to comment on these preliminary results. Parties who submit arguments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: December 3, 1996.

FOR FURTHER INFORMATION CONTACT: David Dirstine, Lyn Johnson, or Richard Rimlinger, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482–4733.

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 25130).

SUPPLEMENTARY INFORMATION:

Background

On September 12, 1995, the Department published in the Federal Register a notice of ''Opportunity to Request Administrative Review'' (60 FR 47349) of the antidumping duty order on certain forged steel crankshafts (crankshafts) from the United Kingdom.

In accordance with 19 CFR 353.22(a)(1)(1995), the petitioner, Krupp Gerlach Company (KGC), and BSF requested that we conduct an administrative review of BSF's sales. We published a notice of initiation of this antidumping duty administrative review on October 12, 1995 (60 FR 53164). The Department is conducting this administrative review in accordance with section 751 of the Act.

Scope of Review

Imports covered by this review are certain forged steel crankshafts. The term ''crankshafts'' as used in this review includes forged carbon or alloy steel crankshafts with a shipping weight between 40 and 750 pounds, whether machined or unmachined. These products are currently classifiable under item numbers 8483.10.10.10, 8483.10.10.30, 8483.10.30.10, and 8483.10.30.50 of the Harmonized Tariff Schedule (HTS). Neither cast crankshafts nor forged crankshafts with shipping weights of less than 40 pounds or more than 750 pounds are subject to this review. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive of the scope of the order.

This review covers one manufacturer/exporter of crankshafts, and the period September 1, 1994 through August 31, 1995.

Verification

As provided in section 776(b) of the Act, we verified information provided by the respondent by using standard verification procedures, including on-site inspection of the manufacturer's facilities, the examination of relevant sales and financial records, and the selection of original documentation containing relevant information. Our verification results are outlined in the public versions of the verification reports.

Intent To Revoke

On September 29, 1995, BSF submitted a request, in accordance with 19 CFR 353.25(b), to revoke the order covering crankshafts from the United Kingdom with respect to BSF's sales of this merchandise.

In accordance with 19 CFR 353.25(a)(2)(iii), this request was accompanied by a certification from BSF 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 do so in the future. BSF also agreed to its immediate reinstatement in the relevant antidumping order, as long as any firm is subject to this 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 BSF sold crankshafts from the United Kingdom at not less than NV. The Department conducted a verification of BSF's response for this review and preliminarily determines that BSF sold crankshafts at not less than NV during the review period. Based on BSF's three consecutive years of *de minimis* margins, we have preliminarily determined that it is not likely that BSF will in the future sell subject merchandise at less than NV. Therefore, we intend to revoke the order on crankshafts from the United Kingdom, based on our preliminary determination that BSF is the only known producer of crankshafts, if these preliminary findings are affirmed in our final results.

Foreign Like Product

In determining similar merchandise comparisons pursuant to section 771(16) of the Act, we considered the following physical characteristics, which appear in order of importance: (1) Twisted vs. untwisted; (2) number of throws; (3) forging method; (4) engine type; (5) number of bearings; (6) number of flanges; and (7) number of counterweights. We applied weight separately based on a range of plus or minus 20 percent of the weight of the U.S. model. If there were two or more potential home market matches after applying each of the matching criteria, including the 20 percent weight range, we chose the home market model that was closest in weight to the U.S. model. Our reasons for using the weight criterion are contained in the *Notice of Final Results of Antidumping Duty Administrative Review: Certain Forged Steel Crankshafts from the United Kingdom*, 60 FR 52150, 52151–152 (October 5, 1995).

United States Price (USP)

For sales made by BSF, we calculated an export price (EP), in accordance with section 772(a) of the Act, because the subject merchandise was sold to unrelated purchasers in the United States prior to importation into the United States and the constructed export price methodology was not indicated by other circumstances.

We calculated export price based on delivered prices to unrelated purchasers. We made deductions for foreign inland freight, ocean freight, marine insurance, U.S. duties, and brokerage and handling expenses in accordance with section 772(c)(2) of the Act.

Normal Value (NV)

Pursuant to section 773(a)(1)(B) of the Act, we determined that the home market (HM) is viable and an appropriate basis for calculating NV.

On March 14, 1996, KGC submitted an allegation that BSF sold subject merchandise in its home market at less than its cost of production (COP) during the period of review. After analyzing the allegation, the Department determined that reasonable grounds exist to believe or suspect that HM sales of the foreign like product were made below COP (*see* memo to Holly A. Kuga dated April 19, 1996). Accordingly, the Department conducted a sales-below-COP investigation for this review period.

In accordance with 19 CFR 353.51(c), we calculated COP as the sum of reported materials, labor, factory overhead, and general expenses, and compared COP to HM prices, net of price adjustments.

As a result of our COP investigation, we found that it was necessary to disregard certain HM sales pursuant to section 773(b)(1) of the Act. In accordance with sections 773(b)(2) (B) and (C) of the Act, we found that 20 percent or more of respondent's sales of a given product during the POR were at prices less than COP and, therefore, that below-cost sales were made within an extended period of time in substantial quantities. We also determined, based on a comparison of each below-cost price to the weighted-average COP for the period for that product, that below-cost sales were made at prices which would not permit recovery of all costs within a reasonable period of time in accordance with section 773(b)(2)(D) of the Act.

Where HM sales were used for comparisons, we calculated NV based on packed, ex-factory or delivered prices to customers in the United Kingdom. We made deductions, where appropriate, for rebates and for HM movement charges. We also made circumstances-of-sale (COS) adjustments, where appropriate, for differences in credit expenses, warranty expenses, customer-requested tooling expenses, and post-sale warehousing expenses, in accordance with 19 CFR 353.56(a).

BSF did not claim HM packing expenses since subject merchandise is loaded into reusable bins as part of the production process with no packing material expenses incurred. In accordance with section 773(a)(6)(A) of the Act, we then added U.S. packing costs to all HM prices.

BSF reported that its sales in the home and U.S. markets were made at the same level of trade and channel of distribution. Therefore, BSF did not request a level-of-trade adjustment. Our analysis and verification of BSF's response confirmed that the selling functions performed for EP and HM sales are comparable. Therefore, in accordance with section 773(a)(7)(A) of the Act, we compared sales at the same level of trade and did not make a level-of-trade adjustment to NV for these preliminary results.

For certain U.S. sales, we found no comparable home market sales after applying the model-matching methodology, the contemporaneity test, and the difference-in-merchandise (difmer) test. For these sales, we based NV on constructed value (CV), in accordance with section 773(a)(4) of the Act.

In accordance with section 773(e) of the Act, we calculated CV based on the sum of BSF's submitted cost of materials and fabrication, selling, general and administrative (SG&A) expenses, and profit, and U.S. packing costs. In accordance with section 773(e)(2)(A) of the Act, we based SG&A and profit on the amounts incurred and realized by BSF in connection with the production and sale of the foreign like product, in the ordinary course of trade, for consumption in the foreign country.

We made COS adjustments, in accordance with 19 CFR 353.56, by deducting home market direct selling expenses from CV and adding U.S. direct selling expenses to CV. These adjustments were made for differences in credit expenses, warranties, and warehousing.

Preliminary Results of the Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/ exporter	Time period	Margin (per-cent)
British Steel Forgings.	09/01/94–8/31/95 ...	0.49

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 not later than 37 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.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between export price and NV may vary from the percentage stated above. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service.

If our intent to revoke is finalized, the revocation will apply to all entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after September 1, 1995. The Department will then order the suspension of liquidation ended for all such entries and will instruct the Customs Service to release any cash deposit or bonds. The Department will further instruct Customs to refund with interest any cash deposits on post-September 1, 1995 entries. In addition, the Department will terminate the review covering subject merchandise from the United Kingdom sold during the period September 1, 1995, through August 31, 1996, which was initiated on October 17, 1996 (61 FR 54154).

If we do not revoke, the following deposit rates will be effective upon publication of the final results of these administrative reviews for all shipments of crankshafts from the United Kingdom 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 reviewed company will be the rate established in the final results of this review (except that no deposit will be required if the margin is zero or *de minimis, i.e.*, less than 0.5 percent); (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 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 6.55 percent, the adjusted ''all others'' rate from the less-than-fair-value 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, intent to revoke, and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR 353.22, and 19 CFR 353.25.

Dated: November 25, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–30747 Filed 12–2–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–201–802]

Gray Portland Cement and Clinker From Mexico; Notice of Court Decision

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

ACTION: Notice of court decision and suspension of liquidation.

SUMMARY: On October 24, 1996, in the case of *Cemex, S.A.* v. *United States,* Slip Op. 96–170, (Cemex), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) results of redetermination pursuant to remand of the final results of the second administrative review of the antidumping duty order on gray portland cement and clinker from Mexico. The period covered by the second review is August 1, 1991 through July 31, 1992. Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co.* v. *United States,* 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department will not order the liquidation of the subject merchandise entered or withdrawn from warehouse for consumption prior to a ''conclusive'' decision in this case.

EFFECTIVE DATE: November 3, 1996.

FOR FURTHER INFORMATION CONTACT: Robert James or John Kugelman, Office Eight, Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482–5222.

SUPPLEMENTARY INFORMATION:

Background

On September 8, 1993, the Department published in the Federal Register the final results of its second administrative review of the antidumping duty order on gray portland cement and clinker from Mexico (58 FR 47253 (September 8, 1993)). In those final results the Department set forth its determination of the weighted-average margins for the respondent Cemex for the period of review, August 1, 1991 through July 31, 1992, and announced its intent to instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Cemex subsequently filed suit with the Court challenging these final results. Thereafter, the Court published an Opinion dated April 24, 1995, in *Cemex, S.A.* v. *United States,* Ct. No. 93–10–00659, Slip Op. 95–72, remanding the Department's determination with instructions to: (1) Request and consider difference-in-merchandise information to determine the suitability of a price-to-price comparison of U.S. sales of Types II and V cement to home market sales of Type I cement; (2) consider an arm's-length test of transfer prices between a cement distributor and a concrete manufacturer in the United States, both related to Cemex, for allocating profit to value added during further processing in the United States; (3) examine whether the Department articulated a new policy regarding treatment of interest income ''at a critical juncture,'' thus warranting consideration of factual information submitted by Cemex but rejected as untimely new information; and (4) correct our margin calculation to include CEMEX's sales of further-manufactured merchandise. *See Cemex, S.A.* v. *United States,* Slip Op. 95–72 (CIT April 24, 1995). On February 1, 1996, the Department filed its remand results with the Court. Cemex and defendant-intervenors, The Ad-Hoc Committee of AZ–NM–TX–FL Producers of Gray Portland Cement and the National Cement Company of California, Inc., challenged certain aspects of the Department's remand results.

On August 13, 1996, the Court ordered a second remand so that the Department (1) could determine if the inclusion of non-subject merchandise in Cemex's calculation of its home market freight expenses is distortive; (2) deny, as either direct or indirect adjustments, Cemex's claimed adjustments to foreign market value for post-sale freight expenses in those cases where the expenses fail to qualify as a direct deduction from foreign market value; (3) choose an appropriate methodology for establishing duty assessment and estimated deposit rates; and (4) correct certain clerical errors discovered during the first remand proceeding. *See Cemex, S.A.* v. *United States,* Slip Op. 96–132 (CIT August 13, 1996). The Department filed its second redetermination with the Court on September 27, 1996; the Court, on October 24, 1996, affirmed the Department's remand results. *See Cemex, S.A.* v. *United States,* Slip Op. 96–170 (CIT October 24, 1996).

Suspension of Liquidation

In its decision in Timken, the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish notice of a decision of the Court or Federal Circuit which is ''not in harmony'' with the Department's determination. Publication of this notice fulfills this obligation. The Federal Circuit also held that in such a case, the Department must suspend liquidation until there is a ''conclusive'' decision in the action. A ''conclusive'' decision cannot be reached until the opportunity to appeal expires or any appeal is decided by the Federal Circuit. Therefore, the Department will continue to suspend liquidation pending expiration of the period to appeal or pending a final decision of the Federal Circuit if Cemex is appealed.

Dated: November 25, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 96–30746 Filed 12–2–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–580–811]

Steel Wire Rope From the Republic of Korea; Preliminary Results 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 of antidumping duty administrative review and intent to revoke antidumping duty order in part.

SUMMARY: In response to requests by the petitioner, the Committee of Domestic Steel Wire Rope & Specialty Cable Manufacturers, and by Manho Rope and Wire Ltd. (Manho) and Chun Kee Steel Wire Co. Ltd. (Chun Kee), respondent manufacturers/exporters of steel wire rope, the Department of Commerce (the