

that the company's quantity of sales in its home market was greater than five percent of its sale to the United States. In addition, we did not find any information that a particular market situation in the exporting country does not permit a proper comparison with the sales of the subject merchandise to the United States. Therefore, in accordance with section 773(a)(1)(B)(i) of the Tariff Act, we based NV on the prices at which the foreign like product was first sold for consumption in the home market.

Pursuant to section 777A(d)(2) of the Tariff Act, we compared the EP of the individual transaction to the monthly weighted-average price of sales of the foreign like product in the home market. We compared the EP sale to sales in the home market of identical merchandise.

We based NV on the price at which the foreign like product is first sold for consumption in the home market, in the usual commercial quantities, in the ordinary course of trade, and at the same level of trade as the EP, in accordance with section 773(a)(1)(B)(i) of the Tariff Act. See the April 11, 1997, memorandum from Mark Ross to the File for a detailed description of our level-of-trade analysis for these preliminary results. Where applicable, in accordance with sections 773(a)(6)(B)(ii) and 773(a)(6)(C)(iii) of the Tariff Act, respectively, we deducted movement expenses from home market price and made a circumstance-of-sale adjustment for differences in credit expenses. We made the circumstance-of-sale adjustment to home market price by deducting HM credit expenses and adding U.S. credit expenses. Since the home market price of the foreign like product was reported net of direct taxes (which were not collected on the sale of the subject merchandise), we did not have to adjust the price of the foreign like product pursuant to section 773(a)(6)(B)(iii) of the Tariff Act. We increased home market price by U.S. packing costs in accordance with section 773(a)(6)(A) of the Tariff Act and reduced it by home market packing costs in accordance with section 773(a)(6)(B) of the Tariff Act. No other adjustments were claimed or allowed.

#### Preliminary Results of Review

As a result of our review, we preliminarily determine the weighted-average dumping margin (in percent) for the period August 1, 1995, through July 30, 1996 to be as follows:

Manufacturer/Exporter	Margin
Norsk Hydro Canada, Inc. ....	0.00

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within 10 days of the date of publication of this notice. A hearing, if requested, will be held 44 days after the date of publication or the first workday thereafter. Issues raised in hearings will be limited to those raised in the respective briefs and rebuttal briefs. Case briefs from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. Parties who submit briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) A statement of the issue and (2) a brief summary of the argument. The Department will issue the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or at a hearing, within 120 days of publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The final results of this review shall be the basis for the assessment of antidumping dumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The Department will issue appraisement 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 Tariff Act: (1) The cash deposit rate for NHCI will be the rate established in the final results of this administrative review; (2) for manufacturers or exporters other than NHCI that were covered in the original less-than-fair-value investigation or a previous review, the cash deposit rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (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) the cash deposit rate for all other manufacturers or exporters will continue to be 21 percent, the "all others" rate established in Pure Magnesium From Canada: Amendment of Final Determination of Sales At Less Than Fair Value and Order in Accordance With Decision on Remand, 58 FR 62643, November 29, 1993.

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 section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: April 28, 1997.

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-401]

#### Red Raspberries From Canada; Final Results of New Shipper Antidumping Duty Administrative Review

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

**ACTION:** Notice of final results of New Shipper Review Antidumping Duty Administrative Review.

**SUMMARY:** On March 17, 1997, the Department of Commerce (the Department) published the preliminary results of a new shipper administrative review of the antidumping duty order on red raspberries from Canada (62 FR 12599). The review covers sales to the United States by one exporter/processor of the subject merchandise, Berryhill Foods, Inc. (Berryhill), during the period June 1, 1995 through May 31, 1996.

We gave interested parties an opportunity to comment on our preliminary results and no comments were received. Therefore, the final results remain unchanged from the preliminary results. The final weighted-

average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** May 5, 1997.

**FOR FURTHER INFORMATION CONTACT:**

James Doyle, Lisa Yarbrough or Abdelali Elouaradia, AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3793.

**SUPPLEMENTARY INFORMATION:**

**Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (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).

**Background**

On March 17, 1997, the Department issued preliminary results of its new shipper review (62 FR 12599) of the antidumping duty order on red raspberries from Canada (50 FR 26019, June 24, 1985). We invited interested parties to comment and received no comments. The Department has now conducted this review in accordance with section 751 of the Act and section 353.22 of its regulations.

**Scope of the Review**

The merchandise covered by this review are shipments of fresh and frozen red raspberries packed in bulk containers and suitable for further processing. The subject merchandise is currently classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) item numbers 0810.20.90, 0810.20.10, 0811.20.20. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

**Final Results of Review**

The final results remain unchanged from the preliminary results as the Department used the same methodology described in the preliminary results. As a result of our comparison of export price and constructed export price to normal value, we determine that the

following weighted-average dumping margin exists:

Exporter/ processor	Period	Margin
Berryhill .....	06/01/95-05/31/96	1.56

The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's regulations, will no longer be permitted for this firm. The Department will issue appraisal instructions directly to the US Customs Service.

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 these final results of this administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for this reviewed company will be 1.56%; (2) for exporters/processors not covered in this review, but covered in previous reviews or the original less-than-fair-value (LTFV) in investigation, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter/processor is not a firm covered by this review, previous reviews, 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) the cash deposit rate for all other exporters/processors or manufacturers not previously reviewed will continue to be 2.41%, the "All Others" rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a final 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their

responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This new shipper administrative review and this notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: April 24, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 020497A]

**Peer Review Panels; Gulf of Mexico Red Snapper Research**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice reopening nomination process.

**SUMMARY:** Notice is hereby given that the U.S. Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS), is reopening the nomination process for an additional 30 days for interested parties to submit nominations for membership on three independent peer review panels being convened under section 407(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), to review the basis for management of the red snapper stock in the Gulf of Mexico. Nominations may be submitted by academic institutions, state fishery management agencies, the fishing industry, other interested non-governmental organizations, and the public.

Three panels, (1) a Statistics Review Panel, (2) an Economics Review Panel and (3) a Science and Management Review Panel will be established. Panels will consist of independent experts in the appropriate disciplines.

The Statistics Review Panel will review the accuracy, precision, and adequacy of the commercial,