Kinetics Device, Model SFA–20. *Manufacturer:* Hi-Tech Scientific, United Kingdom. *Intended Use:* The instrument will be used for the study of kinetics of reactions occurring during the drinking and surface water treatment using different chemical substances and various techniques. The instrument will also be used for educational purposes in the course Environmental Engineering Analysis Unit Operations. Application accepted by Commissioner of Customs: June 26, 1997.

Docket Number: 97–055. *Applicant:* University of California, Los Alamos National Laboratory, P.O. Box 990, Los Alamos, NM 87545. *Instrument:* Single Axis Measuring Machine, Model SIP–550M. *Manufacturer:* Societe Genevoise d'Instruments de Physique, Switzerland. Intended Use: The instrument will be used to calibrate standards and instruments to insure that an instrument or standard is within its assigned specification and that this determination is done in such a way that all recorded data, and all standards used in obtaining the data, is traceable to national standards. *Application accepted by Commissioner of Customs:* June 27, 1997.

Docket Number: 97–056. *Applicant:* University of Vermont, Department of Orthopaedics and Rehabilitation, 438A Stafford Hall, Burlington, VT 05405–0084. *Instrument:* Roentgen Stereophotogrammetric Analysis System. *Manufacturer:* RSA BioMedical Innovations AB, Sweden. *Intended Use:* The instrument will be used for orthopaedic research and education which will include the following: (1) Measurements of the biomechanical behavior of different joints (i.e., ankle, knee, shoulder, spine, etc.), (2) measurements of how different bones move relative to each other and (3) unique measurements of injury, repair and healing of joints. Other applications will include studying different types of spinal deformity, such as scoliosis, or growth abnormalities. *Application accepted by Commissioner of Customs:* July 1, 1997.

Docket Number: 97–057. *Applicant:* University of Wyoming, Laramie, WY 82071. *Instrument:* Mass Spectrometer, Model Sector 54. *Manufacturer:* Micromass, Inc, United Kingdom. *Intended Use:* The instrument will be used for the studies of U-Th-Pb, Sm-Nd and Rb-Sr isotopic systems with the aim of obtaining a better understanding of crustal evolution through time, from earliest crustal growth to the most recent processes of water-rock interaction. *Application accepted by Commissioner of Customs:* July 1, 1997.

Docket Number: 97–058. *Applicant:* University of Miami, 4600 Rickenbacker Causeway, Miami, FL 33149. *Instrument:* Mass Spectrometer, Model GEO 20–20. *Manufacturer:* Europa Scientific, United Kingdom. *Intended Use:* The instrument will be used to study the stable isotopic composition of corals, organic materials, natural water and deep sea sediments for the purposes of climate reconstruction and ascertaining global change. In addition, the instrument will be used to provide hands on experience to students in the course Stable Isotopic Composition of Biological and Geological Processes MGG 652. *Application accepted by Commissioner of Customs:* July 1, 1997.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 97–20387 Filed 7–31–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–357–803, C–357–403, C–357–002, C–357–005]

Leather From Argentina, Wool From Argentina, Oil Country Tubular Goods From Argentina, and Carbon Steel Cold-Rolled Flat Products From Argentina; Final Results of Changed Circumstances Countervailing Duty Reviews

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

ACTION: Notice of final results of changed circumstances countervailing duty reviews and revocation and amended revocation of countervailing duty orders.

SUMMARY: The Department of Commerce (the Department) has completed the changed circumstances reviews of the countervailing duty orders on *Leather from Argentina* (55 FR 40212), *Wool from Argentina* (48 FR 14423), *Oil Country Tubular Goods from Argentina* (OCTG) (49 FR 46564), and *Carbon Steel Cold-Rolled Flat Products from Argentina* (Cold-Rolled) (49 FR 18006). The Department initiated these reviews on April 2, 1996 to determine whether it has the authority to assess countervailing duties on entries of merchandise covered by these orders occurring on or after September 20, 1991—the date on which Argentina became a ''country under the Agreement'' within the meaning of 19 U.S.C. § 1303(a)(1) (1988) (repealed 1994). On May 2, 1997, the Department published the preliminary results of these changed circumstances reviews (65 FR 24085).

The Department determines that based upon the ruling of the U.S. Court of Appeals for the Federal Circuit in *Ceramica Regiomontana* v. *United States*, 64 F.3d 1579, 1582 (Fed. Cir. 1995), it does not have the authority to assess countervailing duties on entries of merchandise covered by these orders occurring on or after September 20, 1991. As a result, we are revoking the orders on Wool, Leather, and OCTG with respect to all unliquidated entries occurring on or after September 20, 1991. With respect to Cold-Rolled, the order was revoked effective January 1, 1995; therefore, we are amending the effective date of the revocation (with respect to all unliquidated entries) to September 20, 1991.

EFFECTIVE DATE: August 1, 1997.

FOR FURTHER INFORMATION CONTACT: Richard Herring, Office of AD/CVD Enforcement VI, 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:

Scope of Reviews

The scope of each of the four countervailing duty orders is detailed in the Appendix to this notice.

Background

I. The Orders

The countervailing duty orders on Leather, Wool, Cold-Rolled, and OCTG from Argentina were issued pursuant to former section 303 of the Tariff Act of 1930, as amended (the Act)(repealed, effective January 1, 1995, by the Uruguay Round Agreements Act). Under former section 303, the Department could assess (or ''levy'') countervailing duties without an injury determination on two types of imports: (i) Dutiable merchandise from countries that were not signatories of the 1979 Subsidies Code or ''substantially equivalent'' agreements (otherwise known as ''countries under the Agreement''), and (ii) duty-free merchandise from countries that were not signatories of the 1947 General Agreement on Tariffs and Trade (1947 GATT). *See* S. Rep. No. 249, 96th Cong. 1st Sess. 103–06 (1979); H. Rep. No. 317, 96th Cong. 1st Sess. 43, 49-50 (1979).

When these countervailing duty orders were issued, Wool, Leather, Cold-Rolled and OCTG, were dutiable. Also,

at that time, Argentina was not a ''country under the Agreement'' and, therefore, U.S. law did not require injury determinations as a prerequisite to the issuance of these orders.

II. Ruling by the Court of Appeals for the Federal Circuit on Ceramic Tile From Mexico

On September 6, 1995, the Court of Appeals for the Federal Circuit (''Federal Circuit'') held, in a case involving imports of dutiable ceramic tile, that once Mexico became a ''country under the Agreement'' on April 23, 1985 pursuant to the Understanding between the United States and Mexico Regarding Subsidies and Countervailing Duties (the Mexican MOU), the Department could not assess countervailing duties on ceramic tile from that country under former section 303(a)(1) of the Act. *Ceramica Regiomontana* v. *United States,* 64 F.3d 1579, 1582 (Fed. Cir. 1995) (*Ceramica*). ''After Mexico became a 'country under the Agreement,' the only provision under which ITA could continue to impose countervailing duties was section 1671.'' *Id.* One of the prerequisites to the assessment of countervailing duties under 19 U.S.C. § 1671 (1988), according to the court, is an affirmative injury determination. *See also Id.* at § 1671e. However, at the time the countervailing duty order on ceramic tile was issued, the requirement of an affirmative injury determination under U.S. law was not applicable. Therefore, the court looked to see whether the statute contained any transition rules when Mexico became a country under the Agreement which might provide the order on tile with the required injury test. Specifically, the court looked at section 104(b) of the Trade Agreements Act of 1979, Pub. L. No. 96–39 (July 20, 1979) (1979 Act).

Section 104(b) was designed to provide an injury test for certain countervailing duty orders issued under former section 303 prior to the effective date of the 1979 Act (which established Title VII and, in particular, section 701 of the Act). However, in order to induce other countries to accede to the 1979 Subsidies Code (or substantially equivalent agreements), the window of opportunity was intentionally limited. In order to qualify (i) the exporting nation had to be a country under the Agreement (*e.g.,* a signatory of the Subsidies Code) by January 1, 1980, (ii) the order had to be in existence on January 1, 1980 (*i.e.,* the effective date of Title VII), and (iii) the exporting country (or in some instances its exporters) had to request the injury test on or before January 2, 1983.

In *Ceramica,* however, the countervailing duty order on ceramic tile was issued in 1982 and Mexico did not become a country under the Agreement until April 23, 1985. Therefore, the court held that in the absence of an injury test and the statutory means to provide an injury test, the Department could not assess countervailing duties on ceramic tile and the court ordered the Department to revoke the order effective April 23, 1985 (*i.e.,* the date Mexico became a country under the Agreement). *Ceramica,* 64 F.3d at 1583. As the court stated, once Mexico became a ''country under the Agreement,'' ''[t]he only statutory authority upon which Congress could impose duties was section 1671. Without the required injury determination, Commerce lacked authority to impose duties under section 1671.''

III. The Issue

On September 20, 1991, the United States and Argentina signed the Understanding Between the United States of America and the Republic of Argentina Regarding Subsidies and Countervailing Duties (Argentine MOU). Section III of the Argentine MOU contains provisions substantially equivalent to the provisions in the Mexican MOU that were before the court in *Ceramica.* Therefore, on April 2, 1996, the Department initiated the instant changed circumstances reviews in order to determine whether it has the authority, in light of the *Ceramica* decision, to assess countervailing duties on unliquidated entries of merchandise made on or after September 20, 1991 (*i.e.,* the effective date of the Argentine MOU) which are covered by the orders on *Leather from Argentina, Wool from Argentina, OCTG from Argentina,* and *Cold-Rolled from Argentina. See Initiation of Changed Circumstances Countervailing Duty Administrative Reviews: Leather from Argentina, Wool from Argentina, Oil Country Tubular Goods from Argentina, and Cold-Rolled Carbon Steel Flat Products from Argentina,* 61 FR 14553 (Apr. 2, 1996).

Final Results of Changed Circumstances Countervailing Duty Reviews and Revocation or Amended Revocation of Countervailing Duty Orders

The orders on Leather, Wool, OCTG, and Cold-Rolled from Argentina involve the same set of pertinent facts as the Department faced in connection with the countervailing duty order on ceramic tile from Mexico. For this reason, the Federal Circuit's decision in *Ceramica* applies to the orders against Argentina, and requires the Department to revoke these orders as of the date Argentina became a ''country under the Agreement.''

First, at the time the countervailing duty orders on Mexico and Argentina were issued, the requirement of an affirmative injury determination under U.S. law was not applicable. Second, both countries subsequently entered into substantially equivalent agreements with the United States and, hence, became ''countries under the Agreement'' within the meaning of former section 303(a)(1) of the Act. Third, once Mexico and Argentina qualified as countries under the Agreement, the assessment of countervailing duties on subsequent entries of dutiable merchandise became dependent upon a finding of subsidization and injury in accordance with section 701 of the Act (*i.e.,* section 1671). *See Ceramica,* 64 F.3d at 1582. Fourth, none of the transition rules in effect when both countries attained this status afforded the statutory means of providing an injury test. Specifically, section 104 of the 1979 Act only applies to countervailing duty orders issued before January 1, 1980 and section 753 did not exist on September 20, 1991. Hence, as the Court stated in *Ceramica,* ''[W]ithout the required injury determination, Commerce lacked authority to impose duties under section 1671.''

Pursuant to section 751(d) of the Act, the Department may revoke, in whole or in part, a countervailing duty order if the Department determines, based on a review under section 751(b)(1) of the Act, that changed circumstances exist sufficient to warrant revocation. For the foregoing reasons, and consistent with our determinations in *Ceramic Tile from Mexico,* 61 FR 6630 (Feb. 21, 1996) and *Leather Wearing Apparel from Mexico,* 61 FR 26163 (May 24, 1996), the Department has determined that the *Ceramica* ruling requires revocation of these orders and, therefore, the requirement for revocation based upon changed circumstances has been met. Accordingly, we hereby amend our earlier revocation of the order on Cold-Rolled steel by changing the effective date from January 1, 1995 to September 20, 1991. For the orders on Wool, Leather, and OCTG from Argentina, we are revoking these measures effective September 20, 1991. These revocations will apply to all unliquidated entries of subject merchandise entered or withdrawn from warehouse for consumption on or after September 20, 1991.

Comments From Interested Parties

In our preliminary results, we invited interested parties to submit comments on our intent to revoke the orders on Leather, Wool and OCTG, and on our intention to amend the revocation of Cold-Rolled. With respect to the countervailing duty orders on Leather and Wool, we received written comments in opposition to our preliminary results from a coalition of U.S. leather manufacturers consisting of Hermann-Oak Leather Co., Howes Leather Co., Inc., Irving Tanning Co., Prime Tanning Co., Inc., Salz Leather Co., S.B. Foot Tanning Co., Suncook Tanning Corp., United Tanners, Inc., Westfield Tanning Co., and Wickett & Craig of America, Inc. (the Coalition), and the American Sheep Industry Association, Inc. (''ASI''), an association of U.S. wool producers (hereinafter the Coalition and ASI will jointly be referred to as ''petitioners''). We also received written comments in support of our preliminary results from the Government of Argentina (''GOA'') with respect to all four countervailing duty orders. In connection with the order on Leather, the Department received written (rebuttal) comments from several importers that supported the preliminary results—Leather's Best, Inc., Leather's Best, L.P., Salco Leather, Inc., and Edsim Leather Company, Inc. (hereinafter collectively referred to as ''Edsim''). Finally, the American Textile Manufacturers Institute (''ATMI'') also submitted written (rebuttal) comments in support of the preliminary results on behalf of its member companies, some of which are importers of wool.

Comment 1: While petitioners concede that the Federal Circuit's decision in *Ceramica* applies to the orders against Argentina, they argue that the Department has misconstrued the court's decision. Contrary to what they assert is the Department's view, the petitioners contend that the court did not mandate the revocation of the countervailing duty order on ceramic tile because ''there was no affirmative injury finding at * * * [the] precise time'' that Mexico became a ''country under the Agreement.'' Rather, they assert, the court ordered revocation because the domestic ceramic tile industry did not request an injury test under section 753 of the Act and, therefore, ''there could never be an affirmative injury finding'' in connection with the entries subject to the contested administrative review.

This situation, the petitioners argue, is quite different from the situation the Department confronts in connection with the countervailing duty orders on Wool and Leather from Argentina. Here, they maintain, the domestic industries have requested an injury test under section 753(a) for entries of Argentine wool and leather occurring after January 1, 1995.

The GOA contends that the petitioners stretch the holding in the *Ceramica* case ''beyond recognition.'' According to the GOA, the Department's preliminary results fit squarely with the court's decision that in the absence of statutory authority to maintain the orders under section 303 of the Act, ''the Department's actions under section 701 were illegal.''

While Edsim generally supports the GOA's position, it has a slightly different view of the *Ceramica* case. Edsim argues that the central teaching of the *Ceramica* decision is that a countervailing duty order is only viable if the Department has the statutory authority to maintain it under either section 303 or 701 of the Act. If an order—such as the one covering Leather from Argentina—''changes status so that it does not satisfy the prerequisites of either statutory section, then it becomes inoperative as of the date of the status change.'' Viewed in this light, Edsim argues, it is ''absurd'' to claim that section 753, which did not take effect until January 1, 1995, could apply to orders which were inoperative as of September 20, 1991.

Finally, the ATMI, which supports revocation of the order on Wool, accuses petitioners of attempting to ''rewrite'' the *Ceramica* decision. First, they claim that the decision does not turn on the absence of a procedure (or mechanism) for providing an injury determination at some future point in time. Second, they reject the claim made by petitioners that the absence of a request for a section 753 injury investigation was a key underpinning to the court's decision. ''If this were a basis for the decision,'' the ATMI asserts, ''the majority or at least the dissenting opinion certainly would have mentioned it * * *''

Department's Position: We disagree with petitioners. First, the preliminary results do not rest on the belief that once Argentina became a ''country under the Agreement,'' it was incumbent upon the United States to provide an injury test in connection with the subject orders ''at that precise time.'' Congress has never structured transition rules, such as section 104(b) of the 1979 Act or section 753 of the Act, so that they provide an (affirmative or negative) injury determination at the very moment when the status of the country covered by an order changes.

Second, the failure of the domestic ceramic tile industry to request an injury test under section 753 of the Act was *not* a significant aspect of the court's decision. If it had been, presumably the court would have discussed this fact in its opinion. What was important to the court, as we explain above, was the absence of any statutory authority to provide an injury test at the time Mexico became entitled to such a test (*i.e.*, when Mexico became a ''country under the Agreement'').

When viewed in this, its proper light, the *Ceramica* decision compels the revocation of the orders covering Leather, Wool, OCTG, and Cold-Rolled from Argentina. In both situations, once Mexico and Argentina qualified as countries under the Agreement, the assessment of countervailing duties on subsequent entries of dutiable merchandise became dependent upon a finding of subsidization *and* injury in accordance with section 701 of the Act. *See Ceramica*, 64 F.3d at 1582. However, none of the transition rules in effect when both countries attained this status afforded the statutory means of providing an injury test. Specifically, section 104 of the 1979 Act only applies to countervailing duty orders issued before January 1, 1980, and section 753 did not come into effect until January 1, 1995.

Comment 2: Petitioners assert that the Department's preliminary results read section 753 out of existence. According to the petitioners, section 753 was designed to remedy the very problem (*i.e.*, absence of an injury test) that arose in *Ceramica*. By stating in its preliminary results that section 753 is not applicable to the orders against Argentina, the Department, asserts petitioners, has violated a fundamental principle of statutory construction that requires statutes to be read so as to render all of their provisions meaningful.

Department's Position: The Department's position on section 753's applicability to the Argentine orders is *not* based upon an interpretation of the statute that is disputed by petitioners. Petitioners concede that section 753 did not come into effect until January 1, 1995, long after Argentina became a ''country under the Agreement'' and the obligation to provide an injury test arose. As explained above, the applicability of 753 to these orders turns on our understanding of the holding in *Ceramica*. Therefore, the suggestion that we are ''imputing a useless act to Congress'' is unfounded.

Section 753 is an important statutory provision which the Department is committed to applying and, indeed, currently is applying with respect to several outstanding countervailing duty

orders (*i.e., Extruded Rubber Thread from Malaysia* and *Steel Wire Rope from Thailand*). However, it was not enacted into law until January 1, 1995. Therefore, consistent with the court's reasoning in *Ceramica,* section 753 is not applicable to the Argentine orders under these circumstances.

Comment 3: Petitioners maintain that revocation of the orders against Argentina is contrary to the purpose of the unfair trade laws. In particular, petitioners assert, it improperly and unnecessarily harms them because the Department has not determined that the relevant foreign producers are no longer being subsidized.

Department's Position: This comment reflects a criticism more properly directed at the court's ruling in *Ceramica,* not the Department's administration of the unfair trade laws as interpreted by the judiciary. As we explain above, the Federal Circuit's decision in *Ceramica* applies to the orders against Argentina, and requires the Department to revoke these orders as of the date Argentina became a ''country under the Agreement.''

Comment 4: Petitioners argue that the instant changed circumstances review is not applicable to entries that occurred before January 1, 1995 because the Department has already issued liquidation instructions covering these entries. One year after entries are liquidated, petitioners assert, they are ''deemed liquidated as a matter of law'' in accordance with 19 U.S.C. § 1504(a). As such, these pre-1995 entries are ''no longer subject to the Commerce Department's authority,'' and the Department has no authority to ''alter its liquidation instructions.''

Edsim disagrees. First, it argues that the Department has not lost jurisdiction over any of the subject entries. Therefore, Edsim asserts, it is entirely proper for the Department to amend its previous instructions to Customs. Second, Edsim claims that section 1504(a) does not apply to the subject entries because their liquidation was suspended pursuant to section 751(a) of the Act.

Department's Position: Edsim misconstrues both the language of section 1504(a), and the interplay between this statutory provision and 19 CFR 355.22(g), the Department's regulation on automatic assessment.

When the Department does not receive a timely request for an administrative review, it instructs Customs under the authority of 19 CFR 355.22(g) to assess countervailing duties on the entered merchandise in question at rates equal to the cash deposit or bond required on that merchandise at the time of entry or withdrawal from warehouse for consumption. At that same time, because the statutory assessment scheme is retroactive, the Department will also instruct Customs to continue to suspend liquidation of covered merchandise which enters during the following period of review and to collect the cash deposit from importer(s) on all such merchandise.

Thus, merchandise entered into the United States covered by a countervailing duty order is only subject to suspension of liquidation until the time within which to request an administrative review has passed. Thereafter, entered merchandise covered by the review period is subject to automatic liquidation under 19 CFR 355.22(g) if no review has been requested. Stated differently, unless an interested party requests an administrative review of entered merchandise covered by a specific period of review, the suspension of liquidation will be terminated, and the Department will instruct Customs to liquidate the merchandise pursuant to the regulation on automatic assessment. Customs is then required, as a matter of law under 19 U.S.C. § 1675(a)(3)(B), to liquidate in accordance with our instructions. Consequently, liquidation with regard to countervailing duties will be carried out by Customs where no timely request for an administrative review has been made regarding merchandise subject to a countervailing duty order entered during a specific period of review, and Customs receives instructions to liquidate from the Department.

With regard to subject merchandise imported by Edsim, the Department received no request for an administrative review after the countervailing duty order on Leather from Argentina was issued. Therefore, the Department was required under 19 CFR 355.22(g), after each review period where no timely request for an administrative review was received, to instruct Customs to assess countervailing duties on the imports which were entered or withdrawn during each applicable period of review. In turn, Customs, pursuant to 19 U.S.C. § 1675(a)(3)(B), is to liquidate within 90 days after the Department sends liquidation instructions, and under section 1504(d), any entry covered by the instructions not liquidated within six months will be deemed liquidated at the rate of duty asserted at the time of entry.

In sum, the Department no longer has jurisdiction over liquidated entries and cannot amend its liquidation instructions, as Edsim requests. *See, e.g., Zenith Radio Corp.* v. *United States,* 710 F.2d 806 (Fed. Cir. 1983). For this reason, the Department expressly limited its preliminary results to all *unliquidated* entries occurring on or after September 20, 1991.

Instructions to U.S. Customs Service

We are instructing the U.S. Customs Service to terminate the suspension of liquidation and liquidate all unliquidated entries of the subject merchandise entered or withdrawn from warehouse for consumption on or after September 20, 1991, without regard to countervailing duties. We are also instructing the U.S. Customs Service to refund with interest any estimated countervailing duties collected with respect to those entries. We note that the requirements for a cash deposit of estimated countervailing duties were previously terminated in conjunction with the section 753 determination covering cold-rolled steel.

This notice is published in accordance with section 751(b)(1) of the Act (19 U.S.C. 1675(b)(1)) and 19 C.F.R. § 355.22(h).

Dated: July 25, 1997.

Jeffrey P. Bialos,

Acting Assistant Secretary for Import Administration.

Appendix—Scope of the Reviews

I. OCTG From Argentina

Imports covered by this review include shipments of Argentine OCTG. OCTG include hollow steel products of circular cross-section intended for use in the drilling of oil or gas and oil well casing, tubing and drill pipe or carbon or alloy steel, whether welded or seamless, manufactured to either American Petroleum Institute or proprietary specifications. The scope covers both finished and unfinished OCTG. The products covered in this review are provided for under item numbers of the *Harmonized Tariff Schedule* (HTS): 7304.20.20, 7304.20.40, 7304.20.50, 7304.20.60, 7304.20.80, 7304.39.00, 7304.51.50, 7304.20.70, 7304.59.60, 7304.59.80, 7304.90.70, 7305.20.40, 7305.20.60, 7305.20.80, 7305.31.40, 7305.31.60, 7305.39.10, 7305.39.50, 7305.90.10, 7305.90.50, 7306.20.20, 7306.20.30, 7306.20.40, 7306.20.60, 7306.20.80, 7306.30.50, 7306.50.50, 7306.60.70, 7306.90.10. The HTS subheadings are provided for convenience and Customs purposes. The written description remains dispositive.

II. Wool From Argentina

Imports covered by this review include shipments of Argentine wool finer than 44s and not on the skin. These products are provided for under HTS item numbers: 5101.11.60, 5101.19.60, 5101.21.40, and 5101.29.40. The HTS subheadings are provided for convenience and Customs purposes. The written description remains dispositive.

III. Leather From Argentina

Imports covered by this review include shipments of Argentine leather. The types of leather that are covered include bovine (excluding upper and lining leather not exceeding 28 square feet, buffalo leather, and upholstery leather), sheep (excluding vegetable pretanned sheep and lambskin leather), swine, reptile (excluding vegetable pretanned and not fancy reptile leather), patent leather, calf and kip patent laminated, and metalized leather. Leather is an animal skin that has been subjected to certain treatment to make it serviceable and resistant to decomposition. It is used in the footwear, clothing, furniture and other industries. The types of leather included within the scope are currently classified under HTS item numbers 4104.10.60, 4104.10.80, 4104.21.00, 4104.22.00, 4104.29.50, 4104.29.90, 4104.31.50, 4104.31.60, 4104.31.80, 4104.39.50, 4104.39.60, 4104.39.80, 4105.12.00, 4105.19.00, 4105.20.30, 4105.20.60, 4107.10.00, 4107.29.60, 4107.90.30, 4107.90.60, 4109.00.30, 4109.00.40, and 4109.00.70. The HTS subheadings are provided for convenience and Customs purposes. The written description remains dispositive.

IV. Cold-Rolled From Argentina

Imports covered by this review include shipments of Argentine cold-rolled carbon steel flat products, whether or not corrugated or crimped; whether or not painted or varnished and whether or not pickled; not cut, not pressed, and not stamped to non-rectangular shape; not coated or plated with metal; over 12 inches in width and under 0.1875 inches in thickness whether or not in coils; as currently provided for under the following item numbers of the HTS: 7209.11.00, 7209.12.00, 7209.13.00, 7209.14.00, 7209.21.00, 7209.22.00, 7209.23.00, 7209.24.00, 7209.31.00, 7209.32.00, 7209.33.00, 7209.34.00, 7209.41.00, 7209.42.00, 7209.43.00, 7209.44.00, 7209.90.00, 7210.70.00, 7211.30.50, 7211.41.70, 7211.49.50, 7211.90.00, 7212.40.50. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

[FR Doc. 97–20379 Filed 7–31–97; 8:45 am]
BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[C–357–404]

Certain Textile Mill Products From Argentina; Determination to Amend Revocation, in Part, of the Countervailing Duty Order

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

ACTION: Notice of determination to amend revocation, in part, of the countervailing duty order on certain textile mill products from Argentina.

SUMMARY: The Department of Commerce (the Department) has determined to amend, in part, the effective date of the revocation of the countervailing duty order on Certain Textile Mill Products from Argentina, with respect to the products classified under item numbers 6305.2000 and 6305.9000 of the Harmonized Tariff Schedule (HTS), from January 1, 1995 to January 1, 1994. In addition, the Department has determined not to revoke with respect to the products classified under the HTS item numbers listed in Appendix A to this notice. As a result of this determination not to amend the effective date of revocation with respect to HTS item numbers found in Appendix A, such merchandise exported on or after January 1, 1994 which entered before January 1, 1995 will be liquidated at the cash deposit rate in effect at the time of entry.

EFFECTIVE DATE: August 1, 1997.

FOR FURTHER INFORMATION CONTACT: Anne D'Alauro or Lorenza Olivas, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

On March 1, 1994, the Department published in the **Federal Register** (59 FR 9727) its intent to revoke the countervailing duty order on certain textile mill products from Argentina pursuant to 19 CFR 355.25(d)(4)(i) because no interested party had requested an administrative review for at least four consecutive review periods. If no interested party objects to the Department's intended revocation or requests an administrative review of the countervailing duty order, the Department will revoke the order pursuant to 19 CFR 355.25(d)(4)(iii)(1993).

The Department received a timely objection to the intended revocation from the American Textile Manufacturers Institute, Inc. (ATMI) and its member companies as well as the Amalgamated Clothing and Textile Workers Union (ACTWU). The Department requested clarifying information from ATMI and ACTWU regarding the like products their members produced.

Revocation Under Section 753 of the Uruguay Round Agreements Act

This countervailing duty order was revoked effective January 1, 1995, pursuant to section 753 of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (60 FR 40568). Therefore, the objection to revocation received from ATMI and ACTWU only affects entries of merchandise exported on or after January 1, 1994 and before January 1, 1995.

Scope Conversion

The scope of the order on certain textile mill products from Argentina was originally defined in terms of the item numbers listed under the *Tariff Schedule of the United States Annotated* (TSUSA). *See Final Affirmative Countervailing Duty Determination and Countervailing Duty Order: Certain Textile Mill Products from Argentina* (50 FR 9846; March 12, 1985). On January 1, 1989, the United States fully converted from TSUSA to the HTS. At that time, the Customs Service prepared a list which included all of the HTS numbers necessary to cover the items previously identified by the TSUSA. However, because the two tariff schedules use different classification systems which do not produce a one-to-one product correlation, this list also included some items not included in the like product list relied upon by the Department in the investigation. On November 1, 1995, after no comments were received on a preliminary HTS scope conversion, the Department published *Certain Textile Mill Products from Argentina; Notice of Scope Amendment* (60 FR 55542) which finalized the conversion of the scope of this order from TSUSA to HTS item numbers.

Applicable Statute

The Department has made this determination in accordance with sections 751 (a) and (c) of the Tariff Act of 1930, as amended (the Act). Unless otherwise indicated, all citations to the statute and to 19 CFR are in reference to the provisions as they existed on December 31, 1994.

Interested Party Status of ATMI and ACTWU

The member companies of ATMI identified and certified as to all of the like products they produce. The respective member companies qualify as interested parties for the like products they produce under 19 CFR 355.2(i)(3) because they are ''producers in the United States of the like products.''

The ATMI member companies produce all of the like products covered