

the United States. Accordingly, we find that the antidumping duty order as to Samsung is no longer necessary and preliminarily determine to revoke the order in part as to Samsung, provided Samsung agrees in writing to immediate reinstatement in the order in the event it sells the merchandise at less than normal value subsequent to revocation.

The Unions have argued that Samsung is likely to resume dumping based on Samsung's price and cost data. They contend that price comparison data submitted by Samsung indicate that Samsung would sell CTVs at less than normal value if the company resumed shipments of CTVs from Korea. Further, the Unions contend that Samsung will likely resume shipments from Korea for newly developed technologies which its operations in Mexico cannot produce.

As stated above, the likelihood of Samsung resuming shipments is not relevant to our finding here. Instead, we must address the issue of whether dumping would be likely to occur if shipments were to resume. Petitioners claim that Samsung's prices in Korea are likely to be significantly higher than prices Samsung is charging on shipments of CTVs from Mexico sold in the United States. Petitioners' arguments are premised on their allegation that Samsung's shipments from Mexico are circumventing the order on CTVs from Korea. However, on December 19, 1997, petitioners requested that the Department terminate the anti-circumvention inquiry, and the Department has not address the issue of potential circumvention.

Thus, petitioners have not addressed the issue of potential price differentials between Samsung's sales in the Korean and U.S. markets if Samsung were to resume sales from Korea. With respect to the Unions' argument that products resulting from newly developed or developing technologies are likely to be dumped, we do not find persuasive evidence of record that shows that such products are likely to be dumped.

Public Comment

Interested parties are invited to submit comments on these preliminary results. In light of the termination of the Anticircumvention Inquiry, interested parties are encouraged to submit comments on the likelihood of resumption issue in particular. Case briefs and/or written comments from interested parties may be submitted no later than 30 days after the date of publication/notification of this notice. Rebuttal briefs and rebuttals to comments, limited to issues raised in those briefs or comments, may be filed

no later than 37 days after publication/notification of this notice. Any hearing, if requested, will be held 44 days after publication/notification of this notice.

Affirmative Preliminary Determination of Changed Circumstances

Based on our analysis discussed above, we preliminarily find that it is appropriate to partially revoke the AD order with respect to Samsung. This preliminary affirmative changed circumstances determination is in accordance with section 751(b) of the Act and 19 C.F.R. 353.22(f).

Dated: December 19, 1997.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 97-33981 Filed 12-30-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-475-818]

Certain Pasta From Italy; Correction of Notice of Court Decision

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

ACTION: Notice.

SUMMARY: On December 15, 1997, the Department published a Notice in the **Federal Register** (62 FR 65673) concerning a decision of the United States Court of International Trade (CIT) in the case of *De Cecco et al. v. United States et al.* (Slip Op. 97-143, October 23, 1997). The notice indicated that absent an appeal of this decision, or, if the decision were to be appealed, upon a "conclusive" court decision affirming the CIT's judgment, the Department would implement the CIT's determination with respect to entries of merchandise produced or imported by firms enumerated in the notice. Barilla Alimentari S.p.A., a party to the litigation, should have been listed as a producer in the notice, but was not. The corrected notice appears below.

EFFECTIVE DATE: November 3, 1997.

FOR FURTHER INFORMATION CONTACT:

Edward Easton or John Brinkmann, at (202) 482-1777 or (202) 482-5288, respectively, Office of AD/CVD Enforcement II, Import Administration, International Trade Administration, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On June 14, 1996, the Department published its final determination of sales at less than fair value in the antidumping duty investigation of certain pasta from Italy. On July 24, 1996, the Department published an amended final determination. Subsequently, De Cecco, *et al.*, filed lawsuits with the Court challenging the extension of provisional measures described above. On October 2, 1997, the CIT issued its opinion granting plaintiffs' and plaintiff-intervenors' motions. In its opinion, the CIT found that the Department had improperly extended the provisional measures period, as there had not been a proper request from exporters to extend this period. On October 23, 1997, the CIT directed the Department to issue instructions to implement its decision.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), the United States Court of Appeals for the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The decision of the CIT in *De Cecco* constitutes a decision not in harmony with the Department's final determination. This notice fulfills the publication requirements of *Timken*.

Absent an appeal, or if appealed, upon a "conclusive" court decision affirming the CIT's judgment, the Department will direct the U.S. Customs Service to: (1) Lift the suspension of liquidation, release any bonds or other security posted, and refund any and all cash deposits paid as estimated antidumping duties on any and all entries of the subject merchandise were produced by the following producers—

F.lli De Cecco di Filippo Fara San Martino S.p.A.,
Rummo S.p.A. Molina e Pastificio,
La Molisana Industrie Alimentari S.p.A.,
Pastificio Fratelli Pagani S.p.A.,
Barilla Alimentari S.p.A. and
Industria Alimentari Colavita S.p.A.—
or imported by the following importers—
Agrusa, Inc.,
Bel Canto Fancy Foods, Ltd.,
Cento Fine Foods, Inc. (Alanric Food Distributors),
George De Lallo Co., Inc.,
Domil, Inc.,
Ferrara Food Co., Inc.,

Gourmet Award Foods, I.T. & M, Inc., Italfoods, Inc., La Pace Imports, Ltd., Med-USA Corporation, Musco Food Corp., The Pastene Companies, Ltd., Rienzi & Sons, Ron-Son Mushroom Products, Inc., Santini Foods, Inc., Sinco, Inc., and World Finer Foods, Inc.—and were entered, or withdrawn from warehouse for consumption, after May 18, 1996, and before July 24, 1996; and (2) liquidate those entries without regard to any antidumping duty; and (3) pay any such refunds of cash deposits in accordance with law, including interest, from the date of entry at the rate(s) as announced from time to time by the Customs Service pursuant to Title 19, United States Code, Section 1505(c). Liquidation of such entries is suspended pending final and conclusive disposition.

Dated: December 23, 1997.

Richard W. Moreland,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 97-34138 Filed 12-30-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-428-820]

Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe From Germany: Antidumping Duty Administrative Review: Extension of Time Limit

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

ACTION: Notice of extension of time limit.

SUMMARY: The Department of Commerce (the Department) is extending the time limit of the final results of the antidumping duty administrative review of Small Diameter Circular Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Germany. This review covers the period January 27, 1995 through July 31, 1996.

EFFECTIVE DATE: December 31, 1997.

FOR FURTHER INFORMATION CONTACT: Nancy Decker or Linda Ludwig, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C.; telephone (202) 482-0196 or 482-3833, respectively.

SUPPLEMENTARY INFORMATION: Due to the complexity of issues involved in this case, it is not practicable to complete this review within the original time limit. The Department is extending the time limit for completion of the final results until March 9, 1998, in accordance with Section 751(a)(3)(A) of the Trade and Tariff Act of 1930, as amended by the Uruguay Round Agreements Act of 1994. See memorandum to Robert S. LaRossa from Joseph A. Spetrini regarding the extension of the case deadline, dated December 16, 1997.

This extension is in accordance with 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. § 1675 (a)(3)(A)).

Dated: December 16, 1997.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 97-34140 Filed 12-30-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty

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

ACTION: Publication of Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty.

SUMMARY: The Department of Commerce, in consultation with the Secretary of Agriculture, has prepared its annual list of foreign government subsidies on articles of cheese subject to an in-quota rate of duty during the period October 1, 1996 through September 30, 1997. We are publishing the current listing of those subsidies that we have determined exist.

EFFECTIVE DATE: January 1, 1998.

FOR FURTHER INFORMATION CONTACT: Russell Morris, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., N.W., Washington, D.C. 20230, telephone: (202) 482-2786.

SUPPLEMENTARY INFORMATION: Section 702(a) of the Trade Agreements Act of 1979 (as amended) (the Act) requires the Department of Commerce (the Department) to determine, in consultation with the Secretary of Agriculture, whether any foreign government is providing a subsidy with respect to any article of cheese subject to an in-quota rate of duty, as defined in section 702(g)(b)(4) of the Act, and to publish an annual list and quarterly updates of the type and amount of those subsidies. We hereby provide the Department's annual list of subsidies on cheeses that were imported during the period October 1, 1996 through September 30, 1997.

The Department has developed, in consultation with the Secretary of Agriculture, information on subsidies (as defined in section 702(g)(b)(2) of the Act) being provided either directly or indirectly by foreign governments on articles of cheese subject to an in-quota rate of duty. The appendix to this notice lists the country, the subsidy program or programs, and the gross and net amount of each subsidy for which information is currently available.

The Department will incorporate additional programs which are found to constitute subsidies, and additional information on the subsidy programs listed, as the information is developed.

The Department encourages any person having information on foreign government subsidy programs which benefit articles of cheese subject to an in-quota rate of duty to submit such information in writing to the Assistant Secretary for Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

This determination and notice are in accordance with section 702(a) of the Act.

Dated: December 23, 1997.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

Appendix—Subsidy Programs on Cheese Subject to an In-Quota Rate of Duty

Country	Program(s)	Gross ¹ subsidy	Net ² subsidy
Austria	European Union Restitution Payments	\$0.23	\$0.23