

investigations, with anniversary dates in September for the following periods:

	Period
Antidumping Duty Proceedings	
Argentina: Silicon Metal, A-357-803	9/1/97-8/31/98
Canada:	
Steel Jacks, A-122-006	9/1/97-8/31/98
New Steel Rail, Except Light Rail, A-122-804	9/1/97-8/31/98
Germany: Newspaper Printing Presses, A-428-821	9/1/97-8/31/98
Japan: Newspaper Printing Presses, A-588-837	9/1/97-8/31/98
Taiwan: Chrome-Plated Lug Nuts, A-583-810	9/1/97-8/31/98
The People's Republic of China:	
CDIW Fittings & Glands, A-570-820	9/1/97-8/31/98
Freshwater Crawfish Tail Meat, A-570-848	3/26/97-8/31/98
Greige Polyester/Cotton Printcloth, A-570-101	9/1/97-8/31/98
Chrome-Plated Lug Nuts, A-570-808	9/1/97-8/31/98
Countervailing Duty Proceedings	
Canada: New Steel Rail, Except Light Rail, C-122-805	1/1/97-12/31/97
Suspension Agreements	
None	

In accordance with section 351.213 of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. In revisions to its regulations, the Department changed its requirements for requesting reviews for countervailing duty orders. Pursuant to 771(9) of the Act, an interested party must specify the individual producers or exporters covered by the order or suspension agreement for which they are requesting a review (Department of Commerce Regulations, 62 FR 27295, 27494 (May 19, 1997)). Therefore, for both antidumping and countervailing duty reviews, the interested party must specify for which individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Seven copies of the request should be submitted to the Assistant Secretary for Import Administration, International

Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Enforcement, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of September. If the Department does not receive, by the last day of September, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct the Customs Service to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: August 28, 1998.

Maria Harris Tildon,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 98-24748 Filed 9-15-98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-421-701]

Brass Sheet and Strip From the Netherlands: Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On May 11, 1998, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on brass sheet and strip from the Netherlands (63 FR 75821). This review covers sales to the United States by one manufacturer/exporter, Outokumpu Copper Strip B.V. (OBV), and its U.S. affiliate, Outokumpu Copper (USA), Inc., of the subject

merchandise during the period of review (POR), August 1, 1996, through July 31, 1997. We gave interested parties an opportunity to comment on our preliminary results. We have not changed the results from those presented in the preliminary results of review.

FOR FURTHER INFORMATION CONTACT:

Karla Whalen or Lisette Lach, Office of Antidumping/Countervailing Duty Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-1386 or (202) 482-6412, respectively.

EFFECTIVE DATE: September 16, 1998.

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 regulations last codified at 19 CFR Part 351 (May 19, 1997).

Scope of This Review

Imports covered by this review are brass sheet and strip, other than leaded and tin brass sheet and strip, from the Netherlands. The chemical composition of the products under review is currently defined in the Copper Development Association (CDA) 200 Series or the Unified Numbering System (UNS) C20000 series. This review does not cover products the chemical composition of which are defined by other CDA or UNS series. The physical dimensions of the products covered by this review are brass sheet and strip of solid rectangular cross section over 0.006 inch (0.15 millimeter) through 0.188 inch (4.8 millimeters) in gauge, regardless of width. Coiled, wound-on-reels (traverse-wound), and cut-to-length products are included. The merchandise under review is currently classifiable under items numbers 7409.21.00 and 7409.29.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive.

Background

On August 12, 1988, the Department published in the **Federal Register** the

antidumping duty order on brass sheet and strip (BSS) from the Netherlands (53 FR 30455). On August 4, 1997, the Department published the notice of "Opportunity to Request Administrative Review" for the period August 1, 1996 through July 31, 1997 on BSS from the Netherlands (62 FR 41925).

On August 29, 1997, in accordance with 19 FR 351.213(b), OBV filed a letter requesting an administrative review of its sales in this period of review. On September 25, 1997, we published in the **Federal Register** a notice of initiation of this administrative review (62 FR 50292). On October 23, 1997, petitioners in this proceeding¹ entered a notice of appearance in this administrative review. On May 11, 1998, the Department published in the **Federal Register** the preliminary results of the administrative review (63 FR 25,821).

On May 18, 1998, the petitioners requested that the Department conduct a hearing on this administrative review. On June 10, 1998, petitioners withdrew their request for a hearing in this case and thus no hearing was held. On June 10, 1998, petitioners submitted their comments on this review and on June 16, 1998, OBV submitted its response to petitioners comments. The Department has now completed this administrative review in accordance with section 751 of the Act.

Analysis of Comments Received

Comment: Anticipated Revocation Request

Petitioners claim that OBV's sales response in this review indicates that OBV is likely to request a revocation of the order on BSS in the near future. Petitioners base this claim on the small volume of OBV's sales during this review at a non-dumping rate as compared to the large volume of OBV's sales prior to the imposition of the antidumping duty order. Petitioners state that during this review OBV had sales of roughly 18,000 pounds in contrast to exports of brass sheet and strip to the United States for the four calendar years preceding imposition of the antidumping duty order on BSS which were 15.6 million pounds in 1984, 15.4 million pounds in 1985, 14.9 million pounds in 1986, and 15.4 million pounds in 1987. Petitioners anticipate that OBV could base a

¹ Hussey Copper, Ltd.; The Miller Company; Olin Corporation; Revere Copper Products, Inc.; International Association of Machinists and Aerospace Workers; International Union, Allied Industrial Workers of America (AFL-CIO); Mechanics Educational Society of America (Local 56); and United Steelworkers of America (AFL-CIO/CLC).

revocation request on a claim of the absence of dumping on the small number of post-order sales. Petitioners go on to cite a number of recent cases in which the Department declined to revoke an order. Petitioners ask the Department to discuss how it would view this review in regards to a future revocation request by OBV.

In response to this comment, OBV argues that petitioners comment is irrelevant to this proceeding and should be disregarded by the Department since no party to this review has requested revocation of the order. Further, respondents claim that all the facts necessary to examine such an issue are not on the record.

Department's Position: While the Department recognizes the information provided by petitioner may be relevant to a revocation determination under section 353.222, it is not relevant to the current proceeding since no party to this order has requested a revocation of the order on BSS. Petitioners have also stated that revocation is not at issue in this proceeding.

Final Results of Review

As a result of this review, we have determined that the following margin exists for the period August 1, 1996 through July 31, 1997:

Producer/manufacturer/exporter	Weighted-average margin (percent)
Outokumpu Copper Strip B.V. (OBV)	0.00

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between United States price and foreign market value may vary from the percentage stated above. The Department will issue appraisement instructions directly to the U.S. Customs Service. Furthermore, the following deposit requirements shall be effective upon publication of this notice of final results of review for all shipments of the subject merchandise from the Netherlands entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) the cash deposit rates for OBV will be the rate as stated above; (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, or the original less-than-fair-value (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 this review, the cash rate will be 16.99 percent, which was the "all others" rate as established in the LTFV investigation. The deposit requirements, when imposed, 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 section 351.402(f) 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 351.305² of the Department's regulations. Timely notification of 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 administrative review and this notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: September 4, 1998.

Joseph Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 98-24746 Filed 9-15-98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-815]

Initiation of Antidumping Duty Investigation: Elastic Rubber Tape From India

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

EFFECTIVE DATE: September 16, 1998.

FOR FURTHER INFORMATION CONTACT: Craig Matney or Cynthia Thirumalai at (202) 482-1778 and (202) 482-4087, respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Initiation of Investigation

The 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 19 CFR Part 351 (1998).

The Petition

On August 18, 1998, the Department of Commerce (the Department) received a petition filed in proper form by Fulflex, Inc., Elastomer Technologies Group, Inc., and RM Engineered Products, Inc., collectively referred to hereinafter as "the petitioners." Elastomer and RM are both wholly owned subsidiaries of M-Tec Corporation. The petitioners filed supplemental information to the petition on September 1, 1998.

In accordance with section 732(b) of the Act, the petitioners allege that imports of elastic rubber tape (ERT) from India are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring an industry in the United States.

The Department finds that the petitioners filed this petition on behalf of the domestic industry because they are interested parties as defined in section 771(9)(C) of the Act and they have demonstrated that they are the only producers of ERT in the United States (see Determination of Industry Support for the Petition section below).

Scope of the Investigation

For purposes of this investigation, the product covered is elastic rubber tape. Elastic rubber tape is defined as vulcanized, non-cellular rubber strips, of either natural or synthetic rubber, 0.006 inches to 0.100 inches (0.15 mm to 2.54 mm) in thickness, and 1/8 inches to 1 5/8 inches (3 mm to 42 mm) in width. Such product is generally used in swimwear and underwear.

The merchandise subject to this investigation is classified in the

Harmonized Tariff Schedule of the United States (HTSUS) at subheading 4008.21.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

During our review of the petition, we discussed the scope with the petitioners to insure the petition accurately reflects the product for which they are seeking relief. Moreover, as discussed in the preamble to the new regulations (62 FR 27323), we are setting aside a period for parties to raise issues regarding product coverage. The Department encourages all parties to submit such comments by September 29, 1998. Comments should be addressed to Import Administration's Central Records Unit at Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230. The period of scope consultations is intended to provide the Department with ample opportunity to consider all comments and consult with parties prior to the issuance of our preliminary determination.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

Section 771(4)(A) of the Act defines the "industry" as the producers of a domestic like product. Thus, to determine whether the petition has the requisite industry support, the statute directs the Department to look to producers and workers who account for production of the domestic like product. The International Trade Commission (ITC), which is responsible for determining whether "the domestic industry" has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both the Department and the ITC must apply the same statutory definition regarding the domestic like product (section 771(10) of the Act), they do so for different purposes and pursuant to separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information.

² See *Antidumping and Countervailing Duty Proceedings: Administrative Protective Order Procedures; Procedures for Imposing Sanctions for Violation of a Protective Order* (63 FR 24391, May 4, 1998).