Flores la Colmena Ltda.
Rosas Sabanilla Ltda.
Inversiones la Serena
Agricola la Capilla
Rosas y Jardines
Rose
Rosex Ltda.
Sabana Group
Flores de la Sabana S.A.
Roselandia S.A.
San Ernesto
San Valentine
Sansa Flowers
Santa Rosa Group
Flores Santa Rosa Ltda.
Floricola la Ramada Ltda.
Santana Flowers Group
Santana Flowers
Hacienda Curibital Ltda.
Inversiones Istra Ltda.
Sarena
Select Pro
Senda Brava Ltda.
Shasta Flowers y Compania Ltda.
Shila
Siempreviva
Soagro Group
Agricola el Mortino Ltda.
Flores Aguaclara Ltda.
Flores del Monte Ltda.
Flores la Estancia
Jaramillo y Daza
Solor Flores Ltda.
Starlight
Sunbelt Florals
Superflora Ltda.
Susca
Sweet Farms
Tag Ltda.
The Beall Company
The Rose
Tikiya Flowers
Tinzuque Group
Tinzuque Ltda.
Catu S.A.
Tomino
Tropical Garden
Tuchany Group
Tuchany S.A.
Flores Sibate
Flores Tikaya
Flores Munya
Uniflor Ltda.
Vegaflor
Velez de Monchaux Group
Velez de Monchaux e Hijos y Cia S. en C.
Agroteusa
Victoria Flowers
Villa Cultivos Ltda.
Villa Diana
Vuelven Ltda.
Zipa Flowers

The following exporters/growers have requested revocation from the antidumping duty order:

Floricola la Gaitana S.A.
Clavecol Group
Claveles Colombianos Ltda.
Elegant Flowers Ltda.
Fantasia Flowers Ltda.
Splendid Flowers Ltda.
Sun Flowers Ltda.

The Department has also received a request to review and determine whether there has been absorption of antidumping duties within the meaning of section 751(a)(4) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)).

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b).

This initiation and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)) and 19 CFR 351.221(c)(1)(i).

Dated: April 15, 1998.

Gary Taverman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 98–10574 Filed 4–20–98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–810]

Stainless Steel Bar from India: 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 antidumping duty administrative review.

SUMMARY: On January 23, 1998, the Department of Commerce published the preliminary results of the new shipper administrative review of the antidumping duty order on stainless steel bar from India. We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received, we have made certain changes for the final results.

This review covers two producers/exporters of stainless steel bar to the United States during the period February 1, 1996, through January 31, 1997. The review indicates no dumping margins during the review period.

EFFECTIVE DATE: April 21, 1998.

FOR FURTHER INFORMATION CONTACT: Zak Smith or James Breeden, Import Administration, AD/CVD Enforcement Group I, Office 1, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–1279 or 482–1174, respectively.

Applicable Statute and Regulations

The Department of Commerce (''the Department'') is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (''the Act''). 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 Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to those codified at 19 CFR Part 353 (April 1997).

SUPPLEMENTARY INFORMATION:

Background

On January 23, 1998, the Department of Commerce published the preliminary results of the new shipper administrative review of the antidumping duty order on stainless steel bar from India (63 FR 3536) (''preliminary results''). The manufacturers/exporters in this review are Panchmahal Steel Limited (''Panchmahal'') and Ferro Alloys Corporation Limited (''Facor''). We received comments from Panchmahal and rebuttal comments from the petitioners [1] (see, Interested Party Comments, below).

Scope of the Review

Imports covered by this review are shipments of stainless steel bar. The term ''stainless steel bar'' means articles of stainless steel in straight lengths that have been either hot-rolled, forged, turned, cold-drawn, cold-rolled or otherwise cold-finished, or ground, having a uniform solid cross section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles, hexagons, octagons, or other convex polygons. Stainless steel bar includes cold-finished stainless steel bars that are turned or ground in straight lengths, whether produced from hot-rolled bar or from straightened and cut rod or wire, and reinforcing bars that have indentations, ribs, grooves, or other deformations produced during the rolling process.

Except as specified above, the term does not include stainless steel semi-finished products, cut length flat-rolled products (i.e., cut length rolled products which if less than 4.75 mm in thickness have a width measuring at least 10 times the thickness or if 4.75 mm or more in thickness have a width which exceeds 150 mm and measures at least twice the thickness), wire (i.e., cold-formed products in coils, of any uniform solid

[1] Al Tech Specialty Steel Corp., Carpenter Technology Corp., Crucible Specialty Metals Division, Crucible Materials Corp., Electralloy Corp., Republic Engineered Steels, Slater Steels Corp., Talley Metals Technology, Inc. and the United Steelworkers of America (AFL-CIO/CLC).

cross section along their whole length, which do not conform to the definition of flat-rolled products), and angles, shapes and sections.

The stainless steel bar subject to these orders is currently classifiable under subheadings 7222.10.0005, 7222.10.0050, 7222.20.0005, 7222.20.0045, 7222.20.0075, and 7222.30.0000 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this order is dispositive.

Interested Party Comments

In accordance with 19 CFR 353.38, we invited interested parties to comment on our preliminary results. We received written comments from Panchmahal and rebuttal comments from the petitioners.

Comment 1: Model Matches

Panchmahal disagrees with the Department's preliminary decision to compare its U.S. sales of 304L grade bar to its home market sales of 316 grade bar. Rather, Panchmahal argues that the Department should compare the U.S. sales of 304L grade bar to its home market sales of 304 grade bar.

The petitioners rebut that hot-rolled 304 grade bar and cold-finished 304L grade bar are not comparable because of differences in these grades' production costs. Furthermore, the petitioners assert that the differences in variable costs between 304 grade bar and 304L grade bar reported by Panchmahal are too low and thus must be flawed, given the different production processes of the two grades. Accordingly, the Department should use constructed value (''CV'') as the basis for normal value.

Department's Position

We agree with Panchmahal. Based on its chemical composition, we have determined that grade 304L bar is more appropriately matched to grade 304 bar than grade 316 bar. Specifically, grade 304L bar and 304 bar are more comparable based on their chrome and nickel content. Moreover, grade 316 bar contains molybdenum, while grades 304L and 304 bar do not.

In regard to petitioners' argument to use CV as a basis of normal value, it is the Department's normal practice to use contemporaneous home market sales of the foreign like product, before resorting to CV, as a basis for normal value unless those sales fail the difference in merchandise test. Because the home market bar sales are sales of foreign like product that do not fail the difference in merchandise test and that match to U.S. sales, use of constructed value would be inappropriate. Based on our general knowledge of the production processes involved, the reported differences in variable costs are not unreasonable.

Comment 2: Duty Drawback

Panchmahal asserts that the Department, in Certain Welded Carbon Standard Steel Pipes and Tubes from India (62 FR 47632 (September 10, 1997)) (''Pipes and Tubes''), has found that the Indian Passbook Scheme is a proper duty drawback program. Thus, in this case, the Department should allow an upward adjustment to U.S. price in the amount of the duty drawback received on exports of the subject merchandise. The respondent also states that it fully answered the Department's supplemental questions regarding the duty drawback benefit under this scheme; therefore, the Department's rejection of the adjustment in the preliminary results is groundless. In particular, Panchmahal argues that the Indian Passbook Scheme meets the criteria used by the Department when analyzing duty drawback programs because the duty drawback is based on duties paid with respect to imported inputs actually used in the production of the subject merchandise.

The petitioners maintain that the Panchmahal's use of the Indian Passbook Scheme fails the Department's two-part test for drawback claims because the respondent did not provide documentation establishing: (1) A direct link between the duties imposed and those rebated, and (2) that the company imported a sufficient amount of raw materials to account for the drawback received. The petitioners assert that the evidence on the record supports the Department's decision to reject Panchmahal's claimed duty drawback adjustment. Specifically, petitioners argue that Panchmahal's claim for a duty drawback adjustment is based merely on the existence of the Indian Passbook Scheme. They state that the existence of a drawback program does not guarantee acceptance of the adjustment by the Department; rather, the company's specific utilization of the scheme must be examined. According to the petitioners, the lack of a direct link between duties paid on imported inputs and duties rebated on exported finished products under the program, and the failure by Panchmahal to provide any details on its imports should compel the Department to reject the company's request for an upward adjustment to U.S. price.

Department's Position

When evaluating a duty drawback program, the Department considers whether the import duty and duty drawback are directly linked to, and dependent upon, one another and whether the company claiming the adjustment can show that there were sufficient imports of the imported raw materials to account for the drawback received on the exported product (see, Pipes and Tubes, at 47634).

Panchmahal has not provided adequate documentation establishing a sufficient link between import duties paid and duty drawbacks generally received under the program. Moreover, there is no indication that Panchmahal imported inputs in sufficient quantities to account for rebates received under the program. Accordingly, as in the preliminary results, no adjustment to the U.S. price for duty drawback has been made.

Comment 3: Duty Drawback Adjustment to Material Costs

Panchmahal argues that its material costs should be reduced by the amount of reported duty drawback. Panchmahal refers to Stainless Steel Bar from India (62 FR 60482 (November 10, 1997)), in support of its position.

Petitioners contend that since the Passbook Scheme does not require direct linkage between import duties paid and rebates received on exported products, the rebates cannot be linked to the material costs incurred. Petitioners further argue that since Panchmahal has failed to report the actual amount of import duties paid, the Department is unable to ensure that the claimed adjustment to material input costs does not exceed the amount of import duties paid.

Petitioners also assert that Panchmahal mischaracterized the Department's determination in Stainless Steel Bar from India (62 FR 60482 (November 10, 1997)) (''Bar from India''), which states that the Department offset the per unit direct materials cost to account for the rebates received only on those sales where constructed value was the basis for normal value. The petitioners maintain that since normal value was not based on constructed value for Panchmahal, no adjustment should be made to the reported materials costs.

Department's Position

Respondent's comment is moot because we did not use constructed value as the basis for normal value.

Final Results of Review

As a result of this review, we find that the following margins exist for the period February 1, 1996, through January 31, 1997:

Manufacturer/ exporter	Period	Margin (percent)
Panchmahal ..	2/1/96–1/31/97	0
Facor	2/1/96–1/31/97	0

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the review and for future deposits of estimated duties for the manufacturers/exporters subject to this review. We have calculated an importer-specific duty assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the period of review (''POR'') to the total value of subject merchandise entered during the POR. The Department will issue appraisement instructions directly to the 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 new shipper administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed companies will be the rates established in the final results of this new shipper review; (2) for companies not covered in this review, but covered in previous reviews or the original less-than-fair-value investigation, 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 investigation, but the manufacturer is, the cash deposit rate will be the most recent rate established for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the original investigation, the cash deposit rate will be the ''all others'' rate of 12.45 percent established in the final determination of sales at less than fair value (59 FR 66915, December 28, 1994).

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

This notice also 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 review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR 353.22.

Dated: April 13, 1998.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 98–10415 Filed 4–20–98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

The Ohio State University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 97–103. Applicant: The Ohio State University, Columbus, OH 43210. Instrument: Electron Microscope, Model CM200. Manufacturer: Philips, The Netherlands. Intended Use: See notice at 63 FR 5364, February 2, 1998. Order Date: July 10, 1997.

Docket Number: 98–005. Applicant: University of California, Davis, Davis, CA 95618. Instrument: Electron Microscope, Model LEEM III. Manufacturer: Elmitec Elektronenmikroskopie GmbH, Germany. Intended Use: See notice at 63 FR 11870, March 11, 1998. Order Date: December 3, 1996.

Docket Number: 98–012. Applicant: University of New Orleans, New Orleans, LA 70148. Instrument: Electron Microscope, Model JEM–2010. Manufacturer: JEOL, Ltd., Japan. Intended Use: See notice at 63 FR 12451, March 13, 1998. Order Date: January 8, 1998.

Docket Number: 98–014. Applicant: University of Wisconsin-Eau Claire, Eau Claire, WI 54702–4004. Instrument: Electron Microscope, Model JEM–2010. Manufacturer: JEOL, Ltd., Japan. Intended Use: See notice at 63 FR 12452, March 13, 1998. Order Date: December 1, 1997.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered. Reasons: Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument or at the time of receipt of application by the U.S. Customs Service.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 98–10412 Filed 4–20–98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

University of Nebraska-Lincoln; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89–651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

Docket Number: 97–102. Applicant: University of Nebraska-Lincoln, Lincoln, NE 68588–0347. Instrument: Scanning Acoustic Microscope, Model KSI SAM 2000. Manufacturer: Kramer Scientific Instruments, Germany.