practicable in a given circumstance,'' the Department may nevertheless apply an adverse inference. Based on these reasons, the Department considers the LTFV rate used as adverse facts available in this review to be corroborated.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following margin exists for the period September 1, 1996, through August 31, 1997:

Manufacturer/exporter	Margin (percent)
AHMSA	49.25

The Department will issue disclosure documents within five days of the date of publication of this notice. Interested parties may also request a hearing within 30 days of publication. If requested, a hearing will be held as early as convenient for the parties but normally not later than 37 days after the date of publication or the first work day thereafter. Interested parties may submit case briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 5 days after the filing of case briefs. The Department will issue a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such briefs or at a hearing, within 120 days from the publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of certain CTL carbon steel plate from Mexico entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original investigation of sales at less than fair value (LTFV) or a previous review, the cash deposit 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 or a previous review, 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) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be 49.25 percent, the ''all others'' rate established in the LTFV investigation (58 FR 37192, July 9, 1993).

These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility 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 determination is issued and published in accordance with sections 751(a)(1) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.213.

Dated: August 31, 1998.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 98–24166 Filed 9–8–98; 8:45 am]

BILLING CODE 3510–DS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–808]

Certain Stainless Steel Wire Rod From India; Preliminary Results of Antidumping Duty Administrative and New Shipper Reviews

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

ACTION: Notice of preliminary results of antidumping duty administrative and new shipper reviews.

SUMMARY: In response to a request by Mukand, Ltd. (''Mukand''), respondent, the Department of Commerce (''the Department'') is conducting an administrative review of the antidumping duty order on stainless steel wire rod (''SSWR'') from India. In addition, new shipper reviews were requested by respondents Viraj Group (''Viraj'') and Panchmahal Steel Ltd. (''Panchmahal''). The period of review (POR) is December 1, 1996, through November 30, 1997. At the request of both Viraj and Panchmahal (May 11, 1998), the schedules for the new shipper reviews have been aligned to those of the administrative review of Mukand. *See Letter to Mr. Peter Koenig of Ablondi, Foster, Sobin & Davidow* (May 12, 1998).

We have preliminarily determined that respondents Mukand, Viraj, and Panchmahal have not sold subject merchandise at less than normal value (NV) during the POR. If these preliminary results are adopted in our final results of this administrative review and new shipper reviews, we will instruct U.S. Customs not to assess antidumping duties.

We invite interested parties to comment on these preliminary results. Parties who submit arguments in this proceeding should also submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument.

EFFECTIVE DATE: September 9, 1998.

FOR FURTHER INFORMATION CONTACT: Maria Dybczak (Mukand), Carrie Blozy (Viraj), N. Gerard Zapiain (Panchmahal) or Rick Johnson, AD/CVD Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–1398 (Dybczak), (202) 482–0165 (Blozy), (202) 482–1395 (Zapiain), or (202) 482–3818 (Johnson).

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made by the Uruguay Rounds Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR Part 351 (62 FR 27296; May 19, 1997).

Background

On October 20, 1993, the Department published in the **Federal Register** the antidumping duty order on certain stainless steel wire rods from India (58 FR 54110). On December 5, 1997, the Department published in the **Federal Register** a notice of opportunity to request an administrative review of this antidumping duty order (62 FR 64353). On December 22, respondent Mukand requested that we conduct an administrative review in accordance with 19 CFR 351.213(b). We published the notice of initiation of this antidumping duty administrative review

on January 26, 1998 (62 FR 3702). On December 24, 1997, and December 31, 1997, Panchmahal and Viraj, respectively, submitted requests for new shipper administrative reviews. On February 5, 1998, the notice of initiation of these new shipper administrative reviews was published in the **Federal Register** (63 FR 5930).

The Department is conducting these reviews in accordance with section 751 of the Act.

Scope of the Review

Imports covered by this review are shipments of SSWR from India. SSWR are products which are hot-rolled or hot-rolled annealed and/or pickled rounds, squares, octagons, hexagons or other shapes, in coils. SSWR are made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are only manufactured by hot-rolling and are normally sold in coiled form, and are of solid cross-section. The majority of SSWR sold in the United States are round in cross-section shape, annealed and pickled. The most common size is 5.5 millimeters in diameter.

The SSWR subject to this review are currently classifiable under subheadings 7221.00.0005, 7221.00.0015, 7221.00.0020, 7221.00.0030, 7221.00.0040, 7221.00.045, 7221.00.0060, 7221.00.0075, and 7221.00.0080 of the Harmonized Tariff Schedule of the United States (''HTSUS''). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under review is dispositive.

The administrative review covers one company, Mukand, while both Viraj and Panchmahal are reviewed as new shippers. The period of review for all three companies is December 1, 1996 through November 30, 1997.

Fair Value Comparisons

To determine whether sales of subject merchandise to the United States were made at less than fair value, we compared the Export Price (''EP'') to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice. In accordance with section 777A(d)(2) of the Act, we calculated monthly weighted-average prices for NV and compared these to individual U.S. transactions.

Product Comparisons

In accordance with section 771(16) of the Act, we considered all products covered by the Scope of the Review, which were produced and sold by the respondent in the home market or a third country market during the POR, to be foreign like products for purposes of product comparisons to U.S. sales. For all U.S. sales of Mukand, Viraj, and Panchmahal, there were identical sales in the home or third market on which to make a comparison.

Export Price

Mukand

For Mukand, we used EP as defined in section 772(a) of the Act because the subject merchandise was first sold by Mukand to an unaffiliated purchaser in the United States before the date of importation and CEP treatment was not otherwise indicated. We calculated EP based on packed, delivered prices to the first unaffiliated purchaser in the United States. We made deductions to the starting price for movement expenses (Indian and U.S. inland freight, ocean freight, insurance, brokerage and handling) pursuant to section 772(c)(2) of the Act. Additionally, we added to the U.S. price an amount for duty drawback pursuant to section 772 (c)(1)(B) of the Act. For a further discussion of this issue, *see Memorandum to the File: Analysis Memo for the Preliminary Results of Review for Mukand, Ltd.*, pp. 2–3, September 2, 1998. We used Mukand's date of invoice as the date of sale for the U.S. in accordance with 19 CFR 351.401(i).

Viraj

For calculation of the price to the United States, we used EP, in accordance with section 772(a) of the Act because the subject merchandise was first sold by Viraj to an unaffiliated purchaser in the United States prior to importation and CEP treatment was not otherwise indicated. The Department calculated EP for Viraj based on packed, delivered prices to customers in the United States. We made deductions to the starting price for movement expenses (Indian inland freight, ocean freight, insurance, and brokerage and handling) in accordance with section 772(c)(2) of the Act. Additionally, we added to the U.S. price an amount for duty drawback pursuant to section 772 (c)(1)(B) of the Act. For a further discussion of this issue, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Viraj,* pp. 3–5, September 2, 1998. We used Viraj's date of invoice as the date of sale for the U.S. in accordance with 19 CFR 351.401(i).

Panchmahal

For Panchmahal, we used EP as defined in section 772(a) of the Act because the subject merchandise was first sold by Panchmahal to an unaffiliated purchaser in the United States prior to the date of importation and CEP treatment was not otherwise indicated. We calculated EP based on packed, delivered prices to the first unaffiliated purchaser in the United States. We made deductions to the starting price for movement expenses (foreign inland freight, international freight, and marine insurance) pursuant to section 772(c)(2) of the Act. We denied Panchmahal's claim for a duty drawback adjustment, as Panchmahal failed to provide evidence that illustrated either a claim for the rebate or actual payment of the rebate on the exported product. For a further discussion of this issue, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Panchmahal,* pp. 3–4, September 2, 1998. We used Panchmahal's date of invoice as the date of sale for its U.S. sale of subject merchandise in accordance with 19 CFR 351.401(i).

Normal Value

Mukand

We compared the aggregate volume of Mukand's home market sales of the foreign like product and U.S. sales of the subject merchandise to determine whether the volume of the foreign like product Mukand sold in India was sufficient, pursuant to section 773(a)(1)(C) of the Act, to form a basis for NV. Because Mukand's volume of home-market sales of foreign like product was greater than five percent of its U.S. sales of subject merchandise, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the prices at which the foreign like products were first sold for consumption in India.

We based home-market prices on the packed, delivered prices to unaffiliated purchasers in the home market. We made adjustments for discounts and rebates. Where applicable, we made adjustments for packing and movement expenses in accordance with section 773(a)(6)(B) of the Act. In accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410, if appropriate, we made circumstance of sale adjustments by deducting home market direct selling expenses and adding U.S. direct selling expenses (credit). We offset home market commissions by the amount of indirect selling expenses incurred on the U.S. sale, up to the amount of the home market commission.

Viraj

Because Viraj had no sales of the subject merchandise in the home market during the POR, we compared the aggregate volume of sales of the foreign like product to Turkey (the only other market outside the U.S. to which Viraj sold) and U.S. sales of the subject merchandise to determine whether the volume of the foreign like product Viraj sold in Turkey was sufficient, pursuant to section 773(a)(1)(B)(ii)(II) of the Act, to form a basis for NV. Because Viraj's volume of third country market sales of foreign like product was greater than five percent of its U.S. sales of subject merchandise, in accordance with section 773(a)(1)(B)(ii) of the Act, we based NV on the prices at which the foreign like products were first sold for consumption in Turkey.

We based third country market prices on the packed, delivered prices to unaffiliated purchasers in the third country market. Where applicable, we made adjustments for packing and movement expenses in accordance with section 773(a)(6)(B) of the Act. Additionally, we added to the third country market price an amount for duty drawback. For a further discussion of this issue, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Viraj,* pp. 3–5, September 2, 1998. In accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410, if appropriate, we made circumstance of sale adjustments by deducting third country direct selling expenses and adding U.S. direct selling expenses.

Panchmahal

For Panchmahal we compared the aggregate volume of the company's comparison market sales of the foreign like product and U.S. sales of the subject merchandise to determine whether the volume of the foreign like product Panchmahal sold in India was sufficient, pursuant to section 773(a)(1)(C) of the Act, to form a basis for NV. Because Panchmahal's volume of comparison market sales of foreign like product was greater than five percent of its U.S. sales of subject merchandise, in accordance with section 773(a)(1)(B)(i) of the Act, we based NV on the prices at which the foreign like products were first sold for consumption in India.

We based comparison market prices on the packed, delivered prices to unaffiliated purchasers in the comparison market. Where applicable, we made adjustments for packing and movement expenses in accordance with section 773(a)(6)(B) of the Act. In accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410, if appropriate, we made circumstance of sale adjustments by deducting comparison market direct selling expenses and adding U.S. direct selling expenses (credit and other direct selling expenses). We offset home market commissions by the amount of indirect selling expenses incurred on the U.S. sales, up to the amount of the home market commission.

Level of Trade

In accordance with section 773(a)(1)(B) of the Act, to the extent practicable, we determine NV based on sales in the comparison market at the same level of trade (''LOT'') as the EP or CEP transaction. The NV LOT is that of the starting-price sales in the comparison market or, when NV is based on constructed value (''CV''), that of the sales from which we derive selling, general and administrative (''SG&A'') expenses and profit. For EP, the U.S. LOT is also the level of the starting-price sale, which is usually from exporter to importer. For CEP, it is the level of the constructed sale from the exporter to the importer.

To determine whether NV sales are at a different LOT than EP or CEP, we examine stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison market sales are at a different LOT, and the difference affects price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the LOT of the export transaction, we make an LOT adjustment under section 773(a)(7)(A) of the Act. Finally, for CEP sales, if the NV level is more remote from the factory than the CEP level and there is no basis for determining whether the difference in the levels between NV and CEP affects price comparability, we adjust NV under section 773(a)(7)(B) of the Act (the CEP offset provision). *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-To-Length Carbon Steel Plate from South Africa,* 62 FR 61731 (November 19, 1997).

In the present review, none of the respondents requested a level of trade (LOT) adjustment. To ensure that no such adjustment was necessary, in accordance with the principles discussed above, we examined information regarding the distribution systems in both the United States and Indian markets, including the selling functions, classes of customer, and selling expenses for each respondent.

Mukand

In both the home market and the United States, Mukand reported two levels of trade: sales made directly to end-users and sales made through agents/resellers. Agents/resellers are further distinguished between consignment agents and marketing/''Del Credre'' agents. Consignment agents hold stock of Mukand's products, can make and accept offers, conduct negotiations, make arrangements for shipping, and collect payments for Mukand. A marketing agent markets and books orders only, while a ''Del Credre'' agent is defined as a marketing agent that also collects customer payments for Mukand. We examined the selling functions performed at each claimed level and found that there was a significant difference in selling functions offered between sales to end-users and sales made through agents/resellers. We noted that both quantitatively and qualitatively, the selling functions performed for sales to end-user customers in both the U.S. and the home market involve significantly greater resources and thus represent a distinct stage of marketing. Specifically, of the nine selling functions reported, Mukand claims regularly to have performed negotiations, shipping arrangements, and accounts receivable collections (and in some cases, made offers) for sales to end users, but not for sales involving agents/resellers. Therefore, given these differences, we preliminarily conclude that end-users and agents/resellers constitute separate levels of trade. However, there was not a significant difference in selling functions between sales made through consignment agents and marketing/''Del Credre'' agents, and as such we have made no level of trade distinction between sales made through agents.

Although two levels of trade exist, all home market sales that matched to the U.S. sale were made to end-users, the same level of trade as the U.S. sale used to determine export price. Thus, because there is no difference in LOT, no level of trade adjustment was necessary.

For a further discussion of the Department's LOT analysis with respect to Mukand, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Mukand,* pp. 1–2, September 2, 1998.

Viraj

In both the third country comparison market and the United States, Viraj reported one LOT and one distribution system with one class of customer (distributors). Viraj stated that it

manufactures the merchandise after receipt of a final confirmed order and sells directly to its customers in the comparison market and in the United States on a CIF basis. Viraj reported that it performs identical selling functions in both the third country comparison market and the United States. These selling functions include soliciting inquiries from customers, negotiating with customers, and procurement of export orders. Further, Viraj reported that it did not provide other sales-related services on any of its sales, such as inventory maintenance, technical advice, warranty services, or advertising. Therefore, we preliminarily conclude that Viraj performs identical selling functions in the comparison market and the United States and that a LOT adjustment is not warranted.

For a further discussion of the Department's LOT analysis with respect to Viraj, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Viraj,* pp. 1–2, September 2, 1998.

Panchmahal

In both the home market and the United States, Panchmahal reported one level of trade. Panchmahal reported that in the home market, it made sales from its plant directly to end users and to retailers. The company also stated that it made sales in the home market through consignment agents and branch offices to end users and retailers. Its sole sale to the United States was to a reseller. Panchmahal stated that it sells directly to its buyers in the comparison market and in the United States on a CIF basis on the receipt of a confirmed order. We examined the company's selling functions and saw that it did not provide any sales-related services on any of its sales, other than transporting the merchandise to the Indian port. Because there are no differences between the selling functions on sales made to either end users or retailers in the home market, sales to both of these customer categories represent a similar stage of marketing. Therefore, we preliminarily conclude that end users and retailers constitute one level of trade in the home market. Furthermore, because Panchmahal's sale to the United States involved the identical selling functions as those in the comparison market, we consider it to be made at the same level of trade. Therefore, no LOT adjustment for Panchmahal is appropriate. For a further discussion of the Department's LOT analysis with respect to Panchmahal, *see Memorandum to the File: Analysis Memorandum for the Preliminary Results of Review for Panchmahal,* pg. 2, September 2, 1998.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the following weighted-average dumping margins exist for the period December 1, 1996, through November 30, 1997:

Manufacturer/exporter	Margin (percent)
Mukand, Ltd.	0.00
Viraj	0.00
Panchmahal	0.00

The Department will disclose calculations performed in connection with this preliminary determination within five days of the date of publication of this notice. Any interested party may request a hearing within 30 days of publication. Any hearing, if requested, will be held 2 days after the scheduled date for submission of rebuttal briefs. Issues raised in the hearing will be limited to those raised in the case briefs. Case briefs from interested parties may be submitted not later than 30 days after the date of publication of this notice in the **Federal Register**; rebuttal briefs may be submitted not later than five days thereafter. The Department will publish the final results of this administrative review, including its analysis of issues raised in any written comments or at a hearing, not later than 120 days after the date of publication of this notice.

Upon issuance of the final results of this review, the Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. If these preliminary results are adopted in our final results, we will instruct the Customs Service not to assess antidumping duties on the merchandise subject to review. Upon completion of this review, the Department will issue appraisement instructions directly to the Customs Service. If applicable, we will calculate an importer-specific ad valorem duty assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the POR to the total customs value of the sales used to calculate those duties. This rate will be assessed uniformly on all entries of that particular importer made during the POR. This is equivalent to dividing the total amount of antidumping duties, which are calculated by taking the difference between statutory NV and statutory EP, by the total statutory EP value of the sales compared, and adjusting the result by the average difference between EP and customs value for all merchandise examined during the POR.

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 these administrative reviews, as provided by section 751(a)(1) of the Act: (1) for Mukand, Viraj, and Panchmahal, no deposit will be required; (2) 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 rate established for the most recent period for the manufacturer of the merchandise; and (3) the cash deposit rate for all other manufacturers or exporters will continue to be 48.80 percent, the ''All Others'' rate made effective by the original investigation.

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

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Date: August 28, 1998.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 98–24168 Filed 9–8–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Finch University of Health Sciences; 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