

Manufacturer/exporter	Time period	Margin (percent)
Eastar B.F. (Thailand) Company Ltd	2/1/94-1/31/95	1 127.07
Hebei Animal By-Products I/E Corp. and another firm controlled by the provincial government, the name of which is proprietary.	2/1/94-1/31/95	1 127.07
China National Metals & Minerals I/E Corp, Zhenjiang Trading Corp	2/1/94-1/31/95	1 127.07
Inner Mongolia Autonomous Region Light Industrial Products I/E Corp	2/1/94-1/31/95	1 127.07
China National Native Produce and Animal By-Products Import-Export Corporation	2/1/94-1/31/95	1 127.07

¹ This rate does not represent a separate rate determination.

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of 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 37 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. 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of the final results of this administrative review for all shipments of paint brushes from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) for the companies named above which were not found to have separate rates, as well as for all other PRC exporters, the cash deposit rate will be the PRC-wide rate established in the final results of this review; (2) for any company found to merit a separate rate for the final results of this review, the rate will be the company-specific rate for that company established in the final results of this review; (3) for previously reviewed non-PRC exporters, the cash deposit rate will be the rate established in the most recent segment of the proceeding; and (4) for all other non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

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 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 administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: March 27, 1996.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

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[A-489-807]

Initiation of Antidumping Duty Investigation: Certain Steel Concrete Reinforcing Bar From Turkey

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

EFFECTIVE DATE: April 4, 1996.

FOR FURTHER INFORMATION CONTACT: Fabian Rivelis at (202) 482-3853 or Howard Smith at (202) 482-5193, Office of Antidumping Investigations, 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

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").

The Petition

On March 8, 1996, the Department of Commerce ("the Department") received

a petition filed in proper form by Florida Steel Corporation and New Jersey Steel Corporation ("petitioners"). The petitioners amended the petition on March 26, 1996, to exclude plain steel concrete reinforcing bar ("rebar").

In accordance with section 732(b) of the Act, the petitioners allege that imports of steel concrete reinforcing bar ("rebar") from Turkey 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, or threatening material injury to, a regional industry within the United States.¹

Since the petitioners are interested parties as defined under section 771(9)(C) of the Act, they have standing to file a petition for the imposition of antidumping duties.

Determination of Industry Support for the Petition

The petitioners allege that there is a regional industry for the domestic like product and included data on both factors required by section 771(4)(C) of the Act; (1) the producers within such market sell all or almost all of their production of the like product in question in that market, and (2) the demand in that market is not supplied, to any substantial degree, by producers of the product in question located elsewhere in the United States. Under section 732(c)(4)(C), if the petitioner alleges that the industry is a regional industry, the Department shall determine whether the petition has been filed by or on behalf of the industry by applying the requirements set forth in section 732(c)(4)(A) of the Act on the basis of the production in the region. Therefore, the Department has evaluated industry support for the petition based upon production in the region.

Section 732(c)(4)(A) of the Act requires that the Department's industry support determination, which is to be

¹ The region identified by petitioners consists of the states of Maine, New Hampshire, Connecticut, Massachusetts, Rhode Island, Vermont, New Jersey, New York, Pennsylvania, Delaware, Florida, Georgia, Louisiana, Maryland, North Carolina, South Carolina, Virginia, West Virginia, Alabama, Kentucky, Mississippi, and Tennessee; plus the District of Columbia and Puerto Rico.

made before the initiation of the investigation, be based on whether a minimum percentage of the relevant regional industry supports the petition. A petition meets the minimum requirements if (1) domestic producers or workers who support the petition account for at least 25 percent of the total production of the domestic like product in the region; and (2) those domestic producers or workers in the region expressing support account for more than 50 percent of the production of the domestic like product produced by that portion of the industry in the region expressing support for, or opposition to, the petition.

A review of the production data provided in the petition and other information readily available to the Department indicates that the petitioners account for more than 50 percent of the total regional production of the like product. The Department received no expressions of opposition to the petition from any regional producers or workers. Accordingly, the Department determines that the petition is supported by the regional industry.

Scope of the Investigation

The product covered by this investigation is all stock deformed steel concrete reinforcing bars ("rebar") sold in straight lengths and coils. This includes all hot-rolled deformed rebar, rolled from billet steel, rail steel, axle steel, or low-alloy steel. It excludes (i) plain round rebar, (ii) rebar that a processor has further worked or fabricated, and (iii) all coated rebar. Deformed rebar is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 7213.10.00 and 7214.20.00. The HTSUS subheadings are provided for convenience and customs purposes.

The written description of the scope of this investigation is dispositive.

Export Price and Normal Value

The petitioners based export price on: (1) a contracted price for 7,000 to 10,000 metric tons of deformed rebar, and (2) an offer of sale for about 10,000 metric tons of deformed rebar. The terms of the contract and offer are C.I.F. The petitioners made deductions to export price for insurance, port expenses, and shipping costs.

The petitioners based NV on an offer sheet published in Turkey by Turkish rebar producers. Since the terms are ex-factory, petitioners made no deductions to NV. The petitioners adjusted and/or inflated the prices on the offer sheet in an effort to make more contemporaneous comparisons to export price. However, the Department

considers the prices as shown on the offer sheet already to be contemporaneous and thus used them as the basis for normal value without adjustment. See memorandum to the file dated March 26, 1996.

Based on comparisons of export price to NV, the estimated dumping margins, as recalculated by the Department, range from 27.4 to 41.8 percent.

Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of rebar from Turkey are being, or are likely to be, sold at less than fair value. If it becomes necessary at a later date to consider the petition as a source of facts available under section 776 of the Act, we may further review the calculations.

Critical Circumstances

The petition contains an allegation that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of subject merchandise.

Section 733(e)(1) of the Act provides that the Department will determine that there is a reasonable basis to believe or suspect that critical circumstances exist if:

(A)(i) there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or

(ii) the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and that there was likely to be material injury by reason of such sales, and

(B) there have been massive imports of the subject merchandise over a relatively short period.

The petition contains information that satisfies the criteria. First, petitioners state that Singapore has recently imposed final antidumping duties on rebar from Turkey. Because there is an indication of a history of dumping and material injury, it is not necessary to address importer knowledge.

Because we have information indicating that the first statutory criterion is met, we must consider the second statutory criterion: whether imports of the merchandise have been massive over a relatively short period. According to the import statistics contained in the petition, imports of rebar from Turkey into the region increased by 252 percent from 1993 to 1994. Based on import statistics from January through October 1995, petitioners projected the increase of

Turkish imports into the region from 1994 to 1995 to be 51 percent.

Because the petition provides evidence that there is a history of dumping and material injury, and that imports of subject merchandise from Turkey have been massive over a relatively short period of time, we find a reasonable basis to believe or suspect that critical circumstances may exist and will investigate this matter further.

Initiation of Investigation

We have examined the petition on rebar and have found that it meets the requirements of section 732 of the Act, including the requirements concerning allegations of the material injury or threat of material injury to a regional industry of a like product by reason of the complained-of imports, allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of rebar from Turkey are being, or are likely to be, sold at less than fair value on a regional basis. Unless extended, we will make our preliminary determination by August 15, 1996.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of the petition has been provided to the representatives of the Government of Turkey. We will attempt to provide a copy of the public version of the petition to each exporter of rebar named in the petition.

International Trade Commission (ITC) Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determinations by the ITC

The ITC will determine by April 22, 1996, whether there is a reasonable indication that imports of rebar from Turkey are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 732(c)(2) of the Act.

Dated: March 28, 1996.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

[FR Doc. 96-8216 Filed 4-3-96; 8:45 am]

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