

administrative review published by the Department (47 FR 10268, March 10, 1982).

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.

Paul L. Joffe,  
Deputy Assistant Secretary for Import Administration.

Dated: March 29, 1996.  
[FR Doc. 96-8510 Filed 4-5-96; 8:45 am]

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[A-201-504]

**Porcelain-on-Steel Cooking Ware from Mexico; Final Results of Antidumping Duty New Shipper Administrative Review**

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

**ACTION:** Notice of Final Results of Antidumping Duty New Shipper Administrative Review.

**SUMMARY:** On February 9, 1996, the Department of Commerce (the Department) issued preliminary results of a new shipper administrative review of the antidumping duty order on porcelain-on-steel cooking ware (POS cooking ware) from Mexico (61 FR 4957). The review covers one manufacturer/exporter of the subject merchandise, Esmaltaciones San Ignacio, S.A. (San Ignacio) to the United States during the period January 1, 1995 through June 30, 1995.

We gave interested parties an opportunity to comment on our preliminary results and no comments were received. Therefore, the final results remain unchanged from the preliminary results. The final weighted-average dumping margin for the reviewed firm is listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** April 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Laura Merchant or Thomas Futtner, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW., Washington, DC 20230; telephone (202) 482-5253.

**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 current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

**Background**

On February 9, 1996, the Department issued preliminary results (61 FR 4957) of its new shipper review of the antidumping duty order on porcelain-on-steel cooking ware from Mexico (51 FR 43415, December 2, 1986). The preliminary results indicated that San Ignacio sold subject merchandise at not less than normal value during the POR. We invited parties to comment on the preliminary results.

The Department has now conducted this review in accordance with section 751 of the Act and section 353.22 of its regulations.

**Scope of the Review**

Imports covered by the review are shipments of POS cooking ware, including tea kettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses.

This merchandise is currently classifiable under Harmonized Tariff Schedule (HTS) item number 7323.94.00. Kitchenware currently entering under HTS item number 7323.94.00.30 is not subject to the order. The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

**Final Results of Review**

We gave interested parties an opportunity to comment on our preliminary results. We received no comments. The final results remain unchanged from the preliminary results

as the Department used the same methodology described in the preliminary results. As a result of our comparison of the export price (EP) and normal value (NV), we determine that the following weighted-average dumping margin exists:

| Manufacturer/Exporter | Margin |
|-----------------------|--------|
| San Ignacio .....     | 0.00   |

The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's regulations, will no longer be permitted for this firm. 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 administrative review, as provided for by section 751(a)(2)(C) of the Act: (1) the cash deposit rate for the reviewed company will be zero percent; (2) for exporters not covered in this review, but covered in previous reviews or the original less-than-fair-value (LTFV) 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 by this 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) the cash deposit rate for all other manufacturers or exporters not previously reviewed will continue to be 29.52 percent, the "All Others" rate made effective by the final results of review published on January 9, 1995 (see *Notice of Final Results of Antidumping Duty Administrative Review*, 60 FR 2378) and as amended on February 8, 1995 (60 FR 7521). This is the "All Others" rate from the LTFV investigation.

These deposit requirements 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 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 administrative review and notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: March 27, 1996.

Susan G. Esserman,  
Assistant Secretary, for Import  
Administration.

[FR Doc. 96-8516 Filed 4-5-96; 8:45 am]

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#### [A-570-804]

### Sparklers From the People's Republic of China; Preliminary Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review

**SUMMARY:** In response to a request by the petitioners, the Elkton Sparkler Company and the Diamond Sparkler Company, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on sparklers from the People's Republic of China (PRC). This review covers one manufacturer, Guangxi Native Produce Import and Export Corporation, Beihai Fireworks and Firecrackers Branch (Guangxi), of the subject merchandise, and the review period June 1, 1994, through May 31, 1995.

Guangxi failed to submit a response to our questionnaire. As a result, we have preliminarily determined to use facts otherwise available for cash deposit and appraisal purposes.

Interested parties are invited to comment on these preliminary results.

Parties who submit argument in this proceeding are requested to submit with

the argument (1) a statement of the issue and (2) a brief summary of the argument.

**EFFECTIVE DATE:** April 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Matthew Blaskovich or Zev Primor, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone: (202) 482-5831/4114.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 6, 1995, the Department published in the Federal Register (60 FR 29821) a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order on sparklers from the PRC. On June 20, 1995, the petitioners requested, in accordance with 19 CFR 353.22 (a), that we conduct an administrative review of Guangxi for the period June 1, 1994, through May 31, 1995. We initiated the review on August 16, 1995 (60 FR 42501).

The initiation notice indicated that the review would cover Guangxi and conditionally all other exporters of this merchandise. The Department is now conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (the Tariff Act).

##### Scope of the Review

The products covered by this administrative review are sparklers from the PRC. Sparklers are fireworks, each comprising a cut-to-length wire, one end of which is coated with a chemical mix that emits bright sparks while burning. Sparklers are currently classifiable under subheading 3604.10.00 of the Harmonized Tariff Schedules (HTS). The HTS subheadings are provided for convenience and customs purposes. The written description remains dispositive as to the scope of this proceeding.

The review covers Guangxi and the period June 1, 1994, through May 31, 1995.

##### Use of Facts Available

On September 7, 1995, we mailed Guangxi and the Chinese Chamber of Commerce, Guangxi Province (CCC), a questionnaire seeking information necessary to conduct a review of any shipments of the subject merchandise made to the United States during the period of review (POR). While Guangxi was required to respond to this questionnaire, we requested that the CCC forward the questionnaire to any PRC manufacturers which, according to

our criteria, should be entitled to receive a separate antidumping duty rate. In addition, a short questionnaire was sent to the CCC (which forwarded our questionnaires to the China Chamber of Commerce of Importers & Exporters of Food Stuffs, Native Produce & Animal by Products), the Embassy of the People's Republic of China, and the (Chinese) Ministry of Foreign Trade and Economic Cooperation. This questionnaire sought to ascertain whether Guangxi or any other PRC manufacturer shall be entitled to a separate rate by demonstrating both de jure and de facto absence of central government control with respect to exports.

The questionnaires were due on November 7, 1995. We did not receive a response from any party. As a result of Guangxi failing to submit a response to our questionnaire, the necessary information to issue preliminary results for the POR is not on the record. The Department finds that, in not responding to the questionnaire, Guangxi failed to cooperate by not acting to the best of its ability to comply with a request for information from the Department. Therefore, we must base our preliminary results on facts otherwise available (section 776(a) of the Tariff Act).

Where the Department must base the entire dumping margin for a respondent in an administrative review on the facts available because that respondent failed to cooperate, section 776(b) authorizes the Department to use an inference adverse to the interests of that respondent in choosing the facts available. Section 776(b) also authorizes the Department to use as adverse facts available information derived from the petition, the final determination, a previous administrative review, or other information placed on the record. Accordingly, in this case, we preliminarily assign to Guangxi a margin of 93.54 percent, the margin calculated in the remand of the less-than-fair-value (LTFV) final determination (*See Sparklers from the People's Republic of China: Adverse Decision and Amendment to Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order in Accordance with Decision Upon Remand*, 58 FR 40624 (July 29, 1993)).

Because information from prior segments of the proceeding constitutes secondary information, section 776(c) provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonable at its disposal. The Statement of