

Board's regulations, including Section 400.28.

Signed at Washington, DC, this 20th day of February 1996.

Susan G. Esserman,
Assistant Secretary of Commerce for Import
Administration, Alternate Chairman, Foreign-
Trade Zones Board.

John J. DaPonte, Jr.,
Executive Secretary.

[FR Doc. 96-4417 Filed 2-26-96; 8:45 am]

BILLING CODE 3510-DS-P

International Trade Administration

[A-122-601]

Brass Sheet and Strip From Canada; 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 from one respondent, the Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on brass sheet and strip from Canada. The review covers one manufacturer/exporter of the subject merchandise to the United States for the period January 1, 1994 through December 31, 1994.

We have preliminarily determined that U.S. sales have not been made below the normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the NV. Interested parties are invited to comment on these preliminary results. Parties who submit arguments 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: February 27, 1996.

FOR FURTHER INFORMATION CONTACT:
Karen H. Park or John Kugelman, Office
of Antidumping Compliance, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue, N.W., Washington, D.C. 20230,
telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION:

Background

On January 12, 1987, the Department published in the Federal Register (52 FR 1217) the antidumping duty order on

brass sheet and strip (BSS) from Canada. On January 12, 1995, the Department published in the Federal Register a notice of "Opportunity to Request an Administrative Review" of this antidumping duty order for the period of January 1, 1994 through December 31, 1994 (60 FR 2941). We received a timely request for review from the respondent, Wolverine Tube (Canada), Inc. (Wolverine). On February 15, 1995, the Department initiated a review of Wolverine (60 FR 8629). The period of review (POR) is January 1, 1994 through December 31, 1994.

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 to the Act by the Uruguay Round Agreements Act.

Scope of the Review

Imports covered by the review are shipments of BSS, other than leaded and tin BSS. The chemical composition of the covered products is currently defined in the Copper Development Association (C.D.A.) 200 Series or the Unified Numbering System (U.N.S.) C2000. Products whose chemical composition is defined by other C.D.A. or U.N.S. series are not covered by this order.

The physical dimensions of the products covered by this review are BSS of solid rectangular cross section over 0.006 inches (0.15 millimeters) through 0.188 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coil, wound-on-reels (traverse wound), and cut-to-length products are included. During the review period such merchandise was classifiable under Harmonized Tariff Schedule (HTS) subheadings 7409.21.00 and 7409.29.00. Although the HTS subheadings are provided for convenience and for Customs purposes, the written description of the scope of this order remains dispositive.

Pursuant to the final affirmative determination of circumvention of antidumping duty order, we determined that brass plate used in the production of BSS falls within the scope of the antidumping duty order on BSS from Canada. See *Brass Sheet and Strip from Canada: Final Affirmative Determination of Circumvention of Antidumping Duty Order*, 58 FR 33610 (June 18, 1993).

The review covers one Canadian manufacturer/exporter, Wolverine, and the period January 1, 1994 through December 31, 1994.

United States Price (USP)

In calculating USP for Wolverine, the Department treated respondent's sales as export price (EP), as defined in section 772(a) of the Act, because the subject merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation.

We calculated EP based on packed, delivered, duty-paid prices to unaffiliated customers in the United States. We made deductions from the gross unit price, where appropriate, for inland freight—plant/warehouse to port of exit, brokerage and handling, international freight, and U.S. customs duty, in accordance with section 772(c)(2)(A) of the Act. We added to the gross unit price packing costs for shipment to the United States, where applicable, pursuant to section 772(c)(1)(A) of the Act.

No other adjustments to USP were claimed or allowed.

Cost of Production Analysis

Because the Department disregarded sales below the cost of production (COP) in the last completed review of Wolverine, we have reasonable grounds to believe or suspect that sales below the COP may have occurred during this review. See Section 773(b)(2)(A)(ii) of the Act and *Brass Sheet and Strip from Canada: Final Results of Antidumping Administrative Review*, 60 FR 49582 (September 26, 1995). Therefore, pursuant to section 773(b)(1) of the Act, we initiated a COP investigation of Wolverine.

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product, plus selling, general and administrative expenses (SG&A) and the cost of all expenses incidental to placing the foreign like product in condition packed ready for shipment. We relied on the home market sales and COP information provided by Wolverine in its questionnaire responses.

We compared COP to the reported home market prices on a product-specific basis, less any applicable movement charges, and rebates. In accordance with section 773(b)(1) of the Act, in determining whether to disregard home market sales made at prices below the COP, we examined whether such sales were made within an extended period of time in substantial quantities, and whether such sales were made at prices which permitted recovery of all costs within a reasonable period of time.

Pursuant to section 773(b)(2)(C) of the Act, where less than 20 percent of

Wolverine's home market sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made within an extended period of time in "substantial quantities." Where 20 percent or more of Wolverine's home market sales of a given product were at prices less than the COP, we disregarded the below-cost sales because we determined that the below-cost sales were made within an extended period of time in "substantial quantities", in accordance with section 773(b)(2)(B) of the Act, and because we determined that the below-cost home market sales of a given product were at prices which would not permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act.

The results of our cost test indicated that within an extended period of time, for certain home market products, more than 20 percent of the home market sales were sold at prices below the COP. In addition, no evidence was presented to indicate that below-cost prices would permit the recovery of all costs within a reasonable period of time. Thus, we excluded these below-cost sales and used the remaining above-cost sales as the basis for determining NV, in accordance with section 773(b)(1) of the Act.

Normal Value (NV)

Based on a comparison of the aggregate quantity of home market and U.S. sales, and absent any information that a particular market situation in the exporting country does not permit a proper comparison, we determined that the quantity of foreign like product sold in the exporting country was sufficient to permit a proper comparison with the sales of the subject merchandise to the United States, pursuant to section 773(a) of the Act. Therefore, 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 the exporting country.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual transactions to the monthly weighted-average price of sales of the foreign like product. We compared EP sales to sales in the home market of identical merchandise.

We based NV on the price at which the foreign like product is first sold for consumption in the exporting country, in the usual commercial quantities and in the ordinary course of trade and, to the extent practicable, at the same level of trade as the EP, in accordance with section 773(a)(1)(B)(i) of the Act. We

made adjustments, where applicable, for expenses incident to placing the foreign like product in condition packed ready for shipment to the place of delivery to the purchaser and home market credit expenses, in accordance with section 773(a)(6)(B)(ii) of the Act. We increased home market price by U.S. packing costs in accordance with section 773(a)(6)(A) of the Act and reduced it by home market packing costs in accordance with section 773(a)(6)(B) of the Act. Prices were reported net of value-added taxes (VAT) and, therefore, no adjustment for VAT was necessary. In accordance with section 773(a)(6)(C) of the Act, we increased NV by adding U.S. credit expense. No other adjustments were claimed or allowed.

Preliminary Results of the Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/Exporter	Period	Margin (per-cent)
Wolverine Tube (Canada), Inc	1/01/94-12/31/94	0.00

Parties to the proceeding may request disclosure within five 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 date of publication, or the first workday thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be filed not later than 37 days after the date of publication. 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. The Department will issue the final results of the administrative review, including the results of its analysis of issues raised in any such written comments or at a hearing, within 180 days of issuance of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between USP and NV may vary from the percentages stated above. The Department will issue appraisal instructions directly to Customs. The final 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.

Furthermore, the following deposit requirements will be effective upon completion of the final results of these administrative reviews for all shipments of BSS from Canada 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) The cash deposit rate for Wolverine will be the rate established in the final results of administrative review; (2) for merchandise exported by manufacturers or exporters not covered in these reviews but covered in the original LTFV investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in these reviews, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in the final results of these reviews, or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in these or any previous reviews, the cash deposit rate will be 8.10 percent, the "all others" rate established in the LTFV investigation (52 FR 1217, January 12, 1987).

This notice serves as a preliminary 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). 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 terms of an APO is a sanctionable violation.

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

Dated: February 22, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96-4418 Filed 2-26-96; 8:45 am]

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[A-412-817]

Notice of Postponement of Preliminary Determination: Antidumping Duty Investigation of Foam Extruded PVC and Polystyrene Framing Stock From the United Kingdom

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

FOR FURTHER INFORMATION CONTACT: Ellen Grebasch or Erik Warga, Office of Antidumping Investigations, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-3773, or (202) 482-0922, respectively.

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)

Postponement of Preliminary Determination

On February 16, 1996, petitioner, Marley Mouldings, made a timely request that the Department of Commerce postpone until Friday, May 3, 1996, its preliminary determination in this investigation. Accordingly, pursuant to section 733(c)(1)(A) of the Act, we have done so.

This notice is published pursuant to section 733(c)(2) of the Act.

Dated: February 20, 1996.

Barbara R. Stafford,

Deputy Assistant Secretary for Investigations, Import Administration.

[FR Doc. 96-4419 Filed 2-26-96; 8:45 am]

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Florida International 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: 95-100. **Applicant:** Florida International University, Miami, FL 33199. **Instrument:** Electron Microscope, Model CM200. **Manufacturer:** Philips, The Netherlands. **Intended Use:** See notice at 60 FR 58330, November 27, 1995. **Order Date:** December 27, 1994.

Docket Number: 95-102. **Applicant:** State University of New York at Buffalo, Amherst, NY 14260. **Instrument:** Electron Microscope, Model JEM-2010. **Manufacturer:** JEOL Ltd., Japan. **Intended Use:** See notice at 60 FR 58330, November 27, 1995. **Order Date:** March 17, 1995.

Docket Number: 95-107. **Applicant:** U.S. Department of Commerce, Gaithersburg, MD 20899. **Instrument:** Electron Microscope, Model CM300. **Manufacturer:** Philips, The Netherlands. **Intended Use:** See notice at 60 FR 62390, December 6, 1995. **Order Date:** September 16, 1994.

Docket Number: 95-108. **Applicant:** VA Medical Center of Gainesville, Gainesville, FL 32608-1197. **Instrument:** Electron Microscope, Model CM100. **Manufacturer:** Philips, The Netherlands. **Intended Use:** See notice at 60 FR 62390, December 6, 1995. **Order Date:** September 25, 1995.

Docket Number: 95-112. **Applicant:** The Scripps Research Institute, La Jolla, CA 92037. **Instrument:** Electron Microscope, Model CM100. **Manufacturer:** Philips, The Netherlands. **Intended Use:** See notice at 60 FR 62390, December 6, 1995. **Order Date:** August 29, 1995.

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. 96-4420 Filed 2-26-96; 8:45 am]

BILLING CODE 3510-DS-F

Rutgers University, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

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.

Comments: None received. **Decision:** Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 95-101. **Applicant:** Rutgers University, Piscataway, NJ 08855. **Instrument:** Chlorophyll Fluorescence Measuring System, Model PAM 101. **Manufacturer:** Walz (Mess- und Regeltechnik), Germany. **Intended Use:** See notice at 60 FR 57222, November 14, 1995. **Reasons:** The foreign instrument provides: (1) fluorescence rate measurements under sunlight conditions, (2) flash trigger control variable between 100 msec and 10 000 sec, and (3) high kinetic resolution at 100 Hz. **Advice Received From:** National Institutes of Health, January 29, 1996.

Docket Number: 95-103. **Applicant:** University of Virginia, Charlottesville, VA 22906. **Instrument:** SIR Mass Spectrometer, Model OPTIMA. **Manufacturer:** Fisons Instruments, United Kingdom. **Intended Use:** See notice at 60 FR 58330, November 27, 1995. **Reasons:** The foreign instrument provides continuous flow gas chromatography-combustion and an internal precision of 0.01 per mil for 5 bar μ l of CO₂. **Advice Received From:** National Institutes of Health, January 30, 1996.

Docket Number: 95-106. **Applicant:** Pennsylvania State University, University Park, PA 16802. **Instrument:** Cold Stage for Time-of-Flight SIMS. **Manufacturer:** Kore Technology, Ltd., United Kingdom. **Intended Use:** See notice at 60 FR 62390, December 6, 1995. **Reasons:** The foreign instrument provides vibrational stability to allow imaging with spatial resolution to 20 nm and a demountable sample holder. **Advice Received From:** National Institutes of Health, January 30, 1996.

Docket Number: 95-110. **Applicant:** National Institutes of Standards and Technology, Gaithersburg, MD 20899. **Instrument:** Mass Spectrometer, Model