

[A-351-817]

Cut-to-Length Carbon Steel Plate from Brazil; Antidumping Duty Administrative Review; Extension of Time Limit

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

ACTION: Notice of extension of time limit.

SUMMARY: The Department of Commerce (the Department) is extending the time limit of the preliminary results of the antidumping duty administrative review of Cut-to-Length Carbon Steel Plate from Brazil. This review covers the period August 1, 1995 through July 31, 1996.

EFFECTIVE DATE: March 21, 1997.

FOR FURTHER INFORMATION CONTACT: Samantha Denenberg or Linda Ludwig, Office of AD/CVD Enforcement, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-0413 or 482-3833, respectively.

SUPPLEMENTARY INFORMATION: Due to the complexity of issues involved in this case, it is not practicable to complete this review within the original time limit. The Department is extending the time limit for completion of the preliminary results until September 2, 1997, in accordance with Section 751(a)(3)(A) of the Trade and Tariff Act of 1930, as amended by the Uruguay Round Agreements Act of 1994. The deadline for the final results of this review will continue to be 120 days after publication of the preliminary results.

This extension is in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. 1675 (a)(3)(A)).

Dated: March 7, 1997.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 97-7246 Filed 3-20-97; 8:45 am]

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[A-580-501]

Photo Albums and Photo Album Filler Pages From South Korea, Revocation of the Antidumping Duty Order

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

ACTION: Notice of revocation of antidumping duty order.

SUMMARY: The Department of Commerce (the Department) is notifying the public of its revocation of the antidumping duty order on photo albums and photo album filler pages from South Korea because it is no longer of any interest to domestic interested parties.

EFFECTIVE DATE: March 21, 1997.

FOR FURTHER INFORMATION CONTACT: Tom Futtner or Michael Panfeld, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230, telephone (202) 482-3814.

SUPPLEMENTARY INFORMATION:**Background**

The Department may revoke an antidumping duty order if the Secretary concludes that the duty order is no longer of any interest to domestic interested parties. We conclude that there is no interest in an antidumping duty order when no interested party has requested an administrative review for five consecutive review periods and when no domestic interested party objects to revocation (19 CFR 353.25(d)(4)(iii)).

On November 27, 1996, the Department published in the **Federal Register** (61 FR 60260) its notice of intent to revoke the antidumping duty order on photo albums and photo album filler pages from South Korea (December 16, 1985). Additionally, as required by 19 CFR 353.25(d)(4)(ii), the Department served written notice of its intent to revoke this antidumping duty order on each domestic interested party on the service list. Domestic interested parties who might object to the revocation were provided the opportunity to submit their comments not later than the last day of the anniversary month.

In this case, we received no requests for review for five consecutive review periods. Furthermore, no domestic interested party, as defined under § 353.2(k)(3), (k)(4), (k)(5), or (k)(6) of the Department's regulations, has expressed opposition to revocation. Based on these facts, we have concluded that the antidumping duty order on photo albums and photo album filler pages from South Korea is no longer of any interest to interested parties. Accordingly, we are revoking this antidumping duty order in accordance with 19 CFR 353.25(d)(4)(iii).

Scope of the Order

Imports covered by the revocation are shipments of photo albums from South Korea. This merchandise is currently classifiable under Harmonized Tariff Schedules (HTS) item numbers

3920.00.00, 3921.00.00, 4819.50.00, 4820.50.00, 4820.90.00, and 4823.90.00. The HTS numbers are provided for convenience and customs purposes. The written description remains dispositive.

This revocation applies to all unliquidated entries of photo albums and photo album filler pages from South Korea entered, or withdrawn from warehouse, for consumption on or after December 1, 1996. Entries made during the period December 1, 1995, through November 30, 1996, will be subject to automatic assessment in accordance with 19 CFR 353.22(e). The Department will instruct the Customs Service to proceed with liquidation of all unliquidated entries of this merchandise entered, or withdrawn from warehouse, for consumption on or after December 1, 1996, without regard to antidumping duties, and to refund any estimated antidumping duties collected with respect to those entries. This notice is in accordance with 19 CFR 353.25(d).

Dated: March 7, 1997.

Richard W. Moreland,

Acting Deputy Assistant Secretary for AD/CVD Enforcement.

[FR Doc. 97-7250 Filed 3-20-97; 8:45 am]

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[A-580-828 and A-583-827]

Initiations of Antidumping Duty Investigations: Static Random Access Memory From the Republic of Korea and Taiwan

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

ACTION: Initiation of antidumping investigation.

EFFECTIVE DATE: March 21, 1997.

FOR FURTHER INFORMATION CONTACT: Shawn Thompson at (202) 482-1776 or Roy Unger at (202) 482-0651, Import Administration—Room B099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230.

Initiations of Investigations*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 February 25, 1997, the Department of Commerce ("the Department")

received a petition filed in proper form by Micron Technology, Inc. ("petitioner"). The Department received supplemental information to the petition on March 11, 1997.

In accordance with section 732(b) of the Act, petitioner alleges that imports of Static Random Access Memory ("SRAMs") from the Republic of Korea ("Korea") and Taiwan 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, an industry in the United States.

The Department finds that petitioner has standing to file the petition because it is an interested party as defined in section 771(9)(C) of the Act.

Scope of Investigations

The products covered by these investigations are synchronous, asynchronous, and specialty SRAMs from Korea and Taiwan, whether assembled or unassembled. Assembled SRAMs include all package types. Unassembled SRAMs include processed wafers or die, uncut die, and cut die. Processed wafers produced in Korea and Taiwan, but packaged or assembled into memory modules in a third country, are included in the scope; wafers produced in a third country and assembled or packaged in Korea or Taiwan are not included in the scope.

The scope of these investigations includes modules containing SRAMs. Such modules include single in-line processing modules ("SIPs"), single in-line memory modules ("SIMMs"), dual in-line memory modules ("DIMMs"), memory cards, or other collections of SRAMs, whether unmounted or mounted on a circuit board.

The SRAMs subject to these investigations are classifiable under subheadings 8542.13.8037 through 8542.13.8049, 8473.30.10 through 8473.30.90, and 8542.13.8005 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 these investigations is dispositive.

Determination of Industry Support for the Petition

Section 732(b)(1) of the Act requires that petitions be filed on behalf of the domestic industry. In this regard, section 732(c)(4)(A) of the Act requires the Department to determine, prior to the initiation of an investigation, whether certain percentage thresholds of industry support are satisfied. A petition meets the minimum

requirements for initiation if the domestic producers or workers who support the petition account for: (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

Section 771(4)(A) of the Act defines the "industry" as the producers of a domestic like product. Thus, to determine whether the petition has the requisite industry support, the Act directs the Department to look to producers and workers who account for production of the domestic like product. The International Trade Commission ("ITC"), which is responsible for determining whether "the domestic industry" has been injured, must also determine what constitutes a domestic like product in order to define the industry. However, while both the Department and the ITC must apply the same statutory definition of domestic like product, they do so for different purposes and pursuant to separate and distinct authority. In addition, the Department's determination is subject to limitations of time and information. Although this may result in different definitions of the domestic like product, such differences do not render the decision of either agency contrary to the law.¹

Section 771(10) of the Act defines domestic like product as "a product that is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title." Thus, the reference point from which the domestic like product analysis begins is "the article subject to an investigation," i.e., the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition.

As noted earlier, the scope of the petition is limited to SRAMs. This is the petitioner's sole proposed domestic like product. The Department has no basis on the record to find this domestic like product definition clearly inadequate. In this regard, we have found no basis on which to reject petitioner's representations that there are no clear dividing lines, in terms of characteristics and uses, between synchronous, asynchronous, and specialty SRAMs. (See March 17, 1997,

Memorandum to the File.) The Department has, therefore, adopted the domestic like product definition set forth in the petition.

Our review of the production data provided in the petition and petition supplements indicates that the petitioner and supporters of the petition account for more than 50 percent of the total production of the domestic like product, thus meeting the standard of section 732(c)(4)(A) of the Act. The Department received no expressions of opposition to the petition from any domestic producers or workers. Accordingly, the Department determines that the petition is supported by the domestic industry.

Export Price and Normal Value

The following are descriptions of the allegations of sales at less than fair value upon which our decisions to initiate are based. Should the need arise to use any of this information in our preliminary or final determinations, we will re-examine the information and may revise the margin calculations, if appropriate.

Petitioner based export price ("EP") in Korea on an invoice for the sale of one megabit synchronous SRAMs in a 32x32 configuration from one producer/exporter in Korea. Petitioner based EP in Taiwan on two price quotations obtained by a private market research firm for the sale of the same type of SRAM from two producers/exporters in Taiwan. Regarding one of these companies, however, there is no evidence in the petition that it is a foreign producer. Rather, this company appears to be a U.S. customer who has a manufacturing arrangement with a Taiwanese company. Nonetheless, because the price quote involving this company related to merchandise produced in Taiwan, we have considered this offer for purposes of initiation. Petitioner made no adjustments to EP.

With respect to normal value ("NV"), petitioner also provided price quotes obtained from a private market research firm for home market sales in Korea and Taiwan for one megabit 32x32 synchronous SRAMs from the same Korean and Taiwanese sources. Petitioner made no adjustments to the home market price quotes.

In accordance with section 773(b)(2) of the Act, petitioner alleged that sales of SRAMs in both the Korean and Taiwanese home markets were made at prices below the cost of production ("COP"). The components of COP, as enumerated in section 773(b)(3) of the Act, are the cost of manufacture ("COM"), packing, and selling, general, and administrative expenses ("SG&A").

¹ See *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 642-44 (CIT 1988); *High Information Content Flat Panel Displays and Display Glass Therefor from Japan: Final Determination; Rescission of Investigation and Partial Dismissal of Petition*, 56 Fed. Reg. 32376, 32380-81 (July 16, 1991).

SG&A includes the company's net financing expense.

Petitioner calculated COM for each of the Korean and Taiwanese producers for whom it obtained sales data based on its own production experience, adjusted for labor and utility costs in Korea and Taiwan. Petitioner also adjusted production costs for known differences in wafer size, where applicable, die size, and yields. Petitioner used each producer/exporter's most recently available financial statements in order to derive SG&A and research and development expenses. Petitioner based intellectual property expenses on its own experience.

We made the following revisions to petitioner's COP calculations for both the Korean and Taiwanese companies: (1) eliminated intellectual property expenses from the calculation because petitioner provided insufficient evidence that the foreign producers incurred such expenses; and (2) used the higher of petitioner's actual yield experience or petitioner's estimate of foreign producers' yields as a conservative measure because petitioner did not sufficiently substantiate its estimates of the foreign companies' production yields. We also disallowed petitioner's adjustment of the Korean company's fabrication equipment depreciation expense based on wafer size because petitioner was unable to provide adequate support for this adjustment. Instead, we relied on petitioner's own experience for this expense in the COM calculation. Because petitioner did not provide SG&A information for one Taiwanese producer, we relied on the experience of the other SRAMs producer in calculating COP and CV.

The allegation that the Korean and Taiwanese producers are selling the foreign like product in their home markets at prices below their COP is based upon a comparison of the home market prices with the calculated COP. Based upon our analysis of the COP information in the petition, we find reasonable grounds to believe or suspect that sales of the foreign like product may have been made at prices below COP in accordance with section 773(b)(2)(A)(i) of the Act. Accordingly, the Department is initiating cost investigations with respect to both Korea and Taiwan.

To calculate constructed value ("CV"), petitioner used the same information used to calculate COP. For purposes of the petition, petitioner used a profit rate of zero in its calculation of CV. The Department made the same revisions to CV as it did to COP, as discussed above. Because the home

market prices of each producer are less than the COP, the Department based NV on CV.

Based on comparisons of EP to NV, the calculated dumping margin for SRAMs from Korea is 55.36 percent ad valorem. The calculated dumping margins for SRAMs from Taiwan range from 93.54 to 113.85 percent ad valorem.

Initiations of Investigations

We have examined the petition on SRAMs from Korea and Taiwan 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 the domestic producers of a domestic like product by reason of the complained-of imports, allegedly sold at less than fair value. Therefore, we are initiating antidumping duty investigations to determine whether imports of SRAMs from Korea and Taiwan are being, or are likely to be, sold in the United States at less than fair value. Unless extended, we will make our preliminary determinations by August 4, 1997.

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 Korea, as well as to the authorities of Taiwan. We will attempt to provide a copy of the public version of the petition to each exporter named in the petition (as appropriate).

ITC Notification

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

Preliminary Determinations by the ITC

The ITC will determine by April 11, 1997, whether there is a reasonable indication that imports of SRAMs from Korea and Taiwan are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination in either of the investigations will result in that investigation being terminated; otherwise, the investigations will proceed according to statutory and regulatory time limits.

Dated: March 17, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-7251 Filed 3-20-97; 8:45 am]

BILLING CODE 3510-DS-P

National Institutes of Health, 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: 96-133. Applicant: National Institutes of Health, Bethesda, MD 20892. Instrument: Electron Microscope, Model CM120. Manufacturer: Philips, The Netherlands. Intended Use: See notice at 62 FR 4032, January 28, 1997. Order Date: August 20, 1996.

Docket Number: 96-135. Applicant: Medical University of South Carolina, Charleston, SC 29425. Instrument: Electron Microscope, Model JEM-1210. Manufacturer: JEOL, Ltd., Japan. Intended Use: See notice at 62 FR 4032, January 28, 1997. Order Date: October 17, 1996.

Docket Number: 96-140. Applicant: Associated Universities, Inc., Upton, NY 11973. Instrument: Electron Microscope with Accessories, Model JEM-3000F. Manufacturer: JEOL, Ltd., Japan. Intended Use: See notice at 62 FR 5619, February 6, 1997. Order Date: September 24, 1996.

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 at the time of order of each instrument.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 97-7247 Filed 3-20-97; 8:45 am]

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Oklahoma State 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