

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 897]

Expansion of Foreign-Trade Zone 43
Battle Creek, Michigan Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the City of Battle Creek, Michigan, grantee of Foreign-Trade Zone No. 43, for authority to expand its general-purpose zone to include a site at the St. Joseph River Harbor Development Area, Benton Harbor (Berrien County), Michigan, adjacent to the Battle Creek Customs port of entry, was filed by the Foreign-Trade Zones (FTZ) Board on May 7, 1996 (Docket 37-96, 61 FR 25190, 5/20/96);

Whereas, notice inviting public comment was given in the **Federal Register** and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board has found that the requirements of the Act and the regulations are satisfied, and that the proposal is in the public interest;

Now, Therefore, the Board hereby orders:

The grantee is authorized to expand its zone as requested in the application, subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 20th day of June 1997.

Jeffrey P. Bialos,

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

Attest:

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 97-17394 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 902]

Expansion of Foreign-Trade Zone 181;
Akron-Canton, Ohio

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the Akron-Canton Regional Airport

Authority, grantee of Foreign-Trade Zone 181, for authority to expand Foreign-Trade Zone 181 to include sites in Trumbull, Columbiana and Stark Counties, Ohio, was filed by the Board on July 8, 1996 (FTZ Docket 56-96, 61 FR 37442, 7/18/96); and,

Whereas, notice inviting public comment was given in **Federal Register** and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 181 is approved, subject to the Act and the Board's regulations, including Section 400.28, and subject to the standard 2,000-acre activation limit.

Signed at Washington, DC, this 20th day of June 1997.

Jeffrey P. Bialos,

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

Attest:

John J. Da Ponte, Jr.,
Executive Secretary.

[FR Doc. 97-17396 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 900]

Approval For Manufacturing Authority;
Quoizel, Inc. (Lighting Fixtures); Within
Foreign-Trade Zone 21; Charleston,
South Carolina

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, § 400.28(a)(2) of the Board's regulations, requires approval of the Board prior to commencement of new manufacturing/processing activity within existing zone facilities;

Whereas, the South Carolina State Ports Authority, grantee of FTZ 21, has requested authority under § 400.28(a)(2) of the Board's regulations on behalf of Quoizel, Inc., to manufacture lighting fixtures under zone procedures within FTZ 21, Charleston, South Carolina (filed 5-8-96; FTZ Doc. 38-96, 61 FR 25190, 5-20-96); and,

Whereas, the Board adopts the findings and recommendation of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied and that the proposal is in the public interest;

Now, Therefore, the Board hereby approves the request subject to the Act and the Board's regulations, including § 400.28, for a five-year period (until 12-31-02), subject to extension upon review.

Signed at Washington, DC, this 20th day of June 1997.

Jeffrey P. Bialos,

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

Attest:

John J. Da Ponte, Jr.

Executive Secretary.

[FR Doc. 97-17392 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 905]

Expansion of Foreign-Trade Zone 21,
Charleston, South Carolina, Area

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the South Carolina State Ports Authority, grantee of Foreign-Trade Zone 21, Charleston, South Carolina, area, for authority to expand FTZ 21—Site 8 at Wando Park in Mount Pleasant, South Carolina, was filed by the Board on August 9, 1996 (FTZ Docket 62-96, 61 FR 43229, 8/21/96);

Whereas, notice inviting public comment was given in **Federal Register** and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 21—Site 8 is approved, subject to the Act and the Board's regulations, including Section 400.28, and subject to the standard 2,000-acre activation limit for the overall zone project.

Signed at Washington, DC, this 20th day of June 1997.

Jeffrey P. Bialos,

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

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 97-17395 Filed 7-2-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-559-001]

Certain Refrigeration Compressors From the Republic of Singapore: Final Results of Countervailing Duty Administrative Review

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

ACTION: Notice of Final Results of Countervailing Duty Administrative Review.

SUMMARY: On August 29, 1996, the Department of Commerce published the preliminary results of its administrative review of the agreement suspending the countervailing duty investigation on certain refrigeration compressors from the Republic of Singapore.

In our preliminary results of review, we preliminarily determined that the signatories to the suspension agreement complied with the terms of the suspension agreement during the period of review. We gave interested parties an opportunity to comment on our preliminary results.

We have now completed this review, the twelfth review of this Agreement, and determine that the Government of the Republic of Singapore (GOS), Matsushita Refrigeration Industries (Singapore) Pte. Ltd. (MARIS), and Asia Matsushita Electric (Singapore) Pte. Ltd. (AMS), the signatories to the suspension agreement, have complied with the terms of the suspension agreement during the period April 1, 1994 through March 31, 1995. Based on our analysis of the comments received, we have changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: July 3, 1997.

FOR FURTHER INFORMATION CONTACT: Robert Bolling or Jean Kemp, Office of AD/CVD Enforcement, Group III, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-3793.

SUPPLEMENTARY INFORMATION:

Applicable Statutes and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on or after January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Tariff Act) in accordance with the Uruguay Round Agreements Act (URAA).

Background

On August 29, 1996, the Department of Commerce (the Department) published in the **Federal Register** (61 FR 45402-04) the preliminary results of its administrative review of the agreement suspending the countervailing duty investigation on certain refrigeration compressors from the Republic of Singapore (48 FR 51167, November 7, 1983). We received comments from interested parties on our preliminary results. Also, the Department sent out supplemental questionnaires on December 10, 1996 and January 14, 1997, to obtain additional information on the Finance and Treasury Center (FTC) program. Petitioner provided comments to respondents' supplemental questionnaires on January 8 and February 5, 1997. We have now completed this administrative review in accordance with section 751 of the Tariff Act of 1930.

Scope of the Review

Imports covered by this review are shipments of hermetic refrigeration compressors rated not over one-quarter horsepower from Singapore. This merchandise is currently classified under *Harmonized Tariff Schedule* (HTS) item number 8414.30.40. The HTS item number is provided for convenience and Customs purposes. The written description remains dispositive.

The review covers the period April 1, 1994 through March 31, 1995, and includes three programs. The review covers one producer and one exporter of the subject merchandise, MARIS and AMS, respectively. These two companies, along with the GOS, are the signatories to the suspension agreement.

Under the terms of the suspension agreement, the GOS agrees to offset completely the amount of the net bounty or grant (subsidy) determined by the Department in this proceeding to exist with respect to the subject merchandise. The offset entails the collection by the GOS of an export charge applicable to the subject merchandise exported on or after the

effective date of the agreement. See *Certain Refrigeration Compressors from the Republic of Singapore: Suspension of Countervailing Duty Investigation*, 48 FR 51167, 51170 (November 7, 1983).

Analysis of Comments Received

We preliminarily determined that the signatories to the suspension agreement complied with the terms of the suspension agreement during the period of review (POR). We invited interested parties to comment on the preliminary results. We received comments from the respondents, MARIS and AMS, and the petitioner, Tecumseh Products Company.

Respondents argue that the FTC program is not countervailable for three reasons: (1) it is associated only with services, not goods; (2) its benefits are "tied" to the provision of financial services to entities outside Singapore and therefore the subsidy does not benefit subject merchandise; and (3) it is not specific. We address each of these arguments as separate comments below.

Comment 1: Respondents state that only services provided to offshore companies can receive preferential tax treatment under the FTC program. Because the FTC program is tied to these services, they argue, it is not possible for the subject merchandise to receive countervailable benefits from AMS's FTC program. Respondents note that the FTC program approval letter authorizing AMS to be taxed at a concessionary rate on profits from the provision of these services states that "the qualifying network companies shall be the subsidiaries, branches, associates or related companies outside Singapore," which have received approval from the proper authority in Singapore for the purposes of the FTC incentive.

Respondents argue that the GOS stated in its questionnaire response that "the tax benefits of the program explicitly do not, by law and under the terms of AMS' FTC approval, benefit either MARIS or the subject merchandise." Respondents note that the Department has found in previous cases that where a company receives a grant on terms that prevent any benefit from flowing to the subject merchandise, the program does not provide a countervailable benefit. See *Live Swine from Canada, Preliminary Results of Countervailing Duty Administrative Review*; 61 FR 26879 (May 29, 1996). Also, respondents point out that the Department determined that equity infusions which were made to VEW, a related company that did not produce subject merchandise, were specifically tied by law to VEW, and