Memorandum, dated October 2, 1995. We then added amounts for overhead, general expenses (including interest) and profit, based on the experience of a PVA producer in India (see Valuation Memorandum), and packing expenses incident to placing the merchandise in condition packed and ready for shipment to the United States.

Guangxi's reporting of packing material factor units could not be converted to the weight unit of the surrogate value. For the preliminary determination, we used the factor weights from the public version of Sichuan's response to calculate the value for Guangxi's packing materials.

As we could not identify an appropriate Indian surrogate value for one raw material-nitrogen, we applied an Indonesian price for this factor. Sichuan obtained two raw material factors from market economy sources and paid in market economy currencies. For these two factors, we valued them based on the price actually paid by Sichuan.

China-Wide Rate

MOFTEC identified what we believe to be the only two PRC exporters of PVA to the United States during the POI. Both have responded in this investigation. We compared the respondents' sales data with U.S. import statistics for time periods including the POI and found no indication of unreported sales. Accordingly, we have based the China-wide rate on the weighted-average of the margins calculated in this proceeding.

Verification

As provided in section 782(i) of the Act, we will verify all information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all entries of PVA from the PRC, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. The Customs Service will require a cash deposit or posting of a bond equal to the estimated dumping margins by which the normal value exceeds the export price, as shown below. These suspension of liquidation instructions will remain in effect until further notice.

The weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Weighted-average margin percentage
Guangxi GITIC Import and Export Corp	121.74
Sichuan Vinylon Works	187.56
PRC-Wide Rate	176.10

The PRC-Wide rate applies to all entries of subject merchandise except for entries from exporters that are identified individually above.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than November 17, 1995, and rebuttal briefs, no later than November 20, 1995. A list of authorities used and a summary of arguments made in the briefs should accompany these briefs. Such summary should be limited to five pages total, including footnotes. We will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. At this time, the hearing is scheduled for November 22, 1995, the time and place to be determined, at the U.S. Department of Commerce, Room 3606, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B–099, within ten days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b) oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by December 18, 1995.

This determination is published pursuant to section 733(f) of the Act.

Dated: October 2, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–25059 Filed 10–6–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–836]

Notice of Preliminary Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol From Japan

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

EFFECTIVE DATE: October 10, 1995.

FOR FURTHER INFORMATION CONTACT: Ellen Grebasch or Erik Warga, Office of Antidumping Investigations, Import Administration, International Trade 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).

Preliminary Determination

We preliminarily determine that polyvinyl alcohol (PVA) from Japan is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the initiation of this investigation on March 29, 1995 (60 FR 17053, April 4, 1995), the following events have occurred:

On April 10, 1995, one company, Denki Kagaku Kogyo Kabushiki Kaisha (Denki), requested that it not be required to respond to the antidumping questionnaire in this investigation because it accounted for a small portion of total Japanese exports to the United States. The petitioner stated in a filing that they did not object.

On April 24, 1995, the U.S. International Trade Commission (ITC) notified the Department of Commerce (the Department) of its affirmative preliminary determination.

During May the Department sent antidumping questionnaires to the Ministry of International Trade and Industry and the following companies: Kuraray Co., Ltd. (Kuraray), Nippon Synthetic Chemical Industry Co., Ltd. (Nippon Goshei), Unitika Ltd. (Unitika), and Shin-Etsu Chemical Co., Ltd. (Shin-Etsu). The Department received notification from Nippon Goshei and Shin-Etsu that they would not be responding to the Department's antidumping questionnaire. Kuraray responded to Section A of the antidumping questionnaire and then notified the Department it would not be responding to the remaining sections of the questionnaire. Unitika did not file a questionnaire response.

On July 21, 1995, the petitioner in this investigation, Air Products and Chemicals, Inc., requested that the Department postpone the preliminary determination until October 2, 1995. We granted this request pursuant to section 733(c)(1)(A) of the Act, and postponed the preliminary determination until not later than October 2, 1995 (60 FR 39931, August, 4, 1995).

On September 19, 1995, the petitioner amended the petition to exclude from the scope of this investigation polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, or poylvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent. We have revised the scope of this investigation to reflect the petitioner's amendment (*see* the ''Scope of Investigation'' section of this notice, below).

Scope of Investigation

The merchandise under investigation is polyvinyl alcohol. Polyvinyl alcohol is a dry, white to cream-colored, water-soluble synthetic polymer, usually prepared by hydrolysis of polyvinyl acetate. This product includes polyvinyl alcohols hydrolyzed in excess of 85 percent, whether or not mixed or diluted with defoamer or boric acid, except for polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, or poylvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent, which are excluded.

The merchandise under investigation is currently classifiable under subheading 3905.20.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

Period of Investigation

The period of investigation (POI) is April 1, 1994, through March 31, 1995.

Facts Available

Pursuant to section 776 of the Act, the Department will use the facts otherwise available if necessary information is not available on the record, or if an interested party or any other person withholds requested information, fails to provide such information by the deadlines for submission of the information or in the form and manner requested, significantly impedes a proceeding, or provides such information but the information cannot be verified.

In addition, section 776(b) of the Act provides that, if the Department finds that an interested party ''has failed to cooperate by not acting to the best of its ability to comply with a request for information,'' the Department may use information that is adverse to the interests of that party as the facts otherwise available. The statute also provides that such an adverse inference may be based on secondary information, including information drawn from the petition.

Section 776(c) explains that where the Department relies on ''secondary information,'' the Department will, to the extent practicable, corroborate that information from independent sources reasonably at the Department's disposal. The Statement of Administrative Action (SAA), accompanying the URAA, clarifies that the petition is ''secondary information.'' *See* SAA, published in H. Doc. 103–316, 103d Cong., 2d Sess. at 807, 870. The SAA also clarifies that ''corroborate'' means to determine that the information used has probative value. However, where corroboration is not practicable, the Department may use the uncorroborated information.

In the present case, all respondents failed to respond to the Department's antidumping questionnaire. Therefore, the Department determines that necessary information is not on the record, and that no party has acted to the best of its ability and thus, that application of section 776(b) is warranted.

In the present case, the petition is the only information on the record which could form the basis for a dumping calculation. Therefore, the Department has based the margins for all parties on information in the petition.

In accordance with section 776(c) of the Act, the Department attempted to corroborate the petition information by comparing the petition information on export price against U.S. Customs data and Japanese export statistics. However, both of these sources record prices based on the HTSUS subheading 3905.20.00, which includes both subject and non-subject merchandise. We were therefore unable to use either source of information to corroborate the prices contained in the petition. However, on the record of this investigation is a price quote from an independent source which does tend to corroborate the export price used in the petition (*see* Memorandum from Lou Apple to the file dated August 1, 1995).

As to normal value starting price, or any other foreign costs, we are not aware of any practicable means of corroborating such information.

Finally, we examined the ocean freight charge in the petition as it is a significant adjustment element which is not foreign based. Based on our examination of the supporting documentation contained in the petition, we find that the ocean freight charge has probative value.

We note that one respondent submitted a section A response which contained some pricing information. However, because of the danger of self-serving statements by respondents who do not cooperate, such information cannot be used to adjust the margin alleged in the petition.

Accordingly, we have preliminarily relied upon the information contained in the petition. We have assigned to all exporters a margin of 77.49 percent, the margin calculated in the petition on merchandise which is within the scope of this investigation.

All-Others Rate

Under section 735(c)(5) of the Act, the ''all-others rate'' will normally be a weighted average of the weighted-average dumping margins established for all exporters and producers, but excluding any zero or de minimis margins, or any margins based entirely on the facts available. However, this provision also states that if all weighted-average margins are zero, de minimis, or based on the facts available, the Department may use other reasonable methods to calculate the all-others rate, including a weighted-average of such margins. In this case, as discussed above, the margin assigned to all companies is 77.49 percent, based on

the facts available. Therefore, also based on the facts available, the Department determines the all-others rate to be 77.49 percent.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all entries of PVA from Japan, that are entered, or withdrawn from warehouse for consumption, on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated amount by which the normal value exceeds the export price as shown below. These suspension of liquidation instructions will remain in effect until further notice.

The dumping margins are as follows:

Exporter/manufacturer	Margin percentage
Kuraray	77.49
Nippon Goshei	77.49
Unitika	77.49
Shin-Etsu	77.49
All Others	77.49

The all others rate applies to all entries of subject merchandise except for entries from exporters that are identified above.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than November 9, 1995, and rebuttal briefs, no later than November 16, 1995. A list of authorities used and a summary of arguments made in the briefs should accompany these briefs. Such summary must be limited to five pages total, including footnotes. In accordance with 19 CFR 353.38, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. Tentatively, the hearing will be held at 1:30 p.m. on November 20, 1995, at the U.S. Department of Commerce, Room 3606, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B–099, within ten days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b), oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by December 18, 1995.

This determination is published pursuant to section 733(f) of the Act.

Dated: October 2, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95–25060 Filed 10–6–95; 8:45 am]

BILLING CODE 3510–DS–P

[A–583–824]

Notice of Preliminary Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol From Taiwan

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

EFFECTIVE DATE: October 10, 1995.

FOR FURTHER INFORMATION CONTACT: David J. Goldberger or Barbara Wojcik-Betancourt, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–4136 or (202) 482–0629, 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).

Preliminary Determination

We preliminarily determine that polyvinyl alcohol from Taiwan is being, or is likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Tariff Act of 1930, as amended (the Act). The estimated margins are shown in the ''Suspension of Liquidation'' section of this notice.

Case History

Since the initiation of this investigation on March 29, 1995, (60 FR 17053, April 4, 1995), the following events have occurred:

On April 24, 1995, the U.S. International Trade Commission (ITC) notified the Department of Commerce (the Department) of its affirmative preliminary determination.

In May 1995, the Department presented an antidumping duty questionnaire to Chang Chun Petrochemical Co., Ltd. (Chang Chun), the sole Taiwan producer of the subject merchandise. Chang Chun submitted its questionnaire responses in June and July 1995. The Department issued supplemental questionnaires, and Chang Chun responded to them, in August 1995. During September 1995, the Department requested and received additional information from Chang Chun. In addition, both petitioner and Chang Chun submitted comments regarding treatment of various issues for the preliminary determination.

Pursuant to section 733(c)(1)(B) of the Act, as amended, the Department determined that this investigation is extraordinarily complicated and additional time is necessary to make the preliminary determination. Accordingly, we postponed the preliminary determination until October 2, 1995 (60 FR 35899, July 12, 1995).

On September 19, 1995, petitioner amended the petition to exclude from the scope of this investigation polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic acid, or sulfonic acid uniformly present on all polymer chains in a concentration equal to or greater than two mole percent, or polyvinyl alcohols covalently bonded with silane uniformly present on all polymer chains in a concentration equal to or greater than one-tenth of one mole percent. We have revised the scope of this investigation to reflect petitioner's amendment (see the ''Scope of Investigation'' section of this notice, below).

Scope of Investigation

The merchandise under investigation is polyvinyl alcohol. Polyvinyl alcohol is a dry, white to cream-colored, water-soluble synthetic polymer, usually prepared by hydrolysis of polyvinyl acetate. This product includes polyvinyl alcohols hydrolyzed in excess of 85 percent, whether or not mixed or diluted with defoamer or boric acid, except for polyvinyl alcohols covalently bonded with acetoacetylate, carboxylic