manner in which it confirmed that Visaflor and Daisy made no shipments of the subject merchandise during the review period.

The Department's Position:

To determine whether Visaflor and Daisy made shipments of the subject merchandise to the United States during the review period, the Department followed its standard practice of issuing an electronic mail message to the Customs Service. The Customs Service then transmitted this message to field personnel, requesting notification if the subject merchandise exported by Visaflor or Daisy entered the United States during the review period. A copy of this message is on file in Room B099 of the Commerce Department. We received no information from Customs that Visaflor and Daisy had shipments of the subject merchandise during the POR.

Comment 4: The petitioner agrees with the Department's decision to assign non-responding companies a margin based on BIA, however, the petitioner states that the Department should not have assigned these companies the second-highest rate found for any respondent. By doing so, the petitioner argues, the Department unnecessarily and unfairly departed from its practice of assigning non-responding companies the highest available margin.

The petitioner states that, although the Department did not use the highest rate as BIA in prior reviews, the respondents in those reviews had, at least, submitted partial or complete questionnaire responses. The petitioner argues that the Department has no evidence that the highest margin is unrepresentative, since the parties failed to respond to the questionnaire. Furthermore, the petitioner states, the respondents are presumed to be aware of the highest possible margin when they decided not to respond to the antidumping questionnaire, citing *Rhone Poulenc, Inc.* v. *United States,* 899 F.2d 1185, 1191 (Fed. Cir. 1990).

The Department's Position:

We disagree with the petitioner. Prior to 1993 and the CIT's decisions in *The Floral Trade Council* v. *United States,* 822 F.Supp. 766 (CIT 1993), and *Federal Mogul Corporation and the Torrington Company* v. *United States,* 839 F.Supp. 864 (CIT 1993), the Department determined an ''all others'' or ''new shippers'' rate during the course of each administrative review. In the 1989–1990 review of this order, the Department did not include Florex's rate of 264.43 percent in its determination of the updated ''all others'' rate. The CIT supported the Department's position, stating that, ''Florex's accumulated interest expenses from a separate line of business that never began operations skewed its cost of production figures and should not have been included in the review analysis.'' *The Floral Trade Council* v. *the United States,* 799 F. Supp. 116 (CIT 1992).

The Court recognized that Florex's rate was unrepresentative of the other companies in that review, and by extension, of the entire flower industry because: (1) it was an out of proportion rate explained by factors unassociated with the overall industry, and (2) Florex represented only a small fraction of the industry. The Court concluded that ''ITA did not err in finding it would be punitive to maintain Florex's rate as the ''all other'' rate. *Id.* at 119. Therefore, although we received no information from the non-responding companies, we maintain that the Florex rate is unrepresentative of the Mexican fresh cut flower industry, and unsuitable to be applied to the non-responding companies as BIA.

Final Results of Review

We determine that the following dumping margins exist for the period April 1, 1992, through March 31, 1993:

Manufacturer/exporter	Margin (percent)
Rancho el Aguaje	0.00
Rancho Guacatay	0.00
Rancho el Toro	0.00
Rancho del Pacifico	0.00
Rancho Daisy	*0.00
Visaflor	*0.00
Tzitzic Tareta	39.95
Rancho Mision el Descanso	39.95
Rancho Alisitos	39.95
Las Flores de Mexico	39.95
All Others	18.28

*No shipments subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments.

Because Guacatay received a margin of 39.95 percent for the 1991–1992 review period, we have determined not to revoke the antidumping duty order with respect to Guacatay. (*See Notice of Final Results of Antidumping Duty Administrative Review; Certain Fresh Cut Flowers from Mexico,* 60 FR 49569 (September 26, 1995).)

The following deposit requirements shall be effective for all shipments of the subject merchandise that are entered or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed companies shall be the above rates; (2) for previously reviewed or investigated companies not listed above, 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 in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate shall be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review, the cash deposit rate will be 18.28 percent, the all others rate established in 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 order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 C.F.R. 353.34(d) or 355.34(d). Timely written notification of 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 administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Department's regulations.

Dated: February 13, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–3899 Filed 2–21–96; 8:45 am]

BILLING CODE 3510–DS–P

A–405–071

Viscose Rayon Staple Fiber From Finland; Notice of Final Court Decision and Rescission of Revocation of Antidumping Duty Finding

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

ACTION: Notice of final court decision and reinstatement of antidumping duty finding.

SUMMARY: On November 7, 1994, the Department of Commerce revoked the finding on viscose rayon staple fiber from Finland pursuant to an order of the United States Court of International Trade (''CIT'') in *Kemira Fibres Oy* v. *United States,* 861 F. Supp. 144 (CIT 1994). In *Kemira,* the CIT ruled that the Department was required to revoke the finding because no interested party filed a request for administrative review for this finding or objected to the finding's revocation by March 31, 1993, notwithstanding the Department's failure to issue timely notice of intent to revoke. The Department appealed the Court's order and, on August 2, 1995, the United States Court of Appeals for the Federal Circuit (''Federal Circuit'') overturned the CIT order. Therefore, we are now rescinding the revocation of the fiber finding and instructing the U.S. Customs Service to suspend liquidation of entries of fiber from Finland.

EFFECTIVE DATE: February 22, 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, D.C., 20230; telephone (202) 482–5831/4114.

SUPPLEMENTARY INFORMATION:

Background

On September 8, 1994, the CIT ruled that the Department was required to revoke the antidumping finding on viscose rayon staple fiber from Finland, terminate the ongoing administrative review and end the suspension of liquidation of the subject merchandise pursuant to 19 C.F.R. § 353.25(d)(4). *See Kemira Fibres Oy* v. *United States,* 861 F. Supp. 144 (CIT 1994). The Court stated that the Department was required to revoke the finding because no interested party filed a request for an administrative review or objected to revocation by the last day of the fifth anniversary month, notwithstanding the Department's failure to issue timely notice of intent to revoke.

In compliance with the CIT's ruling, the Department revoked the antidumping duty finding on November 7, 1994, terminated the 1993–94 administrative review and ended the suspension of liquidation on all entries of the subject merchandise. *See Viscose Rayon Staple Fiber From Finland; Termination of Administrative Review and Revocation of Antidumping Finding,* 59 FR 55441 (Nov. 7, 1994). The Department took these actions, rather than suspend liquidation of the subject merchandise during the pendency of appeal, because the CIT decision was issued pursuant to 28 U.S.C. § 1581(i), the Court's residual jurisdiction authority, rather than pursuant to 19 U.S.C. § 1516a, the Court's general jurisdictional authority.

In the subsequent appeal, the Federal Circuit found the Department's interpretation of 19 C.F.R. § 353.25(d)(4) (i.e., that notice of intent to revoke is a prerequisite to revocation of an antidumping order or finding) to be reasonable. Therefore, the Federal Circuit reversed the CIT's order and opinion and remanded for further proceedings consistent with its decision. *See Kemira Fibres Oy* v. *United States,* 61 F.3d 866 (Fed. Cir. 1995).

On November 13, 1995, the CIT vacated its earlier decision and declaratory judgment of September 8, 1994 and instructed the Department to proceed with further proceedings consistent with the Federal Circuit's opinion.

Thus, consistent with the Federal Circuit's decision, the Department hereby rescinds the revocation of the antidumping duty finding on viscose rayon staple fiber from Finland, published at 44 FR 17156 (Mar. 21, 1979). Further, the Department is directing the U.S. Customs Service to suspend liquidation and require a cash deposit in the amount of 0.00 percent ad valorem, the last published deposit rate, for each entry of the subject merchandise from Finland which is entered, or withdrawn from warehouse, for consumption, on or after the date of publication of this notice.

Dated: February 13, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–3900 Filed 2–21–96; 8:45 am]

BILLING CODE 3510–DS–P

National Oceanic and Atmospheric Administration

[I.D. 021396C]

Caribbean Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Reef Fish Committee of the Caribbean Fishery Management Council (Council) will hold a meeting.

DATES: The meeting will be held on March 7, 1996, from 2:00 p.m. until 5:00 p.m. and on March 8, 1996 from 9:00 a.m. until 12 noon.

ADDRESSES: The meeting will be held at the Conference Room of Joyuda Plaza Hotel, Cabo Rojo, PR.

Council Address: Caribbean Fishery Management Council, 268 Muñoz Rivera Avenue, Suite 1108, San Juan, PR 00918–2577.

FOR FURTHER INFORMATION CONTACT: Caribbean Fishery Management Council; telephone: (809) 766–5926.

SUPPLEMENTARY INFORMATION: The purpose of the meeting is to discuss issues regarding the red hind closed area off Mayagüez, PR. The meeting is open to the public, and will be conducted in English with Spanish translation. Fishers and other interested persons are invited to attend and participate with oral or written statements regarding agenda items.

Special Accommodations

This meeting is physically accessible to people with disabilities. For more information or requests for sign language interpretation and/or other auxiliary aids please contact Mr. Miguel A. Rolón, Executive Director (see **ADDRESSES**) at least 5 days prior to the meeting date.

Dated: February 15, 1996.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 96–3967 Filed 2–21–96; 8:45 am]

BILLING CODE 3510–22–F

[I.D. 021296D]

Gulf of Mexico Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Gulf of Mexico Fishery Management Council will convene public meetings.

DATES: The meetings will be held on March 11–14, 1996. See **SUPPLEMENTARY INFORMATION** for specific dates and times.

ADDRESSES: These meetings will be held at the Hawk's Cay Resort, Mile Marker 61, U.S. Highway 1, Duck Key, FL; telephone: 800–826–4061.

Council address: Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, Suite 331, Tampa, FL 33609.