of the antidumping duty order on certain cut-to-length carbon steel plate from Germany. The review covered one manufacturer/exporter and the period February 4, 1993, through July 31, 1994. Based on the correction of a ministerial error, we are amending the final results.

EFFECTIVE DATE: May 24, 1996.

FOR FURTHER INFORMATION CONTACT: Nancy Decker or Linda Ludwig, Office of Agreements Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Background

On March 28, 1996, the Department of Commerce (the Department) published in the Federal Register the final results of its administrative review of the antidumping duty order on certain cut-to-length carbon steel plate from Germany (61 FR 13834). The review covered one manufacturer/exporter, AG der Dillinger Huttenwerke (Dillinger), and the period February 4, 1993, through July 31, 1994.

After publication of our final results, we received a timely allegation from petitioners (Bethlehem Steel Corporation, U.S. Steel Company, a Unit of USX Corporation, Inland Steel Industries, Inc., Geneva Steel, Gulf States Steel Inc. of Alabama, Sharon Steel Corporation, and Lukens Steel Company) that the Department had made a ministerial error in calculating the final results for plate from Germany sold by Dillinger. The respondent filed a timely rebuttal to petitioners' ministerial error allegation.

Petitioners allege that the Department incorrectly applied Dillinger's actual-to-theoretical weight conversion factor in the conversion of gross unit price. The petitioners state that the gross unit price should have been divided, rather than multiplied, by the weight conversion factor. The respondent argues that the error alleged by petitioners does not qualify as a ministerial error under Section 353.28(d) of the Department's regulations (19 CFR 353.28(d) (1995)). Respondent also argues that if the Department, nevertheless, decides to change its methodology, it should also make changes to the conversions of expense related data (conversions of home market inland freight, home market other expenses, home market global credits and debits, and home market credit) to be consistent.

As defined by section 751(f) of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1675(f) (1988)), the term ''ministerial error'' includes errors ''in addition, subtraction, or other arithmetic function, clerical errors resulting from inaccurate copying, duplication, or the like, and any other type of unintentional error which the [Department] considers ministerial.''

We agree with petitioners' allegation that we should have divided, rather than multiplied, gross unit price by the conversion factor. This type of unintentional error meets the definition of ministerial error contained in the Act. We also agree with respondent's rebuttal that, to be consistent, we should also likewise change the conversions of expense related data (home market inland freight, home market other expenses, home market global credits and debits, and home market credit). We have therefore corrected our analysis to divide (rather than multiply) the following by the applicable weight conversion factor: gross unit price, home market inland freight, home market other expenses, home market global credits and debits, and home market credit.

Amended Final Results of Review

As a result of our correction of the ministerial error, we have determined the following margin exists for the period February 4, 1993, through July 31, 1994:

Manufacturer/exporter	Margin
AG der Dillinger Hüttenwerke	2.61

We will direct the Customs Service to collect cash deposits of estimated antidumping duties on all appropriate entries in accordance with the procedures discussed in the final results of this review (61 FR 13834), as amended by this determination.

These deposit requirements are effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice and shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a reminder to importers of their responsibility under 19 CFR 353.26 of 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 is published in accordance with section 751(f) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(f)) and 19 CFR 353.28(c).

Dated: May 17, 1996.

Paul L. Joffe,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–13178 Filed 5–23–96; 8:45 am]

BILLING CODE 3510–DS–M

[A–423–602]

Industrial Phosphoric Acid From Belgium; 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 FMC Corporation and Monsanto Company (petitioners), the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on industrial phosphoric acid (IPA) from Belgium. The review covers exports by one manufacturer, Société Chimique Prayon-Rupel (Prayon), during the period August 1, 1994 through July 31, 1995.

We have preliminarily determined that sales have been made below normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service (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 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.

EFFECTIVE DATE: May 24, 1996.

FOR FURTHER INFORMATION CONTACT: David Genovese 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) 482–5253.

SUPPLEMENTARY INFORMATION:

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). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

Background

The Department published in the Federal Register the antidumping duty order on IPA from Belgium on August 20, 1987 (52 FR 31439). The Department published in the Federal Register a notice of ''Opportunity To Request an Administrative Review'' of the antidumping duty order on IPA from Belgium covering the period August 1, 1994 through July 31, 1995, on August 1, 1995 (60 FR 39150). On August 25, 1995, petitioners requested that the Department conduct an administrative review of sales by Prayon. We initiated the review on September 15, 1995 (60 FR 47930). The Department is conducting this administrative review in accordance with section 751 of the Act.

Scope of the Review

The products covered by this review include shipments of IPA from Belgium. This merchandise is currently classifiable under the Harmonized Tariff Schedule (HTS) item number 2809.20. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

United States Price

We based our margin calculations on export price (EP), as defined in section 772(a) of the Act, because the merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation. We based EP on the delivered price to unaffiliated purchasers in the United States. In accordance with section 772(c)(2)(A) of the Act, we made deductions for inland and marine insurance, brokerage and handling costs and freight expenses incurred to deliver the merchandise to the first unaffiliated customer in the United States. No other adjustments to EP were claimed or allowed.

Normal Value

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared Prayon's volume of home market sales of the foreign like product to the volume of U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(B) of the Act. Because Prayon's aggregate volume of home market sales of the foreign like product was greater than five percent of its aggregate volume of U.S. sales of the subject merchandise, we determined that the home market provides a viable basis for calculating NV for Prayon, pursuant to section 773(a)(1)(B) of the Act.

Pursuant to section 777A(d)(2), we compared the EPs of individual transactions to the monthly weighted-average price of sales of the foreign like product. We based NV on the delivered or ex-works price at which the foreign like product is first sold to unaffiliated purchasers 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 export price, as defined by section 773(a)(1)(B)(i) of the Act.

We excluded from our analysis of NV sales to an affiliated home market customer because the weighted-average sales price to the affiliated party was less than the weighted-average sales price to unaffiliated parties.

We reduced NV by freight costs, including inland insurance costs, incurred in the home market, in accordance with section 773(a)(6)(B)(ii). We made a circumstance of sale adjustment to NV to account for any differences between EP and NV due to differences in credit expenses, rebates, and commissions in accordance with 773(a)(6)(C)(iii) of the Act.

Because sales commissions incurred in the home market were paid to an affiliated party, and there is no information on the record to establish that these commissions were at arm's-length, we offset U.S. commissions with the weighted-average of home market indirect selling expenses up to the amount of the commissions paid on U.S. sales in accordance with 19 CFR 353.56(b)(1).

No other adjustments were claimed or allowed.

Preliminary Results

As a result of this review, we preliminarily determine that a margin of 11.36 percent exists for Prayon for the period August 1, 1994, through July 31, 1995.

Parties to this proceeding may request disclosure within five days of publication of this notice and 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 working day thereafter. Interested parties may submit case briefs no later than 30 days after the date of publication. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed no later than 37 days after the date of publication. Parties who submit arguments are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will publish a notice of the final results of the administrative review, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between USP and NV may vary from the percentage stated above. Upon completion of this review, the Department will issue appraisement instructions directly to Customs.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of IPA from Belgium entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Prayon will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or a previous review, the cash deposit will continue to be the rate established for the most recent period for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, or the original investigation, but the manufacturer is, the cash deposit rate will be that 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 reviews, the cash deposit rate will be 14.67 percent, the all-others rate established in the LTFV investigation.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26(b) 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.

Dated: May 17, 1996.

Paul L. Joffe.

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–13173 Filed 5–23–96; 8:45 am]

BILLING CODE 3510–DS–P

[C–201–017]

Bricks From Mexico; Amended Revocation of the Countervailing Duty Order and Amended Final Results of Countervailing Duty Administrative Review

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

ACTION: Amended Revocation of the Countervailing Duty Order and Amended Final Results of Countervailing Duty Administrative Review.

SUMMARY: On September 6, 1995, the Court of Appeals for the Federal Circuit (the CAFC) held in *Ceramica Regiomontana* v. *United States,* Court No. 95–1026 (Fed. Cir., Sept. 6, 1995) (*Ceramica*) that the Department of Commerce (the Department) lacks statutory authority to impose countervailing duties on dutiable goods imported by Mexico after April 23, 1985, absent an injury determination. On April 18, 1996, pursuant to the *Ceramica* decision, the Court of International Trade (CIT) remanded to the Department the case *Productos De Barro Industrializados, S.A. de C.V.* (Court No. 88–10–00808), which was stayed pending the *Ceramica* decision. In the remand, the court ordered the Department to (1) revoke the countervailing duty order on bricks from Mexico effective April 23, 1985, the date Mexico was designated as a ''country under the Agreement''; and (2) instruct the U.S. Customs Service to refund any estimated countervailing duties at issue in this case that were deposited during the period April 23, 1985 through December 31, 1986. In accordance with the CIT's order, we are hereby amending the revocation of the countervailing duty order on bricks from Mexico to be effective April 23, 1985, instead of August 24, 1986 (54 FR 53163; December 27, 1989).

In addition, pursuant to *Ceramica S.A.* v. *United States,* Slip Op. 96–74, Court No. 59–06–00323 (May 5, 1994), the CIT ordered the Department to recalculate the country-wide rate for entries of bricks from Mexico exported by Productos de Barro Industrializados, S.A. de C.V. (Productos de Barro) that were entered between July 1, 1984 and April 22, 1985, by weight-averaging the benefits received by all companies by their proportion of exports to the United States, inclusive of zero rate firms and *de minimis* firms as well as all other firms with significantly different rates. In accordance with the CIT's remand, we are hereby amending the final results of the countervailing duty administrative review. The recalculated rate applicable to unliquidated entries exported by Productos de Barro is 2.92 percent *ad valorem* for the period July 1, 1984 through December 31, 1984 and 3.10 percent *ad valorem* for the period January 1, 1985 through April 22, 1985.

EFFECTIVE DATE: May 24, 1996.

FOR FURTHER INFORMATION CONTACT: Gayle Longest or Kelly Parkhill at the Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

On September 30, 1989 (53 FR 38314), the Department published the final results of administrative review of the countervailing duty order on bricks from Mexico, covering the review period July 1, 1984, through December 31, 1985. For purposes of the final results, the Department calculated the ''all others'' countervailing duty rate by weight averaging the benefits received by companies, excluding zero rate and *de minimis* firms. The resultant countervailing duty rate applicable to non-*de minimis* firms was 3.32 percent *ad valorem* during July 1, 1984 through December 31, 1984, and 4.21 percent *ad valorem* during January 1, 1985 through December 31, 1985.

On December 27, 1989, the Department published the final results of changed circumstances countervailing duty administrative review and revocation of the countervailing duty order on bricks from Mexico revoking the countervailing duty order as of August 24, 1986.

The respondents challenged the Department's final results of the administrative review in the CIT with respect to (1) the calculation of the country-wide countervailing duty rate, and (2) the effective date of the revocation of the countervailing duty order on bricks from Mexico. The CIT stayed these cases pending the resolution of the identical issues raised in *Ceramica,* a case involving the countervailing duty order on ceramic tile from Mexico.

On September 6, 1995, the CAFC ruled in *Ceramica* that, absent an injury determination by the ITC, the Department may not assess countervailing duties under section 1303(a)(1) on entries from Mexico of dutiable merchandise which occurred on or after April 23, 1985, the date Mexico was designated as a ''country under the Agreement'' for purposes of 19 U.S.C. § 1671. On February 21, 1996, the Department implemented the CAFC's ruling in the case of Mexican ceramic tile. (61 FR 6630) On April 18, 1996, the CIT ordered the Department to apply the CAFC's decision in *Ceramica* to bricks from Mexico. Accordingly, the CIT ordered that the Department (1) Amend the effective date of the revocation of the order on bricks from Mexico to April 23, 1985, and (2) recalculate ''the countervailing duty rate for plaintiff's entries of bricks from Mexico that were entered between July 1, 1984 and April 22, 1985, by weight-averaging the benefits received by all companies by their proportion of exports to the United States, inclusive of zero rate firms and *de minimis* firms as well as all other firms with significantly different rates'' pursuant to the methodology set forth in *Ipsco* v. *United States,* 899 F.2d 1192 (Fed. Cir. 1990).''

Amended Revocation and Final Remand Results

Pursuant to the CIT's order of April 18, 1996, the Department is hereby amending the revocation of the countervailing duty order on bricks from Mexico to be effective for all entries made on or after April 23, 1985. We will instruct the U.S. Customs Service to liquidate all unliquidated entries of the subject merchandise entered or withdrawn from warehouse, for consumption on or after April 23, 1985, without regard to countervailing duties. We will instruct the U.S. Customs Service to refund with interest any estimated countervailing duties collected with respect to those entries. We note that the requirements for a cash deposit of estimated countervailing duties were previously terminated in conjunction with the revocation under section 751 (b) and (c) of the Act.

Furthermore, the Department has complied with the CIT's order and recalculated the ''all others'' countervailing duty rates applicable to entries exported by Productos de Barro by weight-averaging the benefits received by all of the companies, including the *de minimis* or zero rate firms as well as companies with significantly different rates, that were subject to the review covering the period July 1, 1984 through December