the LTFV investigation, the Department has not used this approach in any other proceeding of which petitioner is aware.

ZWG argues that petitioner erroneously criticizes the Department for its decision not to add inland freight costs for expenses associated with trucking lock washers to and from the plating subcontractor. ZWG argues that the Department properly found such expenses to be included in the overhead expenses of ZWG. ZWG argues that this is consistent with the use of the RBI data for overhead, which includes power and fuel, repairs to machinery, depreciation, and rates and taxes. ZWG argues that all of these expenses are associated with the operation of motor vehicles in India, the surrogate country. ZWG contends that the Department correctly did not add such transportation costs to the material costs, as in the original LTFV investigation.

Departments Position: We agree with ZWG. As in the LTFV investigation, we determined that the costs associated with this type of transportation are included in the surrogate value for factory overhead. Therefore, we did not calculate a separate transportation cost for trucking the lock washers to and from the plating subcontractor. See Notice of Preliminary Determination of Sales at Less Than Fair Value: Honey From the People's Republic of China, 60 FR 14725, 14729 (March 20, 1995).

Comment 9: FI argues that the Department used the per kilogram value of production and plating chemicals but made no apparent adjustments to reflect the difference between the concentration levels reported by respondents and those in the import statistics. AAFI argues that, in the amended final determination for the LTFV investigation of lock washers from the PRC, the Department adjusted certain chemical prices obtained from the Indian import statistics to reflect the concentrations reported by ZWG and verified by the Department. AAFI argues that similar adjustments were made in other cases, citing Notice of Final Determination of Sales at Less Than Fair Value: Certain Paper Clips from the PRC, 59 FR 51168.

Petitioner states that during the LTFV investigation several adjustments were made to reflect concentration levels. Petitioner argues that in this case neither AAFI nor ZWG has claimed on the record that specific adjustments reflecting concentration levels should be made.

Departments Position: We agree with AAFI in part. ZWG claimed in its June 6, 1995 submission that the surrogate values used by the Department should be adjusted to the actual concentration levels used by ZWG. Where we have been able to determine the concentration of the surrogate input, we have adjusted for differences between the surrogate and the actual material. ZWG has not provided any information concerning the concentration levels of the surrogate values and the Department has been unable to determine the concentration levels of imports shown in the Indian import statistics. Therefore, we have made no adjustment for concentration levels where the surrogate concentration is not known.

Final Results of Reviews

As a result of the comments received, we have changed the results from those presented in our preliminary results of review:

Manufacturer/Exporter	Time period	Margin (percent)
Zhejiang Wanxin Group Co., Ltd.	10/15/93–09/30/94	26.08

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and FMV may vary from the percentage stated above. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon publication of these final results of administrative review for all shipments of HSLWs from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Tariff Act: (1) For ZWG, which has a separate rate, the cash deposit rate will be the company-specific rate established in these final results of review; (2) for all other PRC exporters, the cash deposit rate will be 128.63 percent, the PRC rate established in the LTFV investigation of this case; and (3) for non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

These deposit rates shall remain in effect until publication of the final results of the next administrative review.

This notice also 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 orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CR 353.34(d)(1). Timely written notification of the 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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: August 6, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–20613 Filed 8–12–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–570–822]

Certain Helical Spring Lock Washers From The People's Republic of China; Preliminary Results of Antidumping Administrative Review

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

ACTION: Notice of preliminary results of the antidumping duty administrative review.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain helical spring lock washers (HSLWs) from the People's Republic of China (PRC) in response to requests by the respondent, Zhejiang Wanxin Group Co., Ltd., (ZWG), and the petitioner, Shakeproof Industrial Products Division of Illinois Tool Works (petitioner). This review covers shipments of this merchandise to the United States during the period October 1, 1994, through September 30, 1995.

We have preliminarily determined that sales have been made below normal value (NV). If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service to assess antidumping duties equal to the difference between export price and NV.

Interested parties are invited to comment on these preliminary results. Parties who submit argument are

requested to submit with each argument (1) A statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: August 13, 1996.

FOR FURTHER INFORMATION CONTACT: Donald Little or Maureen Flannery, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482–4733.

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 HSLWs from the PRC on October 19, 1993 (58 FR 53914). On October 5, 1995, the Department published in the Federal Register (60 FR 52149) a notice of opportunity to request an administrative review of the antidumping duty order on HSLWs from the PRC covering the period October 1, 1994 through September 30, 1995.

On October 30 and 31, 1995, in accordance with 19 CFR 353.22(a), petitioner and ZWG, respectively, requested that we conduct an administrative review of ZWG, also known as Hangzhou Spring Washer Plant. We published a notice of initiation of this antidumping duty administrative review on November 16, 1995 (60 FR 57573). The Department is conducting this administrative review in accordance with section 751 of the Act.

Scope of Review

The products covered by this review are HSLWs of carbon steel, of carbon alloy steel, or of stainless steel, heat-treated or non-heat-treated, plated or non-plated, with ends that are off-line. HSLWs are designed to: (1) Function as a spring to compensate for developed looseness between the component parts of a fastened assembly; (2) distribute the load over a larger area for screws or bolts; and (3) provide a hardened bearing surface. The scope does not include internal or external tooth washers, nor does it include spring lock washers made of other metals, such as copper.

HSLWs subject to this review are currently classifiable under subheading 7318.21.0030 of the Harmonized Tariff Schedule of the United States (HTS). Although the HTS subheading is provided for convenience and Customs purposes, the written description of the scope of this proceeding is dispositive.

This review covers one exporter of HSLWs from the PRC, ZWG, and the period October 1, 1994, through September 30, 1995.

Separate Rates

To establish whether a company operating in a state-controlled economy is sufficiently independent to be entitled to a separate rate, the Department analyzes each exporting entity under the test established in the Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China (56 FR 20588, May 6, 1991) (Sparklers), as amplified by the Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China (59 FR 22585, May 2, 1994) (Silicon Carbide). Under this policy, exporters in non-market economies (NMEs) are entitled to separate, company-specific margins when they can demonstrate an absence of government control, both in law and in fact, with respect to export activities. Evidence supporting, though not requiring, a finding of *de jure absence* of government control over export activities includes: (1) An absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies. *De facto* absence of government control over exports is based on four factors: (1) Whether each exporter sets its own export prices independently of the government and without the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) whether each exporter has the authority to negotiate and sign contracts and other agreements; and (4) whether each exporter has autonomy from the government regarding the selection of management.

In the less than fair value investigation, we determined that ZWG, then known as Hangzhou Spring Washer Plant, warranted a company-specific dumping margin according to the criteria identified in Sparklers. (See Final Determination of Sales at Less Than Fair Value: Certain Helical Spring Lock Washers From the People's Republic of China, 58 FR 48833 (September 20, 1993) (Lock Washers).) In the administrative review covering the period from October 15, 1993 through September 30, 1994 (1993–94 review), we preliminarily determined that ZWG merited a separate rate under Sparklers and the additional criteria identified in Silicon Carbide. Because the results from the 1993–94 review are not final, we analyzed ZWG's submission in this review to determine whether ZWG continues to merit a separate rate under Sparklers and Silicon Carbide. We have found that the evidence on the record of this review also demonstrates an absence of government control, both in law and in fact, with respect to ZWG's exports according to the criteria identified in Sparklers, and an absence of government control with respect to the additional criteria identified in Silicon Carbide. For further discussion of the Department's preliminary determination that ZWG is entitled to a separate rate, see Decision Memorandum to Edward Yang, Director, Office 9, Import Administration, dated July 19, 1996, ''Separate Rates in the Second Administrative Review of Certain Helical Spring Lock Washers from the People's Republic of China,'' which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

Export Price

For sales made by ZWG we used export price, in accordance with section 772(a) of the Act, because the subject merchandise was sold to unrelated purchasers in the United States prior to importation into the United States.

We calculated export price based on the price to unrelated purchasers. We deducted an amount, where appropriate, for foreign inland freight, brokerage and handling, ocean freight, and marine insurance. We valued foreign inland freight, brokerage and handling, ocean freight, and marine insurance using surrogate data based on Indian costs. We selected India as the surrogate country for the reasons explained in the ''Normal Value'' section of this notice.

Normal Value

For companies located in NME countries, section 773(c)(1) of the Act provides that the Department shall determine NV using a factors-of-production methodology if (1) The merchandise is exported from an NME

country, and (2) the information does not permit the calculation of NV using home-market prices, third-country prices, or constructed value under section 773(a) of the Act.

We calculated NV based on factors of production in accordance with section 773(c)(4) of the Act and section 353.52(c) of our regulations. We determined that India is comparable to the PRC in terms of (1) Per capita gross national product (GNP), (2) the growth rate in per capita GNP, and (3) the national distribution of labor. In addition, India is a significant producer of comparable merchandise. Therefore, for this review, we chose India as the most comparable surrogate on the basis of the above criteria, and have used publicly available information relating to India to value the various factors of production. (See Memorandum to Laurie Parkhill from David Mueller, dated May 6, 1996, ''Certain Helical Spring Lock Washers from the People's Republic of China: Non-market Economy Status and Surrogate Country Selection,'' and Memorandum to the File from Donald Little, dated July 22, 1996, ''India: Significant Production of Comparable Merchandise,'' which are on file in the Central Records Unit (room B099 of the Main Commerce Building).)

We valued the factors of production as follows:

- For steel wire rods, we used a per kilogram value obtained from the Monthly Statistics of Foreign Trade of India (Indian Import Statistics). Using wholesale price indices (WPI) obtained from the International Financial Statistics, published by the International Monetary Fund (IMF), we adjusted these values to reflect inflation up to the period of review (POR). We made further adjustments to include freight costs incurred between the supplier and ZWG.
- For chemicals used in the production and plating of lock washers, we used per kilogram values obtained from the Indian publication Chemical Weekly and the Indian Import Statistics. We adjusted the Indian Import Statistics and Chemical Weekly rates to reflect inflation up to the POR using WPI published by the IMF. We made further adjustments to include freight costs incurred between the supplier and ZWG.
- For hydrochloric acid, we based the value on an Indian price quote used in the Final Determination of Sales at Less Than Fair Value: Coumarin from the People's Republic of China (59 FR 66895, December 28, 1994) (Coumarin), because data in the Indian Import Statistics for hydrochloric acid has been found to be aberrational (see Coumarin). We adjusted the value used in Coumarin to reflect inflation up to the POR using WPI published by the IMF.
- For direct labor, we used the labor rates reported in the Economic Intelligence Unit report Investing, Licensing & Trading Conditions Abroad: India, released November 1995. This source breaks out labor rates between skilled and unskilled labor for 1995 and provides information on the number of labor hours worked per week. We adjusted these rates to reflect the average inflation throughout the POR using WPI published by the IMF.
- For factory overhead, we used information reported in the April 1995 Reserve Bank of India Bulletin for the Indian metals and chemicals industries. From this information, we were able to determine factory overhead as a percentage of the total cost of manufacture.
- For selling, general and administrative (SG&A) expenses, we used information obtained from the April 1995 Reserve Bank of India Bulletin for the Indian metals and chemicals industries. We calculated an SG&A rate by dividing SG&A expenses by the cost of manufacture.
- To calculate a profit rate, we used information obtained from the April 1995 Reserve Bank of India Bulletin for the Indian metals and chemicals industries. We calculated a profit rate by dividing the before-tax profit by the cost of manufacturing plus SG&A.
- For packing materials, we used per kilogram values obtained from the Indian Import Statistics. We adjusted these values to reflect inflation up to the POR using WPI published by the IMF.
- To value electricity, we used the price of electricity for 1995 reported in the Confederation of Indian Industries Handbook of Statistics. We adjusted the value of electricity to reflect the average inflation throughout the POR using WPI published by the IMF.
- To value coal, we used a per kilogram value obtained from the Monthly Statistics of Foreign Trade of India. We adjusted these rates to reflect inflation up to the POR using WPI published by the IMF.
- To value water, we used the Asian Development Bank's Water Utilities Data Book for the Asian and Pacific Region, November 1993. We adjusted the value of water to reflect inflation up to the POR using WPI published by the IMF.
- To value truck freight, we used a rate derived from The Times of India as used in the Final Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol from the People's Republic of China (61 FR 14057, March 29, 1996). We adjusted the rate to reflect inflation up to the POR using WPI published by the IMF.
- To value rail freight, we used the price reported in a December 1989 cable from the U.S. Embassy in India submitted for the Final Results of Antidumping Duty Administrative Review: Shop Towels of Cotton from the People's Republic of China (56 FR 4040, February 1, 1991). We adjusted the rail freight rates to reflect inflation up to the POR using WPI published by the IMF.

Currency Conversion

We made currency conversions pursuant to section 353.60 of the Department's regulations at the rates certified by the Federal Reserve Bank.

Preliminary Results of Review

We preliminarily determine that the following dumping margin exists:

Manufacturer/exporter	Time period	Margin (percent)
Zhejiang Wanxin Group Co., Ltd.	10/01/94–09/30/95	39.11
PRC rate	10/01/94–09/30/95	128.63

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice in accordance with 19 CFR 353.28. Any interested party may request a hearing within 10 days of publication in accordance with 19 CFR 353.38(b). Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice in accordance with 19 CFR 353.38(c). Rebuttal briefs, which must be limited to issues raised in the case briefs, may

be filed not later than 37 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between export price and NV may vary from the percentage stated above for ZWG. The Department will issue appraisement instructions directly to the U.S. Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of HSLWs from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) For ZWG, which has a separate rate, the cash deposit rate will be the company-specific rate established in the final results of this administrative review; (2) for all other PRC exporters, the cash deposit rate will be the PRC rate; and (3) for non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the rate applicable to the PRC supplier of that exporter.

These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary 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 administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: August 6, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–20614 Filed 8–12–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–351–824]

Silicomanganese From Brazil; Extension of Time Limits of Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limits of antidumping duty administrative review.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for preliminary results in the administrative review of the antidumping duty order on silicomanganese from Brazil, covering the period June 17, 1994, through November 30, 1995, since it is not practicable to complete the review within the time limits mandated by the Tariff Act of 1930, as amended (the Act).

EFFECTIVE DATE: August 13, 1996.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Kris Campbell, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

The Department received a request to conduct an administrative review of the antidumping duty order on silicomanganese from Brazil. On January 26, 1996, the Department initiated this administrative review covering the period June 17, 1994, through November 30, 1995.

Under the Act, the Department may extend the deadline for the completion of an administrative review if it determines that it is not practicable to complete the review within the statutory time limit of 365 days. In the instant case, the Department has determined that it is not practicable to complete this review within the time limits mandated by the Act. See Memorandum from Laurie Parkhill to Susan Kuhbach (August 8, 1996). Therefore, in accordance with that section, the Department is extending the time limits for the preliminary results to December 31, 1996. Our final results will be issued 120 days after the publication of the preliminary results.

Interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 353.34 (b).

This extension is in accordance with section 751(a)(3)(A) of the Act.

Dated: August 8, 1996.

Susan Kuhbach,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. 96–20612 Filed 8–12–96; 8:45 am]

BILLING CODE 3510–DS–P

Export Trade Certificate of Review

ACTION: Notice of application to amend certificate.

SUMMARY: The Office of Export Trading Company Affairs (''OETCA''), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review. This notice summarizes the proposed amendment and requests comments relevant to whether the Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482–5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001–21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. An original and five (5) copies should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1800H, Washington, D.C. 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). Comments should refer to this application as ''Export Trade Certificate of Review, application number 84–7A012.''

Northwest Fruit Exporters' (''NFE'') original Certificate was issued on June 11, 1984 (49 FR 24581, June 14, 1984)