

Pineapple and Others Co., Ltd. (SAICO), Malee Sampran Factory Public Co. (Malee), and the petitioners alleging ministerial errors in the Department's final determination. We determined, in accordance with 19 CFR 353.28(d), that the following ministerial errors were committed in our margin calculations for Dole, SAICO, and Malee:

For Dole, we determined that we inadvertently relied on the original shipment data, rather than the revised shipment figures, to weight the dumping margins where Dole had shipments of both Dole-produced and purchased merchandise. In addition, we unintentionally excluded certain sales from the Department's final margin calculation. Finally, we double counted the cost of citric acid in our calculations of the cost of manufacturing.

For SAICO, we overstated the company's pineapple fruit cost through the double-counting of growing expenses and other ministerial errors.

For Malee, we erroneously relied on the submitted packing costs, rather than the amounts confirmed at verification. In addition, we inadvertently relied on the gross, rather than net, general and administrative expenses of Malee's parent company in our calculations of the cost of production and constructed value.

No ministerial errors were committed in our final margin calculation for The Thai Pineapple Public Co., Ltd. (TIPCO). For a detailed discussion of the above-cited ministerial errors see the Memorandum from The Team to Barbara R. Stafford dated June 28, 1995, on file in Room B-099 of the Main Commerce Building. In accordance with 19 CFR 353.28(c), we are amending the final result of the antidumping duty investigation of canned pineapple fruit from Thailand to correct these ministerial errors. The revised final weighted average dumping margins are as follows:

Manufacturer/producer/exporter	Original margin percent	Revised margin percent
Dole	2.36	1.73
TIPCO	38.68	38.68
SAICO	55.77	51.16
Malee	43.43	41.74
All others	25.76	24.64

Scope of Investigation and Order

The product covered by this investigation is canned pineapple fruit. For the purposes of this investigation and order, CPF is defined as pineapple processed and/or prepared into various product forms, including rings, pieces, chunks, tidbits, and crushed pineapple,

that is packed and cooked in metal cans with either pineapple juice or sugar syrup added. CPF is currently classifiable under subheadings 2008.20.0010 and 2008.20.0090 of the *Harmonized Tariff Schedule of the United States* (HTSUS). HTSUS 2008.20.0010 covers CPF packed in a sugar-based syrup; HTSUS 2008.20.0090 covers CPF packed without added sugar (i.e., juice-packed). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Antidumping Duty Order

On July 10, 1995, in accordance with section 735(d) of the Act, the U.S. International Trade Commission (ITC) notified the Department that imports of CPF from Thailand materially injure a U.S. industry. Therefore, in accordance with section 736 of the Act, the Department will direct United States Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act, antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of CPF from Thailand. These antidumping duties will be assessed on all unliquidated entries of CPF from Thailand entered, or withdrawn from warehouse, for consumption on or after January 11, 1995, the date on which the Department published its preliminary determination notice in the **Federal Register** (60 FR 2734).

On or after the date of publication of this notice in the **Federal Register**, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties, the following cash deposits for the subject merchandise:

Manufacturer/producer/exporter	Weighted-average margin percentage
Dole	1.73
TIPCO	38.68
SAICO	51.16
Malee	41.74
All others	24.64

This notice constitutes the antidumping duty order with respect to CPF from Thailand, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and 19 CFR 353.21.

Dated: July 11, 1995.

Susan G. Esserman,
Assistant Secretary for Import Administration.

[FR Doc. 95-17498 Filed 7-17-95; 8:45 am]

BILLING CODE 3510-DS-P

[A-405-802]

Certain Cut-To-Length Carbon Steel Plate From Finland; 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 by one respondent, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on *Certain Cut-To-Length Carbon Steel Plate from Finland* (A-405-802). This review covers one manufacturer/exporter of the subject merchandise to the United States during the period of review (POR) February 4, 1993, through July 31, 1994.

We have preliminarily determined that sales have not been made below the foreign market value (FMV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs not to assess antidumping duties.

Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: July 18, 1995.

FOR FURTHER INFORMATION CONTACT: Jeanene Laird or Stephen Jacques, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230, telephone: (202) 482-3793.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Background

On July 9, 1993, the Department published in the **Federal Register** (58 FR 37136) the final affirmative antidumping duty determination on certain cut-to-length carbon steel plate

from Finland, for which we published an antidumping duty order on August 19, 1993 (58 FR 44172). On August 3, 1994, the Department published the notice of "Opportunity to Request an Administrative Review" of this order for the period February 4, 1993, through July 31, 1994 (59 FR 39543). The respondent, Rautaruukki Oy, requested an administrative review. We initiated the review on September 8, 1994 (59 FR 46391). The Department is conducting this review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of the Review

The products covered by this administrative review constitute one "class or kind" of merchandise: certain cut-to-length carbon steel plate. These products include hot-rolled carbon steel universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (HTS) under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been "worked after rolling")—for example, products which have been bevelled or rounded at the edges. Excluded is grade X-70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The POR is February 4, 1993, through July 31, 1994, and covers entries made of certain cut-to-length carbon steel

plate by one manufacturer/exporter (Rautaruukki Oy).

United States Price

All of Rautaruukki Oy's U.S. sales were based on the price to the first unrelated purchaser in the United States. The Department determined that purchase price, as defined in section 772 of the Tariff Act, was the appropriate basis for calculating United States price (USP).

Before making adjustments to purchase price, we modified the U.S. sales database based on findings made at the sales and cost verifications. We revised technical service and ocean freight expenses, and reclassified the level of trade. Subsequently, we made adjustments to purchase price, where appropriate, for foreign brokerage and handling, and ocean freight. We disallowed advertising and technical services as U.S. direct selling expenses. These expenses were disallowed because Rautaruukki Oy failed to provide sufficient information supporting the claim that these were direct selling expenses. We also adjusted USP for taxes in accordance with our practice as outlined in various determinations, including *Silicomanganese from Venezuela; Final Determination of Sales at Less Than Fair Value*, 59 FR 55435, 55439 (November 7, 1994).

No other adjustments were claimed or allowed.

Foreign Market Value

Based on a comparison of the volume of home market and third country sales, we determined that the home market was viable. Therefore, in accordance with section 773(a)(1)(A) of the Tariff Act, we based FMV on the packed, delivered price to related and unrelated purchasers in the home market.

Based on the Department's previous determination of sales made at below the cost of production (COP) in the original less-than-fair-value (LTFV) investigation, in accordance with section 773(b) of the Tariff Act, we determined that there were reasonable grounds to believe or suspect that, for this review period, Rautaruukki Oy made sales of subject merchandise in the home market at prices less than the COP. As a result, we investigated whether Rautaruukki Oy sold such or similar merchandise in the home market at prices below the COP. In accordance with 19 CFR 353.51(c), to determine whether home market prices were below COP, we calculated COP for Rautaruukki Oy as the sum of reported materials, fabrication, labor, general, and packing expenses.

We made the following adjustments to Rautaruukki Oy's reported costs. Certain expenses incurred during the POR (*e.g.*, a cancelled coal contract, the cost of byproducts, and an unrealized exchange gain) that were not included in Rautaruukki Oy's cost management system, but were included in the company's financial accounting system, were added to the COP. We adjusted COP for an extraordinary expense reported in Rautaruukki Oy's profit and loss statements, but not recorded in the cost management systems which were used to prepare the response. We also adjusted for changes made to interest expenses in 1993.

We compared home market selling prices, net of inland freight, discounts and rebates, credit expenses and warranty expenses as direct selling expenses, and packing expenses, to each product's COP.

In accordance with section 773(b) of the Tariff Act, in determining whether to disregard home market sales made at prices below the COP, we examined whether such sales were made in substantial quantities over an extended period of time, and whether such sales were made at prices which permitted recovery of all costs within a reasonable period of time in the normal course of trade.

In accordance with our normal practice, for each model for which less than 10 percent, by quantity, of the home market sales during the POR were made at prices below COP, we included all sales of that model in the computation of FMV. For each model for which 10 percent or more, but less than 90 percent, of the home market sales during the POR were priced below COP, we excluded those sales priced below COP, provided that they were made over an extended period of time. For each model for which 90 percent or more of the home market sales during the POR were priced below COP and were made over an extended period of time, we disregarded all sales of that model in our calculation and, in accordance with section 773(b) of the Tariff Act, we used the constructed value (CV) of those models, as described below. *See, e.g., Mechanical Transfer Presses from Japan, Final Results of Antidumping Duty Administrative Review*, 59 FR 9958 (March 2, 1994).

In accordance with section 773(b)(1) of the Tariff Act, to determine whether sales below cost had been made over an extended period of time, we compared the number of months in which sales below cost occurred for a particular model to the number of months in which that model was sold. If the model was sold in fewer than three months, we

did not disregard below-cost sales unless there were below-cost sales of that model in each month sold. If a model was sold in three or more months, we did not disregard below-cost sales unless there were sales below cost in at least three of the months in which the model was sold. We used CV as the basis for FMV when an insufficient number of home market sales were made at prices above COP. See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Final Results of Antidumping Duty Administrative Reviews*, 58 FR 64720, 64729 (December 8, 1993).

In accordance with section 773 of the Tariff Act, for those models for which there was an adequate number of sales at prices above the COP, we calculated FMV based on home market prices to related and unrelated purchasers. We used prices to related purchasers only if such prices were at arm's length. In order to determine whether sales to Rautaruukki Oy's customers were at arms length, the Department compared prices to related parties and prices to unrelated parties, on a model-by-model basis and, when possible, at the same level of trade.

We reclassified the levels of trade in the home market sales database by collapsing (1) sales to and (2) sales through wholesalers together into one level of trade. The Department has preliminarily determined that this collapsed level of trade matches the level of trade reported in the U.S. market. In accordance with 19 CFR 353.58, we compared U.S. sales to home market sales made at the same level of trade, where possible. Furthermore, the Department made adjustments to the home market sales database, based on findings made at the sales and cost verifications. We revised technical service and ocean freight expenses, created a modified product control number for secondary merchandise, and made adjustments to several observations to correct minor clerical errors.

Pursuant to 19 CFR 353.56, we made circumstance-of-sale adjustments for differences in credit expenses. Furthermore, we adjusted the FMV for the Finnish value-added tax (i.e., "turn-over tax").

In Appendix V of the Department's questionnaire, issued on September 15, 1995, the Department established a hierarchy of product characteristics that would be used to identify individual plate products. This hierarchy was

based on a draft which had been released for comment prior to issuance of the questionnaire. Each unique combination of these product characteristics is treated as a distinct product, identified by a unique control number. Likewise, all products with the same combination of these product characteristics are considered to be identical and are to be assigned the same control number. Upon review of Rautaruukki Oy's computer database, we discovered some instances of multiple control numbers being assigned to the same set of product characteristics. Consequently, we determined to collapse two control numbers in the home market sales and COP databases which had identical product characteristics and which were matched to U.S. sales in the margin calculation program.

We calculated FMV based on a weighted average of actual and theoretical weight because Rautaruukki Oy failed to provide adequate conversion data at verification. We reclassified technical services in the home market as indirect selling expenses because Rautaruukki Oy was unable to tie these expenses to specific sales. We also disallowed selling expenses for advertising and promotion costs, a claimed quantity adjustment, and another claimed adjustment because Rautaruukki Oy failed to provide sufficient information regarding these expenses to support its claims.

No other adjustments were claimed or allowed.

Currency Conversion

No certified rates of exchange, as furnished by the Federal Reserve Bank of New York, were available for the POR. In place of the official certified rates, we used the average monthly exchange rates published by the International Monetary Fund.

Preliminary Results of Review

As a result of our comparison of USP to FMV, we preliminarily determine that no margin exists for Rautaruukki Oy for the period February 4, 1993, through July 31, 1994.

Interested parties may request disclosure within 5 days of the date of publication of this notice and 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 business day thereafter. Case briefs and/or written comments from interested parties may be submitted no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in those

comments, may be filed not later than 37 days after the date of publication of this notice. The Department will publish the final results of these administrative reviews, including the results of its analysis of issues raised in any such written comments or at a hearing.

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

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided for by section 751(a)(1) of the Tariff Act. A cash deposit of estimated antidumping duties shall be required on shipments of certain cut-to-length carbon steel plate from Finland as follows: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this review; (2) If the exporter is not a firm covered in this review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the manufacturer of the merchandise for the most recent period examined; and (3) If neither the exporter nor the manufacturer is a firm covered in this review, the cash deposit rate will be 32.25 percent. This is the "all other rate" established in the LTFV investigation. See *Final Determination of Sales at Less Than Fair Value: Certain Cut-To-Length Carbon Steel Plate from Finland*, 58 FR 37122 (July 9, 1993).

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.

These administrative reviews and this 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: July 11, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95-17499 Filed 7-17-95; 8:45 am]

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[A-549-801]

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From Thailand; Amendment to Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of amendment to final results of antidumping duty administrative review.

SUMMARY: On October 8, 1993, the United States Court of International Trade (CIT), in *The Torrington Company v. United States (Torrington)*, Slip Op. 93-198, entered its final judgment concerning the final results of the first administrative review of the antidumping duty order on antifriction bearings from Thailand (56 FR 11195, July 11, 1991). In so doing, the CIT ordered the Department of Commerce (the Department) to apply Thailand's indirect business and municipal tax rates to the United States price (USP) calculated at the same point in the stream of commerce as where Thailand's tax authorities apply these rates on home market sales and add the resulting amount to the United States price. The CIT then dismissed the case. The CIT's opinion has not been appealed. Therefore, in accordance with the CIT's decision, we have amended the final results of this review. The results cover the period from November 9, 1988, through April 30, 1990.

EFFECTIVE DATE: July 18, 1995.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Michael R. Rill, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On July 11, 1991, the Department published in the *Federal Register* the final results of the first administrative review of the antidumping duty order on antifriction bearings (other than tapered roller bearings) and parts thereof (AFBs) from Thailand (56 FR 31765). The period of review (POR) was

November 9, 1988, through April 30, 1990.

In August 1991, the Torrington Company, the petitioner in the case, initiated an action in the CIT contesting the Department's final results. Among other issues, Torrington challenged the Department's adjustment to foreign market value (FMV) and USP for taxes rebated or not collected on export.

On June 8, 1993, the CIT remanded the final results to the Department. The CIT instructed the Department to add the full amount of value added tax (VAT) paid on each sale in the home market to FMV without adjustment.

The Department issued its final results of redetermination pursuant to court remand on July 22, 1993. In the final results of redetermination, the Department explained that, although there was no VAT in Thailand during the POR, there were business and municipal taxes which were not collected by reason of the export of the subject merchandise to the United States. The Department indicated that it would add the amount of these indirect taxes to FMV for sales in the home market without adjustment and also add the exact amount to the USP. However, because this would not change the calculated duty assessment rates or the cash deposit rate then in effect, no recalculations were necessary.

On October 8, 1993, the CIT, in *Torrington*, Slip Op. 93-198, entered its final judgment concerning the final results of the first administrative review of the antidumping duty order on antifriction bearings from Thailand. In rendering final judgment, the CIT ordered the Department to apply Thailand's indirect business and municipal tax rates to the USP calculated at the same point in the stream of commerce as where Thailand's tax authorities apply these rates on home market sales and add the resulting amount to the USP. The CIT dismissed the case. No party appealed this CIT decision.

In accordance with the CIT's instructions, we have changed our calculation of the adjustments for taxes made to FMV and USP. We have applied our current methodology as described in *Silicomanganese from Venezuela; Preliminary Determination of Sales at Less Than Fair Value*, 59 FR 31204 (June 17, 1994).

Amended Final Results of Review

These changes resulted in no change in NMB Pelmec's weighted-average dumping margin for ball bearings, which remains at 0.54 percent.

Because the CIT's decision has not been appealed, the Department will

order the immediate lifting of the suspension of liquidation of, and instruct the U.S. Customs Service to assess antidumping duties on, entries subject to this review, as appropriate. Individual differences between FMV and USP may vary from the percentage stated above. We will adjust the antidumping duty liability to account for countervailing duties imposed to offset export subsidies. Because there was no suspension of liquidation for countervailing duty purposes from January 4, 1989, through May 2, 1989, no such adjustment will be required for entries during this period. The Department will issue appraisal instructions concerning these entries directly to the Customs Service.

This notice is published in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(1)), and 19 CFR 353.22(c)(8).

Dated: July 5, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95-17497 Filed 7-17-95; 8:45 am]

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[C-549-401]

Certain Textile Mill Products From Thailand; Preliminary Results of Countervailing Duty Administrative Review

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

ACTION: Notice of preliminary results of the countervailing duty administrative review on noncontinuous noncellulosic yarns (NCNC Yarns) covered under the suspended investigation on certain textile mill products from Thailand.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of NCNC Yarns covered under the suspended countervailing duty investigation on Certain Textile Mill Products from Thailand ("suspension agreement"). We have preliminarily determined that for the period January 1, 1993, through December 31, 1993, the signatories were not in violation of the suspension agreement. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: July 18, 1995.

FOR FURTHER INFORMATION CONTACT: Lisa Yarbrough or Jackie Wallace, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of