

Swissco was convicted on one count of exporting zirconium from the United States to Chile in violation of the terms of a U.S. Department of Commerce export license.

Section 11(h) of the Act, provides that, at the discretion of the Secretary of Commerce,² no person convicted of violating the Act, or certain other provisions of the United States Code, shall be eligible to apply for or use any export license issued pursuant to, or provided by, the Act or the Export Administration Regulations (currently codified at 15 CFR Parts 768-799 (1995)) (the Regulations) for a period of up to 10 years from the date of the conviction. In addition, any export license issued pursuant to the Act in which such a person had any interest at the time of conviction may be revoked.

Pursuant to sections 770.15 and 772.1(g) of the Regulations, upon notification that a person has been convicted of violating the Act, the Director, Office of Export Licensing, in consultation with the Director, Office of Export Enforcement, shall determine whether to deny that person permission to apply for or use any export license issued pursuant to, or provided by, the Act and the Regulations, and shall also determine whether to revoke any export license previously issued to such a person.

Having received notice of Swissco's conviction for violating the Act, and following consultations with the Director, Office of Export Enforcement, I have decided to deny Swissco permission to apply for or use any export license, including any general license, issued pursuant to, or provided by, the Act and the Regulations, for a period of 10 years from the date of its conviction. The 10-year period ends on August 7, 2005. I have also decided to revoke all export licenses issued pursuant to the Act in which Swissco had an interest at the time of its conviction.

Accordingly, it is hereby Ordered

I. All outstanding individual validated licenses in which Swissco appears or participates, in any manner or capacity, are hereby revoked and shall be returned forthwith to the Office of Export Licensing for cancellation.

²Pursuant to appropriate delegations of authority that are reflected in the Regulations, the Director, Office of Export Licensing, in consultation with the Director, Office of Export Enforcement, exercises the authority granted to the Secretary by Section 11(h) of the Act. Because of a recent Bureau of Export Administration reorganization, this responsibility now rests with the Director, Office of Exporter Services. Subsequent regulatory references herein to the "Director, Office of Export Licensing," should be read as meaning "Director, Office of Exporter Services."

Further, all of Swissco's privileges of participating, in any manner or capacity, in any special licensing procedure, including, but not limited to, distribution licenses, are hereby revoked.

II. Until August 7, 2005, Swissco Management Group, Inc., 15485 Eagle Nest Lane, #210, Miami Lakes, Florida 33014, hereby is denied all privileges of participating, directly or indirectly, in any manner or capacity, in any transaction in the United States or abroad involving any commodity or technical data exported or to be exported from the United States, in whole or in part, and subject to the Regulations. Without limiting the generality of the foregoing, participation, either in the United States or abroad, shall include participation, directly or indirectly, in any manner or capacity: (i) As a party or as a representative of a party to any export license application submitted to the Department; (ii) in preparing or filing with the Department any export license application or request for reexport authorization, or any document to be submitted therewith; (iii) in obtaining from the Department or using any validated or general export license, reexport authorization or other export control document; (iv) in carrying on negotiations with respect to, or in receiving, ordering, buying, selling, delivering, storing, using, or disposing of, in whole or in part, any commodities or technical data exported or to be exported from the United States, and subject to the Regulations; and (v) in financing, forwarding, transporting, or other servicing or such commodities or technical data.

III. After notice and opportunity for comment as provided in Section 770.15(h) of the Regulations, any person, firm, corporation, or business organization related to Swissco by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be subject to the provisions of this Order.

IV. As provided in Section 787.12(a) of the Regulations, without prior disclosure of the facts to and specific authorization of the Office of Export Licensing, in consultation with the Office of Export Enforcement, no person may directly or indirectly, in any manner or capacity: (i) Apply for, obtain, or use any license, Shipper's Export Declaration, bill of lading, or other export control document relating to an export or reexport of commodities or technical data by, to, or for another person then subject to an order revoking or denying its export privileges or then excluded from practice before the

Bureau of Export Administration; or (ii) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate: (a) In any transaction which may involve any commodity or technical data exported or to be exported from the United States; (b) in any reexport thereof; or (c) in any other transaction which is subject to the Export Administration Regulations, if the person denied export privileges may obtain any benefit or have any interest in, directly or indirectly, any of these transactions.

V. This Order is effective immediately and shall remain in effect until August 7, 2005.

VI. A copy of this Order shall be delivered to Swissco. This Order shall be published in the Federal Register.

Dated: September 11, 1995.

Eileen M. Albanese,

Acting Director, Office of Exporter Services.

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Foreign-Trade Zones Board

Docket A(32b1)-17-95

Foreign-Trade Zone 84—Houston, TX, Subzone 84J, Shell Oil Company (Oil Refinery Complex); Request for Modification of Restrictions

A request has been submitted to the Foreign-Trade Zones Board (the Board) by the Port of Houston Authority, grantee of FTZ 84, pursuant to § 400.32(b)(1) of the Board's regulations, for modification of the restrictions in FTZ Board Order 669 (58 FR 68116, 12/23/93) authorizing Subzone 84J at the crude oil refinery complex of Shell Oil Company (Shell) in Harris County, Texas. The request was formally filed on September 13, 1995.

The Board Order in question was issued subject to certain standard restrictions, including one that required the election of privileged foreign status on incoming foreign merchandise. The zone grantee has requested that the latter restriction be modified so that Shell would have the option available under the FTZ Act to choose non-privileged foreign (NPF) status on foreign refinery inputs used to produce certain petrochemical feedstocks and by-products, including the following: Benzene, toluene, xylenes, other hydrocarbon mixtures, distillates/residual fuel oils, kerosene, naphthas, liquified petroleum gas, ethane, methane, propane, butane, ethylene,

propylene, butylene, butadiene, petroleum coke, asphalt, sulfur, and sulfuric acid.

The request cites the FTZ Board's recent decision in the Amoco, Texas City, Texas case (Board Order 731, 60 FR 13118, 3/10/95) which authorized subzone status with the NPF option noted above. In the Amoco case, the Board concluded that the restriction that precluded this NPF option was not needed under current oil refinery industry circumstances.

Public comment on the proposal is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is October 23, 1995.

A copy of the application and accompanying exhibits will be available for public inspection at the following location: Office of the Executive Secretary, Foreign-Trade Zones Board, U.S. Department of Commerce, Room 3716, 14th & Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: September 15, 1995.

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 95-23486 Filed 9-20-95; 8:45 am]

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A-538-802

Shop Towels From Bangladesh; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On December 28, 1994, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on shop towels from Bangladesh. The review covers six producers and/or exporters of this merchandise to the United States and the period September 21, 1991, through February 28, 1993.

We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received and the correction of certain clerical errors, we have made certain changes for the final results. The review indicates the existence of dumping margins for certain firms during the review period.

EFFECTIVE DATE: September 21, 1995.

FOR FURTHER INFORMATION CONTACT: Davina Hashmi or Michael Rill, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 482-4733.

SUPPLEMENTARY INFORMATION:

Background

On March 29, 1993, the Department of Commerce (the Department) published in the Federal Register (57 FR 9688) the antidumping duty order on shop towels from Bangladesh. Milliken & Company (Milliken), the petitioner, requested in accordance with 19 C.F.R. 353.22 that we conduct an administrative review of the period September 12, 1991, through February 28, 1993. We published a notice of initiation of administrative review for this period on May 6, 1993 (58 FR 26960). On December 28, 1994, we published the preliminary results of the administrative review (59 FR 66910).

The Department has now completed the administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

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.

Scope of Review

The product covered by this administrative review is shop towels. Shop towels are absorbent industrial wiping cloths made from a loosely woven fabric. The fabric may be either 100 percent cotton or a blend of materials. Shop towels are currently classifiable under item numbers 6307.10.2005 and 6307.10.2015 of the Harmonized Tariff Schedule (HTS). Although HTS subheadings are provided for convenience and customs purposes, our written description of this proceeding remains dispositive.

The administrative review covers six firms for the period September 21, 1991, through February 28, 1993: Eagle Star Mills, Ltd. (Eagle Star); Greyfab (Bangladesh) Ltd. (Greyfab); Hashem International (Hashem); Khaled Textile Cotton Mills, Ltd. (Khaled); Shabnam Textiles (Shabnam); and Sonar Cotton Mills (BD), Ltd. (Sonar).

Analysis of Comments Received

The Department gave interested parties the opportunity to comment on the preliminary results. At the request of

both respondents and petitioner, we held a hearing on February 13, 1995. We received case and rebuttal briefs from the petitioner and respondents Greyfab, Hashem, Khaled, Shabnam, and Sonar.

General Comments

Comment 1: Respondents Greyfab, Khaled and Sonar contend that the Department should not adjust their constructed value (CV) by calculating an imputed interest expense on the loans made by directors to their companies during the initial stages of production. Respondents argue that such interest-free loans represent a form of equity infusion and are the typical form of capitalization in the Bangladesh shop towel industry for companies which do not finance operations through bank loans. Respondents note the use of this form of capitalization by three respondents as evidence of industry practice in Bangladesh. Respondents claim that the actual interest expense recorded on their financial statements should be used for CV, since this reflects the actual costs the companies incurred. Further, respondents contend that the Department did not have statutory authority to apply the "best evidence available" provision for these related party transactions to the general expenses, which include interest expenses. Moreover, respondents maintain that, in calculating CV, the Department has not established a precedent for imputing interest expense on interest-free loans.

Finally, respondents assert that, if the Department considers it appropriate to impute interest expense on the director loans, it should not rely on the short- or medium-term interest rate used to compute CV for the preliminary results of review. Rather, respondents contend that, because the loans do not have fixed repayment schedules, they are designed to meet the three companies' long-term financing needs. As such, respondents argue that the Department should impute interest expense based on an interest rate charged on a long-term bank loan to one of the other two remaining respondents. According to Greyfab, Khaled and Sonar, this bank loan rate, charged by an unrelated party, represents an appropriate interest rate.

Petitioner argues that the Department properly imputed interest expense on interest-free loans from related parties and that this is consistent both with related party transaction provisions in the statute and with the Department's normal practice. Petitioner also states that the director loans are not equity capital, as claimed by the respondents. In petitioner's view, the CV the Department uses in its margin