

We adjusted third-country prices, where appropriate, to reflect deductions for rebates, New Zealand inland freight, New Zealand inland freight insurance, New Zealand port loading expenses, ocean freight and charter insurance. Direct advertising, imputed credit, and letter of credit charges were also deducted. We also deducted indirect selling expenses including inventory carrying costs, New Zealand instore and fire insurance, product liability and tamper insurance, indirect advertising, and other indirect selling expenses when calculating FMV for comparison to ESP transactions. This deduction for third country indirect selling expenses was capped by the amount of U.S. indirect selling expenses plus U.S. commissions, in accordance with 19 CFR 353.56(b).

#### Preliminary Results of Review

We preliminarily determine that the following margin exists for the period June 1, 1993, through May 31, 1994:

Manufacturer/exporter	Percent margin
New Zealand Kiwifruit Marketing Board .....	10.97

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. Upon completion of this review, the Department will issue appraisal instructions concerning the respondent directly to the U.S. Customs Service.

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the following deposit requirements will be effective for all shipments of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed firm will be that firm's rate established in the final results of this administrative review; (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 in the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; (4) If neither the manufacturer nor the exporter is a firm covered in this or any previous review

conducted by the Department, the cash deposit rate will be 98.60 percent, the "all others" rate established in the LTFV investigation.

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

Interested parties may request disclosure within five days of the date of publication of this notice, and may request a hearing within ten days of the date of publication. Any hearing, if requested, will be held as early as convenient for the parties but not later than 44 days after the date of publication or the first work day thereafter. Case briefs or other written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttal comments, 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 the final results of this administrative review, including the results of its analysis of issues raised in any such written comments.

This notice 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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: October 5, 1995.

Paul L. Joffe,

*Deputy Assistant Secretary for Import Administration.*

[FR Doc. 95-26209 Filed 10-20-95; 8:45 am]

BILLING CODE 3510-DS-P

#### [A-570-804]

#### Sparklers From the People's Republic of China; 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 August 4, 1995, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on sparklers from the People's Republic of China (PRC) (60 FR 39931). The review was requested for one manufacturer, Guangxi Native Produce Import and Export Corporation, Beihai Fireworks and Firecrackers Branch (Guangxi), of the subject merchandise and the review period June 1, 1993, through May 31, 1994.

We gave interested parties an opportunity to comment on our preliminary results. We received no comments. The final results are unchanged from those presented in the preliminary results.

**EFFECTIVE DATE:** October 23, 1995.

**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, DC 20230; telephone (202) 482-5831/4114.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 18, 1991, the Department published in the Federal Register the antidumping duty order on sparklers from the PRC (56 FR 27946). On June 7, 1994, the Department published a notice in the Federal Register notifying interested parties of the opportunity to request an administrative review of sparklers from the PRC (59 FR 29411). On June 23, 1994, the petitioners requested, in accordance with 19 CFR 353.22(a), that we conduct an administrative review of exports to the United States by Guangxi, for the period June 1, 1993 through May 31, 1994. We published a notice of initiation of the antidumping duty administrative review on July 15, 1994 (59 FR 36160). On August 4, 1995 (60 FR 39931), the Department published in the Federal Register the preliminary results of its administrative review of the antidumping duty order on sparklers from the PRC. The Department has now completed that review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

##### Scope of the Review

The products covered by this administrative review are sparklers from the PRC. Sparklers are fireworks, each comprising a cut-to-length wire, one end of which is coated with a chemical mix that emits bright sparks while burning.

Sparklers are currently classifiable under the Harmonized Tariff System (HTS) subheading 3604.10.00. The HTS subheadings are provided for convenience and customs purposes. The written description remains dispositive as to the scope of this proceeding.

#### Best Information Available

On July 20, 1994, we mailed Guangxi a questionnaire explaining the review procedures. In addition, a short questionnaire was sent to Guangxi, the Guangxi Zhuang Autonomous Region People's Government, the Embassy of the People's Republic of China, the Guangxi Foreign Economic Relations and Trade Commission and the Guangxi People's Government-Beijing Office. This questionnaire sought to ascertain whether Guangxi is entitled to a separate rate by reason of both *de jure* and *de facto* absence of central government control with respect to exports. The questionnaires, which covered exports to the United States for the period of review (POR), were due on August 23, 1994. We did not receive a response from any party by the due date and, thus, asked Skypak International Express (TNT) to trace the mailing and verify Guangxi's receipt of the document. On August 3, 1994, TNT's delivery office in Hong Kong confirmed that the questionnaire was accepted by a representative of Guangxi on August 2, 1994. Because we received no response and have not been contacted by Guangxi or any other respondent, we determine that Guangxi is an uncooperative respondent. Further, Guangxi is no longer entitled to a separate rate, as absence of central government control with regard to exports was not demonstrated. Therefore, in accordance with section 776(c) of the Act, we are using the best information available (BIA) as the basis for determining a dumping margin for all entries into the United States of the subject merchandise during the POR.

In determining what to use as BIA, the Department follows a two-tiered methodology whereby the Department normally assigns lower margins to those respondents who cooperate in a review, and margins based on more adverse assumptions for those respondents who do not cooperate in a review.

In accordance with our BIA methodology for uncooperative respondents, we assign as BIA the higher of: (1) the highest of the rates found for any firm for the same class or kind of merchandise in the same country of origin in the less than fair value (LTFV) investigation or prior administrative reviews; or (2) the highest rate found in this review for any

firm for the same class or kind of merchandise in the same country of origin (see *Final Results of Antidumping Administrative Review: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France; et. al.* (57 FR 28379, June 24, 1992)).

This methodology has been upheld by the U.S. Court of Appeals for the Federal Circuit (see *Allied-Signal Aerospace Co. v. the United States*, 996 F.2nd 1185 (CAFC 1993); see also *Krupp Stahl Ag. et. al. v. the United States*, 822 F. Supp. 789 (CIT 1993).) Given that Guangxi did not respond to the Department's questionnaires, we find that Guangxi has not cooperated in this review.

In accordance with our methodology we have used as BIA the highest rate established in the remand of the LTFV final determination (58 FR 53708, July 29, 1993), the PRC country-wide rate of 93.54 percent.

#### Final Results of the Review

We invited interested parties to comment on the preliminary results. We received no comments. The final results are therefore unchanged from those presented in the preliminary results, and we determine that a margin of 94.54 percent exists for Guangxi for the period June 1, 1993, through May 31, 1994.

Furthermore, the following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for Guangxi will be the PRC country-wide rate as stated above; (2) for previously reviewed or investigated companies that received separate rates not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) for all other PRC exporters, the cash deposit rate will be the PRC country-wide rate of 93.54 percent, the rate established on remand of the LTFV final determination; and (4) the cash deposit rate for any non-PRC exporter will be the rate established for that firm; if a non-PRC exporter does not have its own separate rate, the deposit rate for that firm's shipments will be the rate applicable to the PRC supplier of that exporter. In all cases, the rate applicable to a firm normally should change only as a result of a review of that firm, except in instances of change of ownership.

These deposit requirements 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 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: October 13, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 95-26210 Filed 10-20-95; 8:45 am]

BILLING CODE 3510-DS-P

#### [C-508-064]

#### Determination To Revoke Countervailing Duty Order; Roses From Israel

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

**ACTION:** Notice of Determination to Revoke Countervailing Duty Order.

**SUMMARY:** The Department of Commerce (the Department) is revoking the countervailing duty order on roses from Israel because it is no longer of interest to interested parties.

**EFFECTIVE DATE:** October 23, 1995.

**FOR FURTHER INFORMATION CONTACT:** Brian Albright or Cameron Cardozo, 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 August 31, 1995, the Department published in the Federal Register (60 FR 45398) its intent to revoke the countervailing duty order on roses from Israel (44 FR 39219; September 4, 1980). Additionally, as required by 19 CFR 355.25(d)(4)(ii)(1994), the Department served, by certified mail, written notice of its intent to revoke this countervailing duty order on each party listed on its most current service list.