

entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of administrative review, as provided for by section 751(a)(1) of the Act: (1) the cash deposit rate for the reviewed firm will be 3.57 percent; and (2) the cash deposit rate for merchandise exported by all other manufacturers and exporters will be the "all others" rate of 98.60 percent established in the less-than-fair-value investigation; in accordance with the Department practice. See *Floral Trade Council v. United States*, 822 F.Supp. 766 (1993), and *Federal Mogul Corporation*, 822 F.Supp. 782 (1993).

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

This notice serves as the 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 order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of the APO is a sanctionable violation.

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: December 10, 1996.

Jeffrey P. Bialos,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96-32879 Filed 12-26-96; 8:45 am]

BILLING CODE 3510-DS-P

[A-570-847]

Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Persulfates From the People's Republic of China

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

EFFECTIVE DATE: December 27, 1996.

FOR FURTHER INFORMATION CONTACT: Irene Darzenta, Barbara Wojcik-Betancourt, or Howard Smith, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-6320, (202) 482-0629, or (202) 482-5193, respectively.

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 Rounds 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).

Preliminary Determination

We determine preliminarily that persulfates from the People's Republic of China (PRC) are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margins are shown in the "Suspension of Liquidation" section of this notice.

Case History

Since the initiation of this investigation (61 FR 40817, August 6, 1996), the following events have occurred:

On August 1, 1996, the Department sent a survey to the PRC's Ministry of Foreign Trade and Economic Cooperation (MOFTEC) requesting the identification of producers and exporters, information on production and sales of persulfates exported to the United States, and identification of the appropriate Chinese Chamber of Commerce. We did not receive a response to this request from MOFTEC.

On August 26, 1996, the United States International Trade Commission (ITC) issued an affirmative preliminary injury determination in this case (see ITC Investigation No. 731-TA-749). The ITC found that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from the PRC of persulfates.

The Department issued an antidumping questionnaire¹ to

¹The questionnaire is divided into four sections. Section A requests general information concerning a company's corporate structure and business practices, the merchandise under investigation that

MOFTEC on August 27, 1996, with instructions to forward the document to all PRC producers/exporters of persulfates and to inform these companies that they must respond by the due dates. We also sent courtesy copies of the antidumping duty questionnaire to the Chinese Chamber of Commerce of Metals, Minerals and Chemicals Importers and Exporters Association and to 18 companies whose names and complete addresses had been identified in the petition. Moreover, on September 5, 1996, we served the questionnaire, via MOFTEC, on two additional companies not listed in the petition (i.e., Guangdong Petroleum Chemical Import & Export Trade Corporation ("Guangdong Petroleum") and Shanghai Ai Jian Import & Export Corporation ("AJ")) which we learned were potential manufacturers and/or exporters of the subject merchandise. In addition, on the same date, we sent copies of the questionnaire directly to both of these companies.

On September 17, 1996, the Department requested that interested parties provide published information (PI) for valuing the factors of production and for surrogate country selection. We received comments from interested parties in October 1996.

In September and October 1996, four PRC companies and one U.S. company submitted responses to section A and/or sections C and D of the questionnaire. The identities of these companies are: (1) Sinochem Jiangsu Wuxi Import & Export Co. ("Wuxi"), a Chinese exporter of subject merchandise; (2) Shanghai Ai Jian Import & Export Co., ("AJ"), a Chinese exporter of subject merchandise; (3) Ai Jian Reagent Works ("AJ Works"), Wuxi's and AJ's supplier factory; (4) ICC Chemical Corporation ("ICC"), a U.S. importer and reseller of subject merchandise which is a privately-owned U.S. company; and (5) Guangzhou City Zhujian Electrochemical Factory ("Zhujian"), ICC's Chinese supplier factory.

Also in October 1996, we issued supplemental questionnaires to the companies noted above. We received responses to these questionnaires during October and November 1996.

In its questionnaire responses, Zhujian identified Guangdong Petroleum as its official exporter in China. Yet, ICC, the U.S. importer of Zhujian produced persulfates,

it sells, and the sales of the merchandise in all of its markets. Sections B and C request home market sales listings and U.S. sales listings, respectively (section B does not normally apply in antidumping proceedings involving the PRC). Section D requests information on the factors of production of the subject merchandise.

responded to Section C of the Department's antidumping questionnaire. In light of these facts, we concluded that clarification was required as to whether Guangdong Petroleum or ICC was the appropriate respondent for U.S. sales reporting purposes. Therefore, on November 4, 1996, we requested that Zhujian provide information on its U.S. sales via Guangdong Petroleum. Insofar as Guangdong Petroleum had failed to respond to our original questionnaire sent to it on September 5, 1996, we did not issue our request for additional information to Guangdong Petroleum. Nevertheless, Guangdong Petroleum, rather than Zhujian, responded to this request on November 25, 1996, by submitting a response to Section C of our questionnaire.²

Except for the companies identified above, none of the other companies which were served with a questionnaire responded.

Postponement of Final Determination and Extension of Provisional Measures

In November and December 1996, all participating exporters requested that, pursuant to section 735(a)(2)(A) of the Act, in the event of an affirmative preliminary determination in this investigation, the Department postpone its final determination until not later than 135 days after the publication of the affirmative preliminary determination in the Federal Register. In accordance with 19 CFR 353.20(b), because (1) our preliminary determination is affirmative, (2) these respondents account for all of the exports of the companies that responded to the questionnaire, and (3) we are not aware of the existence of any compelling reasons for denying the request, we are granting respondents' requests and are postponing the final determination until no later than 135 days after the publication of this notice in the Federal Register. Suspension of liquidation will be extended accordingly.

Scope of the Investigation

The products covered by this investigation are persulfates, including ammonium, potassium, and sodium persulfates. The chemical formulae for these persulfates are, respectively, $(\text{NH}_4)_2\text{S}_2\text{O}_8$, $\text{K}_2\text{S}_2\text{O}_8$, and $\text{Na}_2\text{S}_2\text{O}_8$. Ammonium and potassium persulfates are currently classified under subheading 2833.40.60 of the *Harmonized Tariff Schedule of the*

United States ("HTSUS"). Sodium persulfate is classified under HTSUS subheading 2833.40.20. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Period of Investigation

The period of this investigation (POI) comprises each exporter's two most recent fiscal quarters prior to the filing of the petition (*i.e.*, January through June 1996).

Nonmarket Economy Country Status

The Department has treated the PRC as a nonmarket economy country (NME) in all past antidumping investigations (*see, e.g., 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*) and *Final Determination of Sales at Less Than Fair Value: Furfuryl Alcohol from the People's Republic of China*, 60 FR 22545 (May 8, 1995) (*Furfuryl Alcohol*)). Neither respondents nor petitioner has challenged such treatment. Therefore, in accordance with section 771(18)(C) of the Act, we will continue to treat the PRC as an NME in this investigation.

When the Department is investigating imports from an NME, section 773(c)(1) of the Act directs us to base normal value (NV) on the NME producers' factors of production, valued, to the extent possible, in a comparable market economy that is a significant producer of comparable merchandise. The sources of individual factor prices are discussed under the NV section below.

Surrogate Country

The Department has determined that India, Pakistan, Sri Lanka, Egypt and Indonesia are countries comparable to the PRC in terms of overall economic development (*see Memorandum from David Mueller to Louis Apple, dated September 12, 1996*).

According to the available information on the record, we have determined that India is a significant producer of comparable merchandise. Accordingly, we have calculated NV using Indian prices to value the PRC producers' factors of production, when available and where appropriate. We have obtained and relied upon PI wherever possible.

Separate Rates

Each of the participating respondent exporters, except for Guangdong Petroleum which did not respond to the Department's section A questionnaire, has requested a separate, company-

specific rate. The claimed ownership structure of the respondents is as follows: (1) Wuxi is owned by all the people; (2) AJ is a publicly-held company.

As stated in *Silicon Carbide* and *Furfuryl Alcohol*, ownership of a company by all the people does not require the application of a single rate. Accordingly, each of the respondents which reports that it is owned by all the people or publicly held is eligible for consideration for a separate rate.

To establish whether a firm is sufficiently independent from government control to be entitled to a separate rate, the Department analyzes each exporting entity under a test arising out of 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*) and amplified in *Silicon Carbide*. Under the separate rates criteria, the Department assigns separate rates in nonmarket economy cases only if respondents can demonstrate the absence of both *de jure* and *de facto* governmental control over export activities.

1. Absence of De Jure Control

Except for Guangdong Petroleum which has failed to respond to the Department's section A questionnaire, each respondent exporter has placed on the administrative record a number of documents to demonstrate absence of *de jure* control. These documents include laws, regulations and provisions enacted by the central government of the PRC, describing the deregulation of Chinese enterprises as well as the deregulation of the Chinese export trade, but for a list of products that may be subject to central government export constraints, which the respondents claim does not involve the subject merchandise. Specifically, the respondents provided English translations of the law of the PRC on industrial enterprises "owned by the people," enacted on April 13, 1988, and the regulations regarding the deregulation of state owned industrial enterprises, enacted on August 23, 1992. The articles of the 1988 law and 1992 regulations authorize these companies to make their own operational and managerial decisions.

In prior cases, the Department has analyzed the laws which the respondents have submitted in this record and found that they establish an absence of *de jure* control. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Partial-Extension Steel Drawer Slides With Rollers From the People's Republic of China*, 60 FR 54472 (October 24, 1995);

²Guangdong Petroleum never responded to the Department's Section A questionnaire which was issued to it on September 5, 1996.

see also *Furfuryl Alcohol*. We have no new information in these proceedings which would cause us to reconsider this determination.

However, as in previous cases, there is some evidence that the PRC central government enactments have not been implemented uniformly among different sectors and/or jurisdictions in the PRC. (See *Silicon Carbide and Furfuryl Alcohol*.) Therefore, the Department has determined that an analysis of *de facto* control is critical in determining whether respondents are, in fact, subject to a degree of governmental control which would preclude the Department from assigning separate rates.

2. Absence of De Facto Control

The Department typically considers four factors in evaluating whether each respondent is subject to *de facto* governmental control of its export functions: (1) whether the export prices ("EP") are set by or subject to the approval of a governmental authority; (2) whether the respondent has authority to negotiate and sign contracts and other agreements; (3) whether the respondent has autonomy from the government in making decisions regarding the selection of management; and (4) whether the respondent retains the proceeds of its export sales and makes independent decisions regarding disposition of profits or financing of losses (see *Silicon Carbide and Furfuryl Alcohol*).

Except for Guangdong Petroleum which has failed to respond to the Department's section A questionnaire, each respondent exporter has asserted the following: (1) it establishes its own EPs; (2) it negotiates contracts, without guidance from any governmental entities or organizations; (3) it makes its own personnel decisions; and (4) it retains the proceeds of its export sales, uses profits according to its business needs and has the authority to sell its assets and to obtain loans. In addition, respondents' questionnaire responses indicate that company-specific pricing during the POI does not suggest coordination among exporters. This information supports a preliminary finding that there is a *de facto* absence of governmental control of the export functions of these companies.

Consequently, we determine preliminarily that each of the participating exporters, meets the criteria for application of separate rates. Guangdong Petroleum, however, did not provide any information on the issue of *de jure* or *de facto* control of its operations. Therefore, we preliminarily determine that this exporter has not met the criteria enumerated above for the

application of a separate rate. Consequently, we are applying a China-wide rate to this PRC exporter for purposes of the preliminary determination. Because Guangdong Petroleum submitted a response to Section C of the Department's questionnaire in connection with our request for additional information from Zhujian, and we are uncertain that Guangdong Petroleum received the full questionnaire issued to it on September 5, 1996, we intend to send Guangdong Petroleum a supplemental letter requesting, among other things, that it provide the information requested in the Department's Section A questionnaire in order to be considered for a separate rate in the final determination.

China-Wide Rate

U.S. import statistics indicate that the total quantity and value of U.S. imports of persulfates from the PRC is greater than the total quantity and value of persulfates reported by all PRC companies that submitted responses. Given this discrepancy, we conclude that not all exporters of PRC persulfates responded to our questionnaire. Accordingly, we are applying a single antidumping deposit rate—the China-Wide rate—to all exporters in the PRC (other than AJ and Wuxi), based on our presumption that those respondents who failed to respond constitute a single enterprise, and are under common control by the PRC government. See, e.g., *Final Determination of Sales at Less Than Fair Value: Bicycles from the People's Republic of China*, 61 FR 19026 (April 30, 1996) (*Bicycles*).

This China-Wide antidumping rate is based on adverse facts available. Section 776(a)(2) of the Act provides that "if an interested party or any other person— (A) withholds information that has been requested by the administering authority; (B) fails to provide such information by the deadlines for the submission of the information or in the form and manner requested, subject to subsections (c)(1) and (e) of section 782; (C) significantly impedes a proceeding under this title; or (D) provides such information but the information cannot be verified as provided in section 782(i), the administering authority . . . shall, subject to section 782(d), use the facts otherwise available in reaching the applicable determination under this title."

In addition, section 776(b) of the Act provides that, if the Department finds that an interested party "has failed to cooperate by not acting to the best of its ability to comply with a request for information," the Department may use information that is adverse to the

interests of that party as the facts otherwise available. The statute also provides that such an adverse inference may be based on secondary information, including information drawn from the petition.

When multiple companies are treated as a single enterprise, the enterprise must submit a complete, consolidated response. If it fails to do so, the Department may base the margin calculation for the enterprise on the facts available. As discussed above, all PRC exporters that do not qualify for a separate rate are treated as a single enterprise. Because some exporters of the single enterprise failed to respond to the Department's requests for information, that single enterprise is considered to be uncooperative. Accordingly, consistent with section 776(b)(1) of the Act, we have applied, as total facts available, the higher of the average margin from the petition, as recalculated by the Department based on the corroboration efforts discussed below, or the highest rate calculated for a respondent in this proceeding. In the present case, based on our comparison of the calculated margins for the other respondents in this proceeding to the recalculated average margin in the petition, we have concluded that the petition is the most appropriate record information on which to form the basis for dumping calculations in this investigation. Accordingly, the Department has based the China-wide rate on information in the petition. In this case, the recalculated average petition rate is 76.65 percent.

Section 776(c) of the Act provides that where the Department relies on "secondary information," the Department shall, to the extent practicable, corroborate that information from independent sources reasonably at the Department's disposal. The Statement of Administrative Action (SAA), accompanying the URAA clarifies that the petition is "secondary information." See SAA at 870. The SAA also clarifies that "corroborate" means to determine that the information used has probative value. *Id.* However, where corroboration is not practicable, the Department may use uncorroborated information.

In accordance with section 776(c) of the Act, we corroborated the margins in the petition to the extent practicable. The petitioner based EPs on price quotes obtained from U.S. importers, reduced by estimated importer mark-ups and movement charges. We compared the starting prices used by petitioner less the importer mark-ups against prices derived from U.S. import statistics and found that the two sets of

prices are consistent. We also compared the movement charges used in the petition with the surrogate values used by the Department in its margin calculations and found them to be consistent.

Regarding normal value, petitioner used publicly available published information from India to value the factors of production. Petitioner based factory overhead (FOH), selling, general and administrative (SG&A) and profit estimates on data from an annual report of National Peroxide Limited, an Indian producer of hydrogen peroxide. We compared this financial data against that obtained for other Indian chemical producers, and found that we could not corroborate this data. (See also, "Factors Valuation" section of this notice.) Therefore, we recalculated the FOH, SG&A and profit portions of the petitioner's normal value calculations using data obtained from the financial statement for Sanderson Industries Ltd. ("Sanderson"), which we found to be more consistent with that of the other Indian chemical producers examined.

With respect to all other elements of the normal value calculation in the petition (*i.e.*, materials, labor, energy and packing), the Department corroborated the values used in the petition by comparing them with values obtained from PI collected in this and previous NME investigations.

Accordingly, we have corroborated, to the extent practicable, the data contained in the petition. Our recalculation of the FOH, SG&A and profit portions of the petitioner's margin calculations resulted in revised average margin rate of 76.65 percent. See Memorandum from the Team to Louis Apple regarding Factors Valuation for the Preliminary Determination dated December 18, 1996 (*Factors Memorandum*); and the Memorandum from the Team to Louis Apple regarding Corroboration of Data Contained in the Petition, dated December 18, 1996.

Export Price Issues

Although we have not calculated a separate rate for Guangdong Petroleum for purposes of this preliminary determination, we will be affording Guangdong Petroleum a second opportunity to respond to Section A of the Department's questionnaire, as discussed in the "Separate Rates" section of this notice. Furthermore, pending receipt of a complete Section A response from Guangdong Petroleum, we will revisit the issue regarding the appropriate basis for EP for this PRC exporter's sales to the United States in the final determination.

During the POI, Zhujian sold subject merchandise to ICC through Guangdong Petroleum. In their questionnaire responses, both Zhujian and ICC claimed that ICC's prices to unaffiliated customers in the United States, rather than Guangdong Petroleum's prices to ICC, should form the basis for EP because neither Zhujian nor Guangdong Petroleum knew or had reason to know at the time of sale to ICC whether the merchandise was ultimately destined for the United States. After analyzing the record evidence in light of Zhujian and ICC's arguments, we have preliminarily determined that Guangdong Petroleum's prices to ICC are the more appropriate basis for calculating EP. As we understand the facts, ICC purchases persulfates from Guangdong Petroleum with the assistance of its Hong Kong office. ICC then warehouses the merchandise in New Jersey for resale to customers both inside and outside the United States. The record does not make clear whether this warehoused merchandise is entered for consumption or entered into a bonded warehouse in the United States. Nor is the record clear regarding the share of ICC's purchases from Guangdong Petroleum this warehoused merchandise accounts for. The record does indicate, however, that ICC is the U.S. importer of record. That is, Guangdong Petroleum sells the subject merchandise—in an arm's-length transaction—directly to the U.S. importer of record. This is, at first impression, an EP sales situation, requiring that Guangdong Petroleum's sales prices serve as the basis for EP. In such situations, the Department typically does not inquire into the disposition of the merchandise after importation.

At verification, we intend to examine, among other things, the role and function of ICC's Hong Kong office and the extent to which ICC enters the merchandise into a bonded warehouse or for consumption in the United States. We hereby invite interested parties to comment on this issue. Interested party comments must be submitted no later than January 6, 1997.

Fair Value Comparisons

To determine whether persulfates from the PRC sold to the United States by the PRC exporters receiving separate rates were made at less than fair value, we compared the EP to the NV, as specified in the "Export Price" and "Normal Value" sections of this notice.

Export Price

For both AJ and Wuxi, we calculated EP in accordance with section 772(a) of

the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and constructed export price ("CEP") methodology was not otherwise indicated. In accordance with section 777A(d)(1)(A)(i) of the Act, we compared POI-wide weighted-average EPs to the factors of production.

We made company-specific adjustments as follows:

1. AJ

We calculated EP based on packed, CIF U.S. port prices to unaffiliated purchasers in the United States, as appropriate. We made deductions from the starting price, where appropriate, for the following services which were provided by market economy suppliers: ocean freight; marine insurance; and U.S. inland insurance. We also deducted from the starting price, where appropriate, an amount for foreign inland freight and port construction fees. When these movement services were provided by nonmarket economy suppliers, we valued them using Indian rates.

2. Wuxi

We calculated EP based on packed, FOB PRC port prices to unaffiliated purchasers in the United States. Wuxi claimed that all the expenses for movement services were paid by the purchaser and, thus, we did not make any adjustments to the starting price.

Normal Value

In accordance with section 773(c) of the Act, we calculated NV based on factors of production reported by the factory in the PRC which produced persulfates sold by the two exporters. We valued all the input factors using PI from India.

Factor Valuations

The selection of the surrogate values was based on the quality and contemporaneity of the data. Where possible, we attempted to value material inputs on the basis of tax-exclusive domestic prices. Where we were not able to rely on domestic prices, we used import prices to value factors. As appropriate, we adjusted input prices to make them delivered prices. For those values not contemporaneous with the POI, we adjusted for inflation using wholesale price indices or, in the case of labor rates, consumer price indices, published in the International Monetary Fund's *International Financial Statistics*. For a complete analysis of surrogate values, see *Factors Memorandum*.

To value ammonium sulfate, caustic soda, caustic potash, sulfuric acid, and sodium sulfate we used public information from POI issues of the Indian publication *Chemical Weekly*. For potassium sulfate and anhydrous ammonia, we relied on import prices contained in the February and July 1995 issues of *Monthly Statistics of the Foreign Trade of India (Monthly Statistics)*. To value ammonium persulfate, we used a price quotation obtained by interested parties from an Indian factory, the Rajendra Chemical Ltd., Bombay. For further discussion, see the *Factors Memorandum*.

To value coal (steam), we relied on public information reported in the antidumping investigation of *Pencils from the PRC*. (See *Final Determination of Sales at Less Than Fair Value: Case Pencils from the People's Republic of China*, 59 FR 55625, November 8, 1994.) For electricity, we relied upon public information from *Confederation of Indian Industries Handbook of Statistics 1995* to obtain an average price for electricity provided to large-size industries. For oil, we relied on public information reported in the antidumping investigation of *Polyvinyl Alcohol from the PRC*. (See *Final Determination of Sales at Less Than Fair Value: Polyvinyl Alcohol from the People's Republic of China* 61 FR 14057 (March 29, 1996) (*Polyvinyl Alcohol*)). To value water we relied on public information reported in the antidumping investigation of *Coumarin from the PRC*. (See *Final Determination of Sales at Less Than Fair Value: Coumarin from the People's Republic of China*, 59 FR 66895, December 28, 1994) (*Coumarin*)).

To value packing materials such as polyethylene liners and polypropylene sacks, we relied upon Indian import data from the February and July 1995 issues of *Monthly Statistics*.

Regarding wooden pallets, we relied on public information reported in the antidumping investigation of *Brake Drums and Brake Rotors from the PRC*. (See *Preliminary Determination of Sales at Less Than Fair Value: Brake Drums and Brake Rotors from the People's Republic of China*, 61 FR 53190, October 10, 1996).

To value labor, we inflated to POI values, 1990 labor data from the United Nations' publication *Yearbook of Labour Statistics (YLS)*, and we relied on methodology used in the antidumping investigation of *Coumarin* (See also *Factors Memorandum*). Although one of the respondents provided 1994 Indian labor rates from the *1995 World Labor Report, Foreign Labor Trends*, we did not use these rates

because they reflected the experience in the general manufacturing sector and not labor rates specific to the chemical sector.

To value truck freight, we used public information from the Indian periodical *The Times of India*. To value ocean freight we used public information from the antidumping investigation of *Coumarin*. To value containerization and loading, we relied on public information reported in the antidumping investigation of *Polyvinyl Alcohol*.

To value foreign brokerage and handling, we relied on public information reported in the antidumping investigation of *Stainless Steel Bar from India*. (See *Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915, December 28, 1996.) For marine insurance, we used public information reported in the antidumping investigation of *Sulfur Dyes, Including Sulfur Vat Dyes, from India*. (See *Final Determination of Sales at Less Than Fair Value: Sulfur Dyes, Including Sulfur Vat Dyes, from India*, 58 FR 7535, 7538, February 8, 1993.)

To value FOH, SG&A and profit, we relied on the financial statements of Sanderson, an Indian producer of sulphuric acid and other chemicals, which were submitted by Zhujian/ICC, because this financial data was consistent with that obtained from other chemical producers. The alternative data submitted by the petitioner which relied on the financial statements of an Indian producer of hydrogen peroxide was inappropriate when benchmarked against the financial data for other chemical producers. (See *Factors Memorandum*.) We also determined that the data submitted by AJ, AJ Works, and Wuxi, which relied on aggregate financial data from the *Reserve Bank of India Bulletin* for the Indian metals and chemicals industries was inappropriate because it was not industry-specific. (See *Factors Memorandum*.)

Where appropriate, we have removed from the surrogate FOH and SG&A calculations the excise duty amount listed in the financial statements (see *Bicycles*, 61 FR 19039). We adjusted the FOH, SG&A, and profit percentages that the respondent calculated from Sanderson's financial statements as follows: (1) we included manufacturing energy expenses in the base to which the FOH rate is applied, (2) we included "other" expenses and "miscellaneous" expenses in SG&A, and (3) we calculated the profit percentage using profit before prior period adjustments. (See *Factors Memorandum*.)

Verification

As provided in section 782(i) of the Act, we will verify the information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing the Customs Service to suspend liquidation of all entries of persulfates from the PRC, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the Federal Register. The Customs Service will require a cash deposit or posting of a bond equal to the estimated dumping margins by which the normal value exceeds the EP, as shown below. These suspension of liquidation instructions will remain in effect until further notice.

The weighted-average dumping margins are as follows:

Manufacturer/producer/exporter	Weighted-average margin percentage
Shanghai Ai Jian Import & Export Corporation	15.62
Sinochem Jiangsu Wuxi Import & Export Corporation	50.35
China-Wide Rate	76.65

China-Wide Rate

A China-Wide Rate has been assigned to persulfates based on the average margin contained in the petition, as amended by the Department. The China-Wide rate applies to all entries of that product except for entries from exporters/factories that are identified individually above.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether these imports are materially injuring, or threaten material injury to, the corresponding U.S. industry.

Public Comment

In accordance with 19 CFR 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than March 26, 1997, and rebuttal briefs, no later than March 31, 1997. A list of authorities used and a summary of arguments made in the briefs should accompany these briefs. Such summary should be limited to five pages total, including footnotes.

We will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. At this time, the hearing is scheduled for April 3, 1997, time and place to be determined, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B-099, within ten days of the publication of this notice. Requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 CFR 353.38(b) oral presentations will be limited to issues raised in the briefs. If this investigation proceeds normally, we will make our final determination by no later than 135 days after the publication of this notice in the Federal Register.

This determination is published pursuant to section 733(f) of the Act.

Dated: December 18, 1996.
Robert S. LaRussa,
Acting Assistant Secretary for Import Administration.
[FR Doc. 96-32871 Filed 12-26-96; 8:45 am]
BILLING CODE 3510-DS-P

[A-583-824]

Polyvinyl Alcohol From Taiwan: Initiation of New Shipper Antidumping Duty Administrative Review

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

SUMMARY: The Department of Commerce ("the Department") has received a request to conduct a new shipper administrative review of the antidumping duty order on polyvinyl alcohol from Taiwan. In accordance with 19 CFR 353.22(h), we are initiating this administrative review.

EFFECTIVE DATE: December 27, 1996.

FOR FURTHER INFORMATION CONTACT: Everett Kelly or Dorothy Tomaszewski, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-4194 or 482-0631, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. 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).

SUPPLEMENTARY INFORMATION:

Background

The Department has received a request, pursuant to section 751(a)(2)(B) of the Act, and in accordance with 19 CFR 353.22(h), for a new shipper review of the antidumping duty order on polyvinyl alcohol from Taiwan, which has a March anniversary date.

Initiation of Review

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 353.22(h)(6), we are initiating a new shipper review of the antidumping duty order on polyvinyl alcohol from Taiwan. We intend to issue the final results of review not later than 270 days from the date of publication of this notice.

Antidumping duty proceeding

Period to be reviewed

Taiwan: Polyvinyl Alcohol, A-583-824:
Perry Chemical Corporation

05/01/96-10/31/96

We will instruct the U.S. Customs Service to allow, at the option of the importer, the posting, until the completion of the review, of a bond or security in lieu of a cash deposit for each entry of the merchandise exported by the above listed companies, in accordance with 19 CFR 353.22(h)(4).

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

This initiation and this notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 353.22(h).

Dated: December 18, 1996.
Jeffrey P. Bialos,
Principal Deputy Assistant Secretary, Import Administration.
[FR Doc. 96-32870 Filed 12-26-96; 8:45 am]
BILLING CODE 3510-DS-P

[A-588-028]

Roller Chain, Other Than Bicycle, From Japan; Preliminary Results of Antidumping Duty Administrative Reviews

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

ACTION: Notice of Extension of time limits.

SUMMARY: The Department of Commerce (the Department) is extending the time limits of the preliminary and final results of the antidumping duty administrative reviews of the antidumping finding on roller chain, other than bicycle, from Japan. The review covers six manufacturers/exporters of this merchandise to the United States during the period April 1, 1995 through March 31, 1996.

EFFECTIVE DATE: December 27, 1996.

FOR FURTHER INFORMATION CONTACT:

Jack Dulberger or Joseph Hanley, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-5253.

Because it is not practicable to complete this review within the time limits mandated by section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act of 1994, the Department is extending the time limits for completion of the preliminary results until April 30, 1997. We are also extending the time limit for completion of our final results of review, which we will issue by October 31, 1997. See Memorandum from Jeffrey P. Bialos to Robert S. LaRussa, on file in Room B-099 of the Main Commerce Building.

These extensions are in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(3)(A)).