

Final Results of Review

As a result of our review, we determine the final weighted-average dumping margin for the period August 1, 1996, through July 31, 1997 to be as follows:

Company	Margin (percent)
Bergerac	13.35

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Because the inability to link sales with specific entries prevents calculation of duties on an entry-by-entry basis, for CEP sales we have calculated an *ad valorem* duty-assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the POR to the total customs value of the sales used to calculate those duties. This rate will be assessed uniformly on all entries of that particular importer made during the POR. (This is equivalent to dividing the total amount of antidumping duties, which are calculated by taking the difference between statutory NV and statutory EP or CEP, by the total statutory EP or CEP value of the sales compared and adjusting the result by the average difference between EP or CEP and customs value for all merchandise examined during the POR.) For EP sales, Bergerac could not identify the importer(s) of record for sales to unaffiliated customers. Therefore, we have calculated a single, per-unit duty assessment rate by dividing the total dumping margins by the total quantity sold to these customers.

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the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(1) of the Tariff Act: (1) the cash-deposit rate for Bergerac will be 13.35 percent; (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 the original less-than-fair-value investigation (LTFV), but the manufacturer is, the cash-deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash-deposit rate for all other manufacturers or exporters will be 1.38 percent. This

is the "all others" rate from the LTFV investigation which we are reinstating in accordance with the decisions of the Court of International Trade in *Floral Trade Council v. United States*, Slip Op. 93-79 (May 25, 1993), and *Federal-Mogul Corporation and The Torrington Company v. United States*, Slip Op. 93-83 (May 25, 1993).

This notice serves as a final reminder to importers of their responsibility under 19 C.F.R. 351.402(f) of the *Final Rule* 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 C.F.R. 353.34(d) or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Tariff Act.

Dated: September 4, 1998.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 98-24598 Filed 9-11-98; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration**

[A-357-810]

Oil Country Tubular Goods From Argentina; Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of rescission of antidumping duty administrative review.

SUMMARY: On September 25, 1997, the Department of Commerce (the Department) published in the **Federal Register** a notice announcing the initiation of an administrative review of the antidumping duty order on oil country tubular goods (OCTG) from

Argentina. This review covers the period August 1, 1996 through July 31, 1997. Based on information on the record of this review, all subject merchandise exported by Siderca to the United States during the period of review (POR) was entered into a foreign trade zone (FTZ) or under a temporary importation bond (TIB) and, therefore, was not subject to dumping duties. This review has now been rescinded as a result of our determination that there were no consumption entries into the United States during the POR.

EFFECTIVE DATE: September 14, 1998.

FOR FURTHER INFORMATION CONTACT: Heather Osborne or John Kugelman, AD/CVD Enforcement Group III—Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3019 or (202) 482-0649, respectively.

Applicable Statute

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 Departments regulations are references to the provisions codified at 19 CFR part 351 (62 FR 27296, May 19, 1997).

Scope of the Review

Oil country tubular goods are hollow steel products of circular cross-section, including oil well casing, tubing, and drill pipe, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, whether or not conforming to American Petroleum Institute (API) or non-API specifications, whether finished or unfinished (including green tubes and limited service OCTG products). This scope does not cover casing, tubing, or drill pipe containing 10.5 percent or more of chromium. The OCTG subject to this review are currently classified in the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7304.20.20, 7304.20.40, 7304.20.50, 7304.20.60, 7304.20.80, 7304.39.00, 7304.51.50, 7304.20.70, 7304.59.60, 7304.59.80, 7304.90.70, 7305.20.40, 7305.20.60, 7305.20.80, 7305.31.40, 7305.31.60, 7305.39.10, 7305.39.50, 7305.90.10, 7305.90.50, 7306.20.20, 7306.20.30, 7306.20.40, 7306.20.60, 7306.20.80, 7306.30.50, 7306.50.50, 7306.60.70, and 7306.90.10. The HTS subheadings are provided for convenience and Customs purposes.

The written description remains dispositive.

Background

We received requests for an administrative review of Siderca S.A.I.C., an Argentine producer and exporter of OCTG, and Siderca Corporation, an affiliated U.S. importer and reseller of such merchandise (collectively, Siderca). Petitions Lone Star Steel and IPSCO Tubulars, Inc. submitted a request for review on August 29, 1997, of the antidumping duty order published in the **Federal Register** on August 11, 1995 (60 FR 41055). Petitioner North Star Steel of Ohio submitted a separate request for review on September 2, 1997. We initiated this review on September 25, 1997 (62 FR 50292). We received comments from Siderca and petitioners concerning whether Siderca made entries from consumption in the United States during the POR. Petitioners filed duty absorption requests on October 23, 1997 and October 26, 1997, respectively.

SUPPLEMENTARY INFORMATION: In its original submission Siderca claimed that "it did not export, directly or indirectly, subject merchandise that was entered for consumption into the United States during the period of review." Siderca also claims that its U.S.A. affiliate, Siderca Corporation, did not import for consumption any subject merchandise during the POR.

Petitioners subsequently claimed that publicly available import data from the Department's IM-145 database contradicted Siderca's claims that no subject merchandise was entered for consumption during the POR. Petitioners asserted that Siderca was the only exporter of Argentine OCTG to the United States, and in fact entered a substantial quantity of OCTG during the POR. Specifically, petitioners claimed that 949,909 metric tons of Argentine OCTG were entered for consumption during the POR, and filed an affidavit claiming a sale was made from an FTZ to a U.S. company during the POR. Petitioners asked the Department to investigate these sales and to require Siderca to report all U.S. and home market sales of OCTG made during the POR.

In response, Siderca indicated that it made no U.S. sales or consumption entries during the POR. Siderca claimed that all of its shipments to the United States were FTZ or TIB entries, and were destined for re-export. Siderca indicated it had no knowledge of its customers having entered covered merchandise into the United States for consumption. Siderca argued that if any such entries occurred, they could not be

the basis for a review of Siderca. Siderca emphasized that all customers are aware of Siderca's policy prohibiting entry of subject merchandise into the United States. Siderca asserted that entries appearing on the IM-145 were in error, and were most likely TIB entries mistakenly classified as consumption entries. Siderca also indicated that the entries in question could have been classified under the wrong HTS number. For several of the entries listed by petitioners, Siderca claimed that due to grade specification or dimensions, the merchandise was incapable of being produced in Argentina. (See November 12, 1997 submission at 9.)

On December 22, 1997, petitioners disputed Siderca's claim that it was unaware of any consumption entries of OCTG from Argentina, and that, regardless of Siderca's policy, as the sole producer of OCTG in Argentina, Siderca was responsible for any U.S. shipments entered for consumption during the POR.

The Department issued a supplemental questionnaire on March 18, 1998, requesting additional information on Siderca's FTZ or TIB shipments during the period.

Siderca provided sales documentation for all transactions during the POR indicating that all of its sales were either sold directly to a third country, were TIB entries for re-export to a third country, were FTZ entries for re-export to a third country, or were transportation and exportation (T&E) entries for re-export to a third country. As a condition of these types of entries Siderca is required to document to U.S. Customs the final disposition of the merchandise, and to confirm that all shipments are in fact re-exported.

On March 20, 1998, the Department forwarded a no-shipment inquiry to the U.S. Customs Service (Customs) for circulation to all Customs ports. Customs did not indicate to the Department that there was any record of consumption entries of OCTG by Siderca during the POR. On April 23, 1998, the Department requested additional information from Customs regarding one Siderca entry appearing in the Department's IM-115 database. Customs subsequently confirmed that the entry was in fact a TIB entry and one that had been misclassified as subject merchandise. (See memorandum to the file, Customs Confirmation of Siderca Entry, August 24, 1998.) Given Customs' confirmation that there were no consumption entries of Argentine OCTG, and documentation provided by Siderca (purchase orders and invoices) that all of its sales of OCTG during the POR were either TIB entries, FTZ

entries for re-export to third countries, or direct sales to third countries, there is no evidence on the record of this review of any consumption entries of Argentine OCTG during the POR. In conclusion, the Department determines that none of Siderca's sales of subject merchandise were entered into the United States for consumption during the POR and, thus, there are no entries to review.

Because Siderca was the only firm for which a review was requested and it had no U.S. entries for consumption of covered merchandise during the POR, there is no basis for continuing this administrative review. We therefore are rescinding this review in accordance with section 351.213(d)(3) of the Department's regulations.

The issue of whether couplings and coupling stock are included within the scope of the antidumping duty order on OCTG from Argentina was originally raised by the petitioners in the context of this administrative review. Because we have determined pursuant to section 351.225(d) of the Department's regulations that the section 351.225(k)(1) analysis is dispositive that couplings and coupling stock are outside the scope of the order, we have issued separately a final scope ruling to that effect. (See Final Scope Ruling—Antidumping Duty Order on Oil Country Tubular Goods from Argentina, August 28, 1998.)

Finally, our decision to rescind this review renders moot the petitioners' request for a duty absorption inquiry.

The cash deposit rate for all firms will continue to be the rate established in the most recently completed segment of this proceeding (*i.e.*, 1.36 percent).

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 351.221.

Dated: August 28, 1998.

Joseph A. Spetrini,

Deputy Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of initiation of process to revoke Export Trade Certificate of Review No. 92-00004.