relation to all such or similar merchandise sold during the POR.

Third, Saha Thai argues that the Department has failed to explain adequately its deviation from prior practice or why the model-specific cost test better implements the statutory mandate. According to Saha Thai, the fact that the Department's price-to-price comparisons focus on model matches is irrelevant. Saha Thai argues that because all home market sales are used to determine FMV, application of the cost test to all such sales on an aggregate basis would satisfy the requirement that the test be focused on sales used in determining FMV. According to Saha Thai, in this case nearly all models sold in the home market could be compared to all models sold in the United States. Accordingly, Saha Thai argues that it would be more appropriate to conduct the cost test on an aggregate basis since potential price-to-price comparisons are not limited to sales of specific models but rather extend to the entire group of such or similar merchandise.

Petitioners argue that a December 1992 Policy Bulletin issued by the Department recognized that its varied approach to administering the cost test created an inconsistent and unpredictable practice. According to petitioners, the Department determined in its Policy Bulletin that application of the test on a model specific-basis was the better approach to implementing the statute. Petitioners claim that any subsequent final results that failed to conform to the policy bulletin were incorrectly issued.

Department's Position: We disagree with Saha Thai's position that the cost test should be administered on an aggregate rather than model-specific basis. As stated in our *Policy Bulletin* dated December 15, 1992, Section 773(b) of the Tariff Act directs us to disregard below-cost sales in calculating FMV. Because FMV is model-specific, employing a model-specific methodology is the most appropriate approach to determine if sales below cost were made in substantial quantities. *See, Sweaters Wholly or in Chief Weight of Man-Made Fiber From Korea; Final Results of Antidumping Duty Administrative Review*, 59 FR 17513 (April 13, 1994). If we were to adopt Saha Thai's position and administer the cost test on an aggregate level, we would risk comparing U.S. sales to model-specific FMVs where all sales of the model are below cost as long as total home market sales below cost remained under 10 percent. The statute did not intend to allow for such comparisons. For these reasons, we have rejected using an aggregate cost test and have continued to test individual models for sales below cost for these final results.

Comment 24: Saha Thai argues that the Department's regulations (19 CFR 353.60), require that the official exchange rates certified by the Federal Reserve Bank be used in the Department's antidumping calculations. Saha Thai argues that the exchange rates used in the preliminary determination do not conform to the quarterly exchange rates published by the Federal Reserve Bank. Saha Thai requests that the Department use the Federal reserve Bank's quarterly exchange rates for the final results of review.

Department's Position: Contrary to Saha Thai's assertion, we did use the quarterly exchange rates, certified by the Federal Reserve Bank, and supplied to us by the U.S. Customs Service for the preliminary results. Therefore, we will continue to use the same rates for these final results.

Final Results of Review

Based on our analysis of the comments received, we determine that a margin of 18.04 percent exists for Saha Thai for the period March 1, 1992, through February 28, 1993.

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

Furthermore, the following deposit requirements will be effective upon publication of these final results of administrative review for all shipments of pipe and tube from Thailand entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Tariff Act, and will remain in effect until the final results of the next administrative review: (1) The cash deposit rate for Saha Thai will be 18.04 percent; (2) for previously investigated companies not named above, the cash deposit 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, or the original 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; and (4) the cash deposit rate for all other manufacturers or exporters will be the ''all others'' rate established in the final notice of the less-than-fair-value (LTFV) investigation of this case, in accordance with the CIT's decisions in *Floral Trade Council* v. *United States*, 822 F. Supp. 766 (CIT 1993) and *Federal Mogul Corporation and Torrington Company* v. *United States*, 822 F. Supp. 782 (CIT 1993). The all others rate is 15.67 percent. These deposit requirements when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice 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 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 an APO is a sanctionable violation.

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(1993).

Dated: December 14, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–623 Filed 1–18–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–580–008]

Color Television Receivers From Korea; Initiation of Anticircumvention Inquiry on Antidumping Duty Order

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

ACTION: Notice of Initiation of Anticircumvention Inquiry.

SUMMARY: On the basis of an application filed with the Department of Commerce (the Department) on August 11, 1995, we are initiating an anticircumvention inquiry to determine whether imports of color television receivers (CTVs) from Mexico and Thailand are circumventing the antidumping duty order on color television receivers from the Republic of Korea (49 FR 18336, April 30, 1984).

EFFECTIVE DATE: January 19, 1996.

FOR FURTHER INFORMATION CONTACT: Joseph Hanley or David Genovese, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone (202) 482–3058/4697.

SUPPLEMENTARY INFORMATION:

Background

On August 11, 1995, the Department received an application filed by the International Brotherhood of Electrical Workers, the International Union of Electronic, Electrical, Salaried, Machine & Furniture Workers, and the Industrial Union Department (the Unions), requesting that the Department conduct an anticircumvention inquiry on the antidumping duty order on CTVs from Korea pursuant to section 781(b) of the Tariff Act of 1930, as amended (the Tariff Act). The Unions allege that Samsung Electronics Co., (Samsung), L.G. Electronics Inc., ((LGE) formerly Lucky Goldstar Co., Ltd.), and Daewoo Electronics Co., Ltd. (Samsung), are circumventing the order by shipping Korean-origin color picture tubes (CPTs), printed circuit boards (PCBs), color television kits (TV kits), chassis, and other materials, parts, and components to plants operated by related parties in Mexico. These parts are then assembled in Mexico into CTVs and shipped to the United States free of any antidumping duties. Additionally, the Unions allege that Samsung is circumventing the order by shipping Korean-origin color picture tubes and other CTV parts to a related party in Thailand for assembly into complete CTVs prior to exportation to the United States where they enter free of any antidumping duties.

Initiation of Anticircumvention Proceeding

In accordance with section 781(b) of the Tariff Act, the Department may find circumvention of an order when the following four conditions are met:

(1) The merchandise imported into the United States is of the same class or kind as the merchandise that is subject to the order.

(2) Before importation into the United States, the merchandise is completed or assembled from merchandise which is subject to the order or is produced in the foreign country to which the order applies.

(3) The process of assembly or completion is minor or insignificant.

(4) The value of the merchandise produced in the foreign country to which the antidumping duty order applies is a significant portion of the total value of the merchandise exported to the United States.

In order to determine whether a circumvention inquiry is warranted, we evaluated the publicly available evidence submitted by the Unions using each of the criteria listed above. We have concluded that the evidence submitted is sufficient to warrant a circumvention inquiry. Each criteria is separately addressed below.

(1) Is the Merchandise Imported Into the United States of the Same Class or Kind as the Merchandise That is Subject to the Order?

The Unions assert that the merchandise completed or assembled in Mexico and Thailand and imported into the United States is subject to the order which covers all CTVs, complete or incomplete, regardless of HTS classification. With regard to Samsung's shipments of CTVs from Thailand to the United States, the Unions have concluded that data taken from ship manifests indicate that an estimated 243,062 CTVs were shipped by Samsung from Thailand to the United States during the period January 1994 through March 1995. The Unions have not been able to estimate the number of CTVs that respondents (Samsung, Goldstar, and Daewoo) are exporting to the United States from Mexico because they are transported by truck or rail and are not covered by automated manifest data. However, the Unions have concluded that a clear indication that respondents are supplying the U.S. market with CTVs from Mexico is the fact that respondents have not lost U.S. market share despite the fact that they have terminated CTV assembly in the United States and have dramatically reduced the amount of direct CTV shipments from Korea.

(2) Before Importation Into the United States, is the Merchandise Completed or Assembled From Merchandise Which is Subject to the Order or is Produced in the Foreign Country to Which the Order Applies?

The Unions have supported their assertion that the merchandise completed or assembled in Mexico is of Korean origin by submitting data taken from ship manifests that indicate that respondents are shipping CPTs, CTV kits, chassis, tuners, deflection yokes, flyback transformers, or unspecified CTV parts of Korean origin to their affiliated companies in Mexico. The Unions do not have access to manifest or bill of lading information on shipments by Samsung of Korean origin CTV parts and subassemblies to Thailand. However, the Unions contend that the overall patterns of trade between Korea, Thailand and the United States indicate a dramatic increase in the overall amount of CTV parts exported from Korea to Thailand and a corresponding increase in the amount of CTVs imported into the United States from Thailand. The Unions contend that Samsung's activities in Mexico, coupled with the fact that Samsung established a CTV assembly manufacturing facility in Thailand after the CTV and CPT orders were in place, warrants a circumvention inquiry into Samsung's operations in Thailand as well.

(3) Is the Process of Assembly or Completion Minor or Insignificant?

When considering whether the process of assembly or completion is minor or insignificant, section 781(b)(2) of the Tariff Act further instructs the Department to take into account: (1) The level of investment and research and development in the foreign country; (2) the nature of the production process in the foreign country; (3) the extent of production facilities in the foreign country; and, (4) whether the value of the processing performed in the foreign country represents a small proportion of the value of the merchandise imported into the United States.

The Unions, relying on the characteristics of the CTV industry, the legal framework under which respondents' affiliated companies have been established in Mexico, and the amount and type of CTV parts shipped to Mexico and Thailand, conclude that the process of assembly or completion in these countries is minor or insignificant.

The Unions explain that the production of CTVs may be segmented into three parts: (1) Product development, engineering and design; (2) component production; and (3) assembly and testing of finished televisions. According to the Unions, the first two segments of CTV production require large amounts of capital investment. In contrast, the assembly and testing of finished televisions is a relatively inexpensive labor-intensive operation that tends to be located where economic conditions, such as labor costs, are inexpensive. According to a cost analysis submitted by the Unions, the cost of labor and overhead for final assembly operations is less than seven percent of the overall cost of producing a CTV.

The Unions claim that data from ship manifests and overall patterns of trade reflected in U.S. import and Korean export statistics clearly indicates that respondents have continued to locate

the first two segments of CTV production (product development, engineering and design, and component production) in Korea while shifting only the relatively minor or insignificant operations of assembly and testing to Mexico and Thailand.

(4) Is the Value of the Merchandise Produced in the Foreign Country to Which the Antidumping Duty Order Applies a Significant Portion of the Total Value of the Merchandise Exported to the United States?

The Unions have submitted information taken from ship manifests that they claim indicates that the various CTV parts and components shipped from Korea to Mexico account for a significant portion of the total value of the CTVs exported to the United States. According to the Unions, the value of a CPT alone constitutes a significant portion of the value of a CTV. The Unions, citing Color Picture Tubes from Canada, Japan, Republic of Korea & Singapore; Negative Final Determination of Circumvention of Antidumping Duty Orders, 56 FR 9667, 9669 (March 7, 1991), claim that a CPT typically represents between 30 and 45 percent of the value of a finished CTV. The Unions assert that this ratio has not changed significantly since the CPT finding. The Unions claim that official data published by the Government of Korea show that a total of 3,635,630 CPTs were exported from Korea to Mexico during the period January 1994 through March 1995. Using manifest data for the same period, the Unions estimate that Samsung, Goldstar, and Daewoo shipped a total of 1,078,995 CPTs to affiliated parties in Mexico.

Furthermore, using ship manifests, the Unions have identified numerous shipments by respondents of CTV kits to their affiliates in Mexico. While the Unions acknowledge that the ship manifests do not provide enough information to determine what each CTV kit contains, the Unions claim that in some cases the unit weights of the kits suggest that the kit contains a significant portion of a finished CTV. In addition to CPTs and CTV kits, the Unions have used manifest data to identify other shipments of CTV parts along with other electronic parts or equipment they believe may be associated with CTV production. The Unions acknowledge that, due to the limited information provided on ship manifests, it was often necessary to estimate the total quantities submitted using the reported weight or model listed on the manifest. Furthermore, in cases where the manifest descriptions were vague, the Unions acknowledge that it was necessary to subjectively interpret the descriptions of the merchandise. As noted earlier, the Unions stated that they do not have access to manifest or bill of lading information on shipments by Samsung of Korean origin CTV parts and subassemblies to Thailand. Therefore, the Unions have relied on Korean export figures which show an increase in the amount of CPTs and PCBs exported from Korea to Thailand at the same time that U.S. imports of CTVs from Thailand began to increase. The Unions maintain that a general picture emerges after reviewing the numerous shipments by respondents to Mexico and the Korean export data to Thailand that the amount and type of CTV parts shipped to these countries for assembly and testing indicate that such parts constitute a significant portion of the total value of the finished CTV.

Additional Factors

In addition to the criteria discussed above, section 778(b)(3) of the Tariff Act instructs us to consider other factors before determining whether to include the merchandise in question in an antidumping duty order. These are: (1) The pattern of trade; (2) whether a relationship exists between the manufacturer or exporter and the third country assembler of the product; and (3) whether imports of the product into the foreign country have increased after the initiation of the investigation which resulted in the issuance of the order.

First, the Unions assert that the pattern of trade clearly demonstrates that respondents have been circumventing the order by shifting the CTV assembly operations to Mexico and Thailand and shipping the assembled CTVs to the United States. The Unions, using U.S. import statistics, show that U.S. imports of CTVs from Korea began a sharp and consistent decline from a level of 1,811,613 in 1987 to 156,781 in 1994. Furthermore, the Unions note that overall U.S. imports of CTVs from Mexico, which were practically nonexistent in 1983, rose consistently to a level of 11,007,211 by 1994. During this period, the Unions contend that according to Korean export figures, CPT exports from Korea to the United States fell from a level of 1,367,024 in 1986 to 63,934 in 1994 while exports of CPTs from Korea to Mexico rose from 3,170 in 1986 to 2,893,579 in 1994. The Unions contend that there was a similar increase in exports from Korea to Mexico of printed circuit boards used in CTVs with 1988 exports of 1,507,747 rising to a level of 14,078,148 in 1994.

The Unions assert that such a pattern of trade is equally apparent with Thailand. According to Korean export figures submitted by the Unions, Korean exports of CPTs and PCBs to Thailand rose from a 1988 level of 186,904 and 81,806 respectively, to a 1994 level of 996,576 and 26,234,820. Further, the Unions note that U.S. import figures show a rise in overall U.S. CTV imports from Thailand from zero in 1988 to 1,705,430 in 1994. More specifically, the Unions, using ship manifest data, estimate that Samsung exported 243,062 CTVs from Thailand to the United States during the period January 1994 through March 1995.

Second, the Unions' allege that CTVs are being completed in Mexico by Daewoo Electronics De Mexico S.A., Goldstar Mexico S.A., and Samsung Mexicana, which are affiliated with the respondents and in Thailand by Thai Samsung Electronics Co., Ltd., which is affiliated with Samsung. Finally, the Unions assert that the pattern of trade evidence discussed above demonstrates that Korean exports of CTV parts and components to Mexico and Thailand increased after the May 27, 1983 initiation of the less than fair value investigation.

Based on our review of the foregoing allegations and supporting information submitted in the circumvention application, we find that the Unions' application contains sufficient evidence to warrant a circumvention inquiry. Therefore, we are initiating a circumvention inquiry concerning the antidumping duty order on CTVs from Korea (case number A–580–008), pursuant to section 781(b) of the Tariff Act. The Department will not suspend liquidation at this time. However, the Department will instruct Customs to suspend liquidation in the event of an affirmative preliminary determination of circumvention.

Respondents have challenged the initiation of this anticircumvention inquiry on several grounds. As discussed below, these arguments do not provide a legal basis for rejecting the Unions' application for an inquiry.

Standing

A. Interested Party Status

The Department's regulations provide that any interested party may file an application to determine whether merchandise imported into the United States is circumventing an existing order. 19 C.F.R. § 353.29(b). The statute defines ''interested party'' to include unions that are ''representative of'' the domestic industry. Respondents argue that, because the statute defines ''industry'' as ''the producers as a whole'' of the like product, the ''union

cannot qualify as an interested party if it represents only an isolated segment of all domestic workers.'' To be representative, the views of the workers represented by the union ''must be 'typical' or must coincide with those of at least a 'major proportion' of the industry.'' Respondents note that the Unions do not represent the workers employed by six domestic producers that are not unionized. They then argue that the Unions' failure to explain which of the remaining domestic producers employ members of the Unions and in what capacity is a fatal flaw. We disagree.

The definition of ''interested party'' has remained unchanged since the 1979 amendments to the law. The legislative history of the 1979 amendments indicates that Congress intended to give unions standing if they ''[r]epresent workers in the relevant U.S. industry.'' S. Rep. No. 249, 96th Cong., 1st Sess. 90 (1979). Thus, the words ''representative of'' in the statute are intended to ensure that the union members include workers in the relevant industry, not to require that the union establish that it is acting on behalf of a majority of the domestic industry. See Final Negative Countervailing Duty Determination: Certain Textile Mill Products and Apparel from Malaysia, 50 F.R. 9852, 9854 (March 12, 1985) (rejecting the interpretation of ''representative'' put forth by respondents in this case). In the present case, the Unions have submitted evidence that they represent over 15,000 workers in the CTV industry. Approximately one-third of those workers are employed by a single company that is engaged in all aspects of CTV production. Thus, the evidence demonstrates that the Unions ''represent workers in the relevant domestic industry.'' The Unions, therefore, qualify as an interested party within the meaning of section 771(9)(D) of the Tariff Act.

Moreover, respondents' interpretation of the interested party definition would, in effect, add an industry support requirement to the interested party definition for unions. Thus, a union would be unable to participate as an interested party at any stage of a case (e.g., request an administrative review or a scope determination) unless it represented a majority of the workers in that industry. As discussed in the following section, imposing an industry support requirement at any stage of a case other than initiation of the investigation would be inconsistent with the statute.

B. Industry Support

Respondents argue that the legislative history of the Uruguay Round Agreements Act (URAA) indicates that Congress intended that an application for a circumvention inquiry must be filed ''on behalf of'' the domestic industry. This argument is based on a statement in the Senate Report that ''the Committee expects Commerce to initiate circumvention inquiries in a timely manner and generally consistent with the standards for initiating antidumping or countervailing duty investigations.'' S. Rep. 103–412, 103rd Cong., 2d Sess. 83 (1994). Respondents further argue that applying the industry support requirement to circumvention applications as well as petitions is compelled by the fact that both proceedings are designed to determine whether antidumping duties should be assessed on merchandise that would otherwise not be subject to such duties. In response, the Unions argue that the current statute expressly provides that industry support is an issue that is to be addressed only when initiating an investigation. A circumvention inquiry, like any scope inquiry, does not require a showing of industry support.

We agree with the Unions. The statutory requirement that petitions for investigations be filed ''on behalf of'' the domestic industry pre-dates the URAA. The URAA amendments merely set forth specific criteria for determining whether such industry support exists. The Department has never imposed a similar requirement on the filing of circumvention applications. Given that longstanding practice, it is unreasonable to interpret a single reference in the Senate Report to general consistency with initiation standards as evidence of Congressional intent to effect a major change in the requirements for circumvention applications.

Even more compelling is the fact that Congress specifically amended the law to preclude reconsideration of the issue of industry support at any stage in the proceeding beyond initiation of the investigation (section 732(c)(4)(E) of the Tariff Act of 1930, as amended). There is no exception for anticircumvention inquiries. Accordingly, while the Senate Report indicates an intent that the general evidentiary requirements for initiating petitions (e.g., allege the elements necessary for relief, accompanied by information reasonably available to support those allegations) be applied to circumvention applications, we do not interpret it as imposing an industry support requirement.

Further, we disagree with respondents' argument that the nature of a circumvention inquiry compels a contrary conclusion. Unlike an investigation, a circumvention inquiry is not designed to determine whether merchandise is being sold at less than fair value or whether such sales injure the domestic industry. A circumvention inquiry is designed to determine whether merchandise is properly within the scope of an existing order.[1] Neither the statute nor prior Department practice requires that an interested party requesting a scope determination demonstrate industry support.

Retroactivity

Respondents argue that, because the circumvention application is based primarily on data from 1994, initiation of an inquiry would constitute an impermissible retroactive application of the URAA amendments, which became effective on January 1, 1995. We disagree.

The statute is clear on this point. Section 291 of the URAA expressly provides that circumvention proceedings requested after January 1, 1995, are governed by the Act as amended. The Unions filed the CTVs circumvention application on August 11, 1995, eight months after the URAA amendments came into effect. Nothing in the URAA or the legislative history prohibits the Department from considering information from a period before the new provisions were enacted. Further, determinations based on the evaluation of information from prior periods is part of the normal statutory scheme. Therefore, when Congress based the coverage of the amendments on the date a petition or application was filed, it must have envisioned proceedings under the new law that would be initiated based on, and that would examine, pre-1995 information. Under respondents' theory it would have been effectively impossible to initiate any cases under the new law until well into 1995. Such a result would be inconsistent with the express intent that the law apply to proceedings requested after January 1, 1995.

[1] The Mexican Government has argued that the imposition of all antidumping duties, including those imposed under circumvention provisions, must be consistent with Article VI of the General Agreement on Tariffs and Trade. The antidumping order on Korean CTVs was imposed consistent with Article VI. The circumvention finding involves a determination whether the merchandise at issue is covered by that order. If we made an affirmative circumvention finding, antidumping duties imposed on any merchandise found to be within the scope of the order would be consistent with Article VI.

North American Free Trade Agreement (NAFTA)

Respondents argue that NAFTA's detailed provisions concerning trade with Mexico in CTVs were carefully negotiated and enacted to address the circumvention concerns of the U.S. industry. Consequently, they argue, NAFTA and its implementing legislation is the exclusive scheme by which to protect the domestic CTV industry from circumvention, through Mexico, of the antidumping order on CTVs from Korea. They assert that a circumvention inquiry would unilaterally change these painstakingly crafted provisions.

To the contrary, section 1901:3 of the NAFTA explicitly provides that nothing in other chapters should be construed as creating obligations that affect any party's unfair trade statutes. Moreover, nothing in the NAFTA implementing statute states that the anticircumvention provisions have been superseded by the NAFTA rules of origin on CTVs. A review of the history and purpose of those rules demonstrates that they were not intended to supplant the circumvention provisions of the Act.

In 1990, the U.S. industry requested an inquiry regarding alleged circumvention of the U.S. antidumping orders on CPTs through Mexico. Based on the statutory criteria then in existence, the Department reached a negative determination. Color Picture Tubes from Canada, Japan, Republic of Korea and Singapore; Negative Determinations of Circumvention of Antidumping Duty Orders, 55 FR 52036, (December 19, 1990) (preliminary); 56 FR 9667, (March 7, 1991) (final). Although the NAFTA rules of origin are rules of preference, not anticircumvention provisions, the rules (and the related monitoring provisions) were designed with the circumvention problem in mind. When passing the NAFTA implementing legislation, Congress, mindful of the deficiencies in the anticircumvention provisions of the law at the time, expressed its ''expectation that [the monitoring provisions] will give the Administration the tools necessary to ensure that any circumvention that is occurring within NAFTA countries will cease.'' S. Rep. No. 103–189, 103rd Cong., 1st Sess. 25 (1993). Thus, it was intended that the NAFTA rules of preference and monitoring provisions would succeed where the existing anticircumvention law had proven inadequate.

After the implementation of NAFTA, the anticircumvention provisions of the Tariff Act were amended by the URAA. Those amendments improved the provisions on assembly in third countries by focusing on the nature of the process in the third country and the portion of total value represented by parts and components from the country subject to the antidumping order. Similarly, the NAFTA rules of preference were tightened to promote significant manufacturing and value added in Mexico. Thus, although the NAFTA rules of preference are distinct from the anticircumvention provisions, they may operate in specific cases such that compliance with the rules of origin for NAFTA preferences may make it impossible as a factual matter to meet the circumvention criteria of section 781 of the Act, as amended. It is, therefore, appropriate to explore as a threshold matter whether imports of CTVs that satisfy the NAFTA rules of origin could constitute circumvention. We will be establishing at the outset of this inquiry a schedule for questionnaires and comments on this issue.

This notice is published in accordance with Section 781(b) of the Act (19 U.S.C. 1677j(b)) and 19 CFR 353.29.

Dated: December 15, 1995.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–625 Filed 1–18–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–707]

Granular Polytetrafluoroethylene Resin From Japan; Termination of Antidumping Duty Administrative Review

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

ACTION: Notice of termination of antidumping duty administrative review.

SUMMARY: On October 12, 1995, the Department of Commerce (the Department) initiated an administrative review of the antidumping duty order on granular polytetrafluoroethylene (PTFE) resin from Japan. The review period was August 1, 1994, through July 31, 1995. We are now terminating that review.

EFFECTIVE DATE: January 19, 1996.

FOR FURTHER INFORMATION CONTACT: Charles Riggle or Michael Rill, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

On August 31, 1995, Du Pont de Nemours & Company (Du Pont), a domestic producer of PTFE resin, requested that the Department conduct an administrative review of the antidumping duty order on granular PTFE resin from Japan with respect to one manufacturer/exporter, Daikin Industries, Ltd. and Daikin America, Inc. (collectively Daikin). The review period is August 1, 1994, through July 31, 1995.

On October 12, 1995, the Department published in the Federal Register (60 FR 53164) a notice of initiation of an administrative review of the order with respect to Daikin and the period August 1, 1994, through July 31, 1995. On October 18, 1995, Du Pont withdrew its request for a review and requested that the review be terminated.

The Department's regulations at 19 CFR 353.22(a)(5) (1994) state that ''the Secretary may permit a party that requests a review under paragraph (a) of this section to withdraw the request no later than 90 days after the date of publication of notice of initiation of the requested review. The Secretary may extend this time limit if the Secretary decides that it is reasonable to do so.'' The withdrawal of the request for review was made within 90 days of the notice of initiation. Because there were no requests for review from other interested parties, we are terminating this review.

This notice serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning disposition of proprietary information disclosed under APO in accordance with section 353.34(d) of the Department's regulations. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This notice is in accordance with section 353.22(a)(5) of the Department's regulations (19 CFR 353.22(a)(5)).

Dated: December 6, 1996.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

[FR Doc. 96–458 Filed 1–18–95; 8:45 am]

BILLING CODE 3510–DS–P