the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the South Carolina State Ports Authority, grantee of Foreign-Trade Zone 21, Charleston, South Carolina, area, for authority to expand its general-purpose zone to include an additional site in Charleston, South Carolina, was filed by the Board on November 7, 1995 (FTZ Docket 72–95, 60 FR 57848, 11/22/95); and,

Whereas, notice inviting public comment was given in Federal Register and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 21 is approved, subject to the Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 23rd day of October 1996.

Robert S. LaRussa,

Acting Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 96–28446 Filed 11–5–96; 8:45 am]

BILLING CODE 3510–DS–P

International Trade Administration

[A–570–803]

Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China; Preliminary Results and Termination in Part of Antidumping Duty Administrative Reviews

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

ACTION: Notice of preliminary results and termination in part of antidumping duty administrative reviews.

SUMMARY: In response to requests by the petitioner and three exporters of the subject merchandise, the Department of Commerce (the Department) is conducting administrative reviews of the antidumping duty orders on heavy forged hand tools, finished or unfinished, with or without handles, (HFHTs) from the People's Republic of China (PRC). These reviews cover three exporters of subject merchandise to the United States and the period February 1, 1995 through January 31, 1996. The reviews indicate the existence of dumping margins during the period of review.

We have preliminarily determined that sales have been made below normal value (NV). If these preliminary results are adopted in our final results, we will instruct the U.S. Customs Service to assess antidumping duties on appropriate entries.

Interested parties are invited to comment on these preliminary results. Parties who submit argument are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: November 6, 1996.

FOR FURTHER INFORMATION CONTACT: Daniel Singer or Maureen Flannery, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482–4733.

Applicable Statute and Regulations

Unless otherwise stated, 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 Round 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).

SUPPLEMENTARY INFORMATION:

Background

On February 19, 1991, the Department published in the Federal Register (56 FR 6622) the antidumping duty orders on HFHTs from the PRC. On February 9, 1996, the Department published in the Federal Register (61 FR 4956) a notice of opportunity to request administrative reviews of these antidumping duty orders. On February 29, 1996, in accordance with 19 CFR 353.22(a), three exporters of the subject merchandise to the United States, Fujian Machinery & Equipment Import & Export Corporation (FMEC), Shandong Machinery Import & Export Corporation (SMC), and Tianjin Machinery Import & Export Corporation (TMC), requested that the Department conduct administrative reviews of their exports of axes/adzes; bars/wedges; hammers/sledges; and picks/mattocks to the United States. Also on February 29, 1996, the petitioner, Woodings-Verona Tool Works, Inc., requested that the Department conduct administrative reviews of FMEC's and SMC's exports of axes/adzes; bars/wedges; hammers/sledges; and picks/mattocks.

We published the notice of initiation of these reviews on March 19, 1996 (61 FR 11184). The notice of initiation was amended on April 25, 1996 (61 FR 18378). The Department is conducting these administrative reviews in accordance with section 751 of the Act.

Termination in Part of Antidumping Duty Administrative Reviews

On April 19, 1996, TMC withdrew its request for reviews of the orders with respect to bars/wedges and picks/mattocks. This request was received within 90 days of publication of the notice of initiation of these reviews. We are hereby terminating the reviews of the orders on bars/wedges and picks/mattocks with respect to TMC, in accordance with section 353.22(a)(5) of our regulations.

Scope of Reviews

Imports covered by these reviews are shipments of HFHTs from the PRC comprising the following classes or kinds of merchandise: (1) Hammers and sledges with heads over 1.5 kg (3.33 pounds) (hammers/sledges); (2) bars over 18 inches in length, track tools and wedges (bars/wedges); (3) picks/mattocks; and (4) axes/adzes.

HFHTs include heads for drilling, hammers, sledges, axes, mauls, picks, and mattocks, which may or may not be painted, which may or may not be finished, or which may or may not be imported with handles; assorted bar products and track tools including wrecking bars, digging bars and tampers; and steel wood splitting wedges. HFHTs are manufactured through a hot forge operation in which steel is sheared to required length, heated to forging temperature, and formed to final shape on forging equipment using dies specific to the desired product shape and size. Depending on the product, finishing operations may include shot-blasting, grinding, polishing and painting, and the insertion of handles for handled products. HFHTs are currently provided for under the following Harmonized Tariff System (HTS) subheadings: 8205.20.60, 8205.59.30, 8201.30.00, and 8201.40.60. Specifically excluded are hammers and sledges with heads 1.5 kg (3.33 pounds) in weight and under, hoes and rakes, and bars 18 inches in length and under. Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of these orders is dispositive.

These reviews cover three exporters of HFHTs from the PRC, FMEC, SMC, and TMC. The review period is February 1, 1995 through January 31, 1996.

Verification

From August 24 through August 30, 1996, the Department conducted verification of the questionnaire responses submitted by TMC, as provided in section 782(i) of the Act. We used standard verification procedures, including on-site inspection of the manufacturers' facilities, the examination of relevant accounting, sales, and other financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public version of the verification report.

Separate Rates

To establish whether a company operating in a state-controlled economy is sufficiently independent to be entitled to a separate rate, the Department analyzes each exporting entity under the test established in 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*), as amplified in the *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*). Under this policy, exporters in non-market-economy (NME) countries are entitled to separate, company-specific margins when they can demonstrate an absence of government control, both in law (*de jure*) and in fact (*de facto*), with respect to exports. Evidence supporting, though not requiring, a finding of *de jure* absence of government control includes: (1) An absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies. *De facto* absence of government control with respect to exports is based on four criteria: (1) Whether the export prices are set by or subject to the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits and financing of losses; (3) whether each exporter has autonomy in making decisions regarding the selection of management; and (4) whether each exporter has the authority to negotiate and sign contracts. *See Silicon Carbide,* 59 FR at 22587.

In our final results of review for the 1992–1993 reviews of these orders, the Department determined that FMEC and SMC warranted company-specific dumping margins according to the criteria identified in *Sparklers* and *Silicon Carbide. See Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China; Final Results of Antidumping Duty Administrative Reviews* (60 FR 49251, September 22, 1995). Because no new information has been submitted in these reviews to warrant reconsideration of this finding, we preliminarily determine that these two companies continue to be entitled to separate rates.

TMC responded to the Department's request for information regarding separate rates. We have found that the evidence on the record demonstrates an absence of government control, both in law and in fact, with respect to TMC's export activities according to the criteria identified in *Sparklers* and *Silicon Carbide* for this period of review, and have assigned a separate rate to TMC. For further discussion of this finding, *see Decision Memorandum to Joseph A. Spetrini, Deputy Assistant Secretary, Enforcement Group III,* dated October 23, 1996, ''Assignment of a separate rate for Tianjin Machinery Import & Export Corporation in the 1995/1996 administrative review of certain heavy forged hand tools from the People's Republic of China,'' which is on file in the Central Records Unit (room B–099 of the Main Commerce Building).

Export Price

The Department used export price (EP), in accordance with section 772(a) of the Act. We made deductions from EP, where appropriate, for brokerage and handling, foreign inland freight, ocean freight, and marine insurance. Ocean freight services were provided by both PRC-owned and non-PRC owned companies. Where the company providing ocean freight services was not a PRC-owned company, we used the actual rates charged; for ocean freight services provided by PRC-owned companies, we applied a weighted-average ocean freight rate derived from those sales for which we used actual ocean freight rates. Since marine insurance services were provided by PRC-owned companies, we based the deduction for marine insurance on surrogate values. We also used surrogate data to value foreign inland freight and brokerage and handling.

Normal Value

For companies located in NME countries, section 773(c)(1) of the Act provides that the Department shall determine NV using a factors of production methodology if (1) the subject merchandise is exported from an NME country, and (2) available information does not permit the calculation of NV using home-market prices, third-country prices, or constructed value, in accordance with 773(a) of the Act.

In every case conducted by the Department involving the PRC, the PRC has been treated as an NME country. Since none of the parties to these proceedings contested such treatment in these reviews, we calculated NV in accordance with section 773(c) of the Act and section 353.52 of the Department's regulations.

In accordance with section 773(c)(3) of the Act, the factors of production utilized in producing HFHTs include, but are not limited to—(A) Hours of labor required, (B) quantities of raw materials employed, (C) amounts of energy and other utilities consumed, and (D) representative capital cost, including depreciation. In accordance with section 773(c)(4) of the Act, the Department valued the factors of production to the extent possible, using the prices or cost of factors of production in a market economy that is—(A) At a level of economic development comparable to the PRC, and (B) a significant producer of comparable merchandise. We determined that India is comparable to the PRC in terms of per capita gross national product, the growth rate in per capita income, and the national distribution of labor. Furthermore, India is a significant producer of comparable merchandise. For a further discussion of the Department's selection of India as the surrogate country, *see Memorandum from David Mueller, Director, Office of Policy, to Laurie Parkhill, Director, Office 3, AD/CVD Enforcement Group 1,* dated July 5, 1996, ''Certain Heavy Forged Hand Tools ('HFHTs') from the People's Republic of China (PRC): Nonmarket Economy Status and Surrogate Country Selection,'' and *File Memorandum from Case Analyst,* dated October 29, 1996, ''India as a significant producer of comparable merchandise in the 1995/1996 administrative review of heavy forged hand tools from the People's Republic of China,'' which are on file in Room B–099 of the Commerce Department.

In accordance with section 773(c)(1) of the Act, for purposes of calculating NV, we valued PRC factors of production based on data for the period of review (POR). Where appropriate, we applied inflators (deflators) to surrogate prices we obtained to reflect prices during the POR. These inflators (deflators) were derived from wholesale price indices (WPI) and consumer price indices (CPI) obtained from *International Financial Statistics*, published by the International Monetary Fund (IMF). We valued PRC factors of production as follows:

- To value all direct materials used in the production of HFHTs, including steel, resin glue, paint, varnish, wood for handles, iron wedges, anti-rust oil, scrap steel, and dilution, we used the rupee per metric ton, per kilogram, or per cubic meter value of imports into India in February 1995 and between April 1995 and July 1995 obtained from the February 1995 and July 1995 volumes of the *Monthly Statistics of the Foreign Trade of India, Volume II—Imports (Indian Import Statistics).* We adjusted direct material values to reflect inflation, using WPI of India as published in *International Financial Statistics* by the IMF.
- For direct labor, we used the labor rates reported in the International Labor Organization's *Yearbook of Labor Statistics,* released in January 1995 by the International Labor Organization. This source is based on actual wage rates. We adjusted the value of direct labor to reflect inflation, using the CPI for India, as published by the IMF.
- For factory overhead, we used information reported in the April 1995 *Reserve Bank of India Bulletin.* From this information, we were able to determine factory overhead as a percentage of total cost of manufacture. We included steel pellets used to remove oxidization from the tool heads in factory overhead as these materials are not physically incorporated into the subject merchandise.
- For selling, general and administrative (SG&A) expenses, we used information obtained from the April 1995 *Reserve Bank of India Bulletin.* We calculated an SG&A rate by dividing SG&A expenses by the cost of manufacture.
- To calculate a profit rate, we used information obtained from the April 1995 *Reserve Bank of India Bulletin.* We calculated a profit rate by dividing the before-tax profit by the sum of those components pertaining to the cost of manufacturing plus SG&A.
- To value the packing materials, including cartons, pallets, anti-rust paper, anti-damp paper, plastic and iron straps, plastic bags, iron buttons and knots, synthetic fiber, and iron wire, we used the rupee per metric ton, per kilogram, or per cubic meter value of imports into India in February 1995 and between April 1995 and July 1995, obtained from the February 1995 and July 1995 volumes of the *Indian Import Statistics.* We adjusted these values to include freight costs incurred between the suppliers and the HFHT factories. We also adjusted packing material values to reflect inflation, using the WPI published by the IMF.
- To value coal, we used the price of steam coal reported for 1990 in the International Energy Agency publication *Energy Prices and Taxes,* 2nd Quarter 1995. We adjusted the value of coal to reflect inflation, using the WPI published by the IMF.
- To value electricity, we used the price of electricity on March 1, 1995 reported in Current Energy Scene in India, July 1995, published by the Centre for Monitoring the Indian Economy.
- To value truck freight, we used the rates reported in an August 1993 embassy cable from the U.S. Embassy in India submitted for the *Final Determination of Sales at Less Than Fair Value: Certain Helical Spring Lock Washers from the People's Republic of China* (58 FR 48833, September 20, 1993). We adjusted truck freight rates to reflect inflation, using the WPI published by the IMF.
- To value rail freight, we used the price reported in a December 1989 cable from the U.S. Embassy in India submitted for the *Final Results of Antidumping Duty Administrative Review: Shop Towels of Cotton from the People's Republic of China* (56 FR 4040, February 1, 1991). We adjusted rail freight rates to reflect inflation, using the WPI published by the IMF.

Preliminary Results of the Reviews

As a result of our reviews, we preliminarily determine that the following margins exist for the period February 1, 1995 through January 31, 1996:

Manufacturer/exporter	Time period	Margin (percent)
Fujian Machinery & Equipment Import & Export Corporation:		
Axes/Adzes	2/1/95–1/31/96	33.38
Bars/Wedges	2/1/95–1/31/96	57.08
Hammers/Sledges	2/1/95–1/31/96	33.84
Picks/Mattocks	2/1/95–1/31/96	124.04
Shandong Machinery Import & Export Corporation:		
Bars/Wedges	2/1/95–1/31/96	57.90
Hammers/Sledges	2/1/95–1/31/96	12.99
Picks/Mattocks	2/1/95–1/31/96	84.24
Tianjin Machinery Import & Export Corporation:		
Axes/Adzes	2/1/95–1/31/96	10.72
Hammers/Sledges	2/1/95–1/31/96	33.84

Parties to the proceedings may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. Parties who submit argument in these proceedings are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will publish a notice of final results of these administrative reviews, which will include the results of its analysis of issues raised in any such comments.

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

Furthermore, the following deposit requirements will be effective upon publication of the final results of these administrative reviews for all shipments of HFHTs from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed companies named above which have separate rates (FMEC, SMC, and TMC) will be the rates for those firms established in the final results of these administrative reviews for the classes or kinds listed above; (2) for all other PRC exporters, the cash deposit rates will be the PRC-wide rates established in the final results of the previous administrative reviews; and (3) the cash deposit rates for non-PRC exporters of subject merchandise from the PRC will be the rates applicable to the PRC supplier of that exporter. The PRC-wide rates are: 21.92 percent for axes/adzes; 66.32 percent for bars/wedges; 44.41 percent for hammers/sledges; and 108.20 percent for picks/mattocks. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative reviews.

Notification of Interested Parties

This notice serves as a preliminary reminder to importers of their responsibility under section 353.26 of the Department's regulations 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.

These administrative reviews and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and section 353.22 of the Department's regulations.

Dated: October 30, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–28555 Filed 11–05–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–588–810]

Mechanical Transfer Presses From Japan; Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of antidumping duty administrative review; mechanical transfer presses from Japan.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on mechanical transfer presses (MTPs) from Japan in response to a request by petitioners, Verson Division of Allied Products Corp., the United Autoworkers of America, and the United Steelworkers of America (AFL–CIO/CLC); and by respondent Aida Engineering, Ltd. (Aida). This review covers shipments of this merchandise to the United States during the period February 1, 1995 through January 31, 1996.

We have preliminarily determined that sales have not been made below normal value (NV). If these preliminary results are adopted in our final results, we will instruct U.S. Customs to liquidate entries without regard to antidumping duties.

Interested parties are invited to comment on these preliminary results. Parties who submit argument are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: November 6, 1996.

FOR FURTHER INFORMATION CONTACT: Elisabeth Urfer or Maureen Flannery, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482–4733.

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 Round 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).

SUPPLEMENTARY INFORMATION:

Background

The Department published in the Federal Register an antidumping duty order on MTPs from Japan on February 16, 1990 (55 FR 5642). On February 9, 1996, we published in the Federal Register (61 FR 4956) a notice of opportunity to request an administrative review of the antidumping duty order on MTPs from Japan covering the period February 1, 1995 through January 31, 1996.

In accordance with 19 CFR 353.22(a)(1)(1995), petitioners, Verson Division of Allied Products Corp., the United Autoworkers of America, and the United Steelworkers of America (AFL–CIO/CLC), requested that we conduct a review of Ishikawajima-Harima Heavy Industries Co., Ltd. (IHI) and Hitachi Zosen Corporation (Hitachi Zosen). Aida requested that we conduct an administrative review of its subject merchandise. We published a notice of initiation of this antidumping duty administrative review on March 19, 1996 (61 FR 11184). The Department is conducting this administrative review in accordance with section 751 of the Act.

Scope of Review

Imports covered by this review include MTPs currently classifiable under Harmonized Tariff Schedule (HTS) item numbers 8462.99.0035 and 8466.94.5040. The HTS numbers are provided for convenience and for U.S. Customs purposes. The written description remains dispositive of the scope of the order.

The term ''mechanical transfer presses'' refers to automatic metal-forming machine tools with multiple die stations in which the work piece is moved from station to station by a transfer mechanism designed as an integral part of the press and synchronized with the press action, whether imported as machines or parts suitable for use solely or principally with these machines. These presses may be imported assembled or unassembled. This review does not cover certain parts and accessories, which were determined to be outside the scope of the order. (*See* ''Final Scope Ruling on Spare and Replacement Parts,'' U.S. Department of Commerce, March 20, 1992; and ''Final Scope Ruling on the Antidumping Duty Order on Mechanical Transfer Presses (MTPs) from Japan: Request by Komatsu, Ltd.,'' U.S. Department of Commerce, October 1, 1996.)

This review covers three manufacturers/exporters of MTPs, and