

**Commission Offset**

Because there are commissions on U.S. sales and not on home market sales, we made an adjustment for indirect selling expenses in the home market to offset the U.S. commissions, in accordance with 19 CFR 353.56(b)(1).

We based the commission offset amount on the amount of the home market indirect selling expenses. We limited the home market indirect selling expense deduction by the amount of the commissions incurred on sales to the United States.

**Preliminary Results of the Review**

As a result of our comparison of EP and NV, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period	Margin (percent)
British Steel Engineering Steels Limited (BSES) (formerly United Engineering Steels Limited) .....	3/1/95–2/29/96	2.84

Parties to the proceeding 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. The Department will publish a notice of final results of this administrative review, 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 EP and NV may vary from the percentage stated above. Upon completion of this review, the Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of certain hot-rolled lead and bismuth carbon steel products from the United Kingdom entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original less-than-fair-value (LTFV) investigation or a previous review, 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 or a previous review, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most

recent period for the manufacturer of the merchandise; and (4) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be 25.82 percent, the "all others" rate established in the LTFV investigation (58 FR 6207, January 27, 1993).

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

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)) and 19 CFR 353.22.

Dated: December 2, 1996.  
Robert S. LaRussa,  
*Acting Assistant Secretary for Import Administration.*  
[FR Doc. 96-31250 Filed 12-9-96; 8:45 am]  
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**[A-538-802]****Shop Towels From Bangladesh; 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.

**SUMMARY:** In response to a request from the petitioner, Milliken & Company (Milliken), the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on shop towels

from Bangladesh. The period of review (POR) is March 1, 1995, through February 29, 1996. This review covers four manufacturers/exporters. The preliminary results of this review indicate the existence of dumping margins during the period.

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

**EFFECTIVE DATE:** December 10, 1996.

**FOR FURTHER INFORMATION CONTACT:** Matthew Rosenbaum, Kristie Strecker or Kris Campbell, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, D.C. 20230; telephone (202) 482-4733.

**SUPPLEMENTARY INFORMATION:****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).

**Background**

On March 4, 1996, the Department published a notice of "Opportunity to Request an Administrative Review" (61 FR 8238) of the antidumping duty order on shop towels from Bangladesh (57 FR 9688, March 20, 1992) for the period March 1, 1995, through February 29, 1996. On March 27, 1996, the petitioner, Milliken, requested an administrative review of four manufacturers/exporters: Greyfab (Bangladesh) Ltd. (Greyfab); Hashem International (Hashem); Khaled Textile Mills Ltd. (Khaled); and Shabnam Textiles (Shabnam). We published a notice of initiation of the review on May 24, 1996 (61 FR 26158). The Department is now conducting a review of these respondents pursuant to section 751 of the Act.

### Scope of the Review

The products covered by this administrative review are shop towels. Shop towels are absorbent industrial wiping cloths made from a loosely woven fabric. The fabric may be either 100-percent cotton or a blend of materials. Shop towels are currently classifiable under item numbers 6307.10.2005 and 6307.10.2015 of the Harmonized Tariff Schedules (HTS). Although HTS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding remains dispositive.

### Export Price

The Department used export price (EP), as defined in section 772(a) of the Act, for Greyfab, Hashem, Khaled, and Shabnam because the subject merchandise was sold by the manufacturer, prior to importation, to unaffiliated purchasers in the United States and the constructed export price was not otherwise warranted based on the facts of record. For each of the companies, we calculated EP based on packed C&F or FOB prices. We made deductions, where appropriate, for forwarding charges, insurance expenses, and ocean freight in accordance with section 772(c)(2) of the Act.

### Normal Value

In accordance with section 773(a)(4) of the Act, we used constructed value (CV) as normal value (NV) for Hashem, Kahled, and Shabnam, because none of these companies sold the foreign like product in the home market or in any third-country market during the POR.

For Greyfab, we used sales to a third country as NV where such sales were appropriate matches to the U.S. sales under review. Where we did not have appropriate third-country matches, we used CV as NV.

We calculated CV, in accordance with section 773(e) of the Act, as the sum of the cost of manufacturing (COM) of the product sold in the United States, selling, general and administrative (SG&A) expenses, profit, and U.S. packing expenses. The COM of the product sold in the United States is the sum of direct material, direct labor, and variable and fixed factory overhead expenses.

For these preliminary results, the administrative record contains no information reflecting overall SG&A levels in Bangladesh that the Department could use to calculate CV. For each of the four responding companies, the only facts available for these preliminary results were the

amounts for SG&A incurred and realized by the respondent as shown in the company's financial statements. Therefore, in accordance with section 773(e)(2)(B)(iii) of the Act, we determined SG&A from the financial statements of the respondents.

We calculated profit for CV under section 773(e)(2)(B)(iii) of the Act. We used this method because we had no information on actual profit amounts earned by the exporters in connection with the production and sale of the merchandise for consumption in the home market or any information that would permit us to use any of the other alternatives for calculating profit under section 773(e)(2) of the Act. Instead, we applied another reasonable method under 773(e)(2)(B)(iii). We received a submission containing factual information regarding profit from two respondents (Greyfab and Hashem) on November 6, 1996. For these preliminary results, we have used, as the profit amount for all respondents, the actual profits of textile mills that sold the same general category of products as the subject merchandise in the home market during the POR.

We have calculated amounts for scrap/wastage using the facts available (FA). In both the original and supplemental questionnaires we requested, for each company, information concerning actual wastage and scrap percentages that occur in production. None of the respondents were able to provide data indicating the actual amount of wastage incurred. Therefore, the record contains no information for a figure reflecting actual wastage which we can reasonably use for our calculations. Section 776 of the Act authorizes the Department's use of FA in certain situations, including situations in which necessary information is not on the record or an interested party fails to provide necessary information in the form and the manner requested. In this case, data which the Department needs in order to calculate scrap/wastage is not on the record and responses to the Department's requests for such data were not provided in the form and the manner requested. Furthermore, data provided by respondents was so incomplete that it could not serve as a reliable basis for calculating scrap/wastage. Thus, in accordance with Section 776 of the Act, we have decided to resort to FA in order to calculate scrap/wastage. As FA, we calculated an amount for wastage using the five-percent figure petitioner submitted in its October 16, 1996 comments on respondents' supplemental questionnaire responses. This figure

assumes that five percent of yarn used for production becomes wastage.

For Greyfab's third-country sales, we based NV on C&F prices to unrelated customers in comparable channels of distribution as the U.S. customer. For third-country price-to-price comparisons, we made deductions, where appropriate, for foreign-country forwarding charges (*i.e.*, ocean freight, cost of lading, and cost of export Bill-of-Lading stamp) and inspection fees. We deducted third-country packing costs from and added U.S. packing costs to NV in accordance with section 773(a)(6) (A) and (B) of the Act.

### Preliminary Results of Review

We preliminarily determine that the following dumping margins exist:

Manufacturer/exporter	Margin (per-cent)
Greyfab (Bangladesh), Ltd. ....	0.00
Hashem International .....	0.00
Khaled Textile Mills, Ltd. ....	0.00
Shabnam Textiles .....	0.00

Parties to the proceeding 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. Parties who submit argument in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. 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. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days of publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For duty assessment purposes, we calculated an importer-specific assessment rate by aggregating the dumping margins calculated for all U.S. sales to each importer and dividing

this amount by the total quantity of subject merchandise sold to each of the respective importers. This specific rate calculated for each importer will be used for the assessment of antidumping duties on the relevant entries of subject merchandise during the POR.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of shop towels from Bangladesh entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(C) of the Act: (1) The cash deposit rates for reviewed companies will be the rates established in the final results of this review; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review or the original less-than-fair-value 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) for all other producers and/or exporters of this merchandise, the cash deposit rate shall be the rate established in the investigation of sales at less than fair value, which is 4.60 percent.

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

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: December 2, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 96-31357 Filed 12-9-96; 8:45 am]

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### **The Johns Hopkins University; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 96-106. *Applicant:* The Johns Hopkins University, Baltimore, MD 21218. *Instrument:* EPR Spectrometer, Model EMX 10/2.7. *Manufacturer:* Bruker Instruments, Inc., Germany. *Intended Use:* See notice at 61 FR 55972, October 30, 1996.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. *Reasons:* The foreign instrument provides measurement of electron spin resonance for characterization of paramagnetic centers in various materials, identification of photo- and redox-active sites and elucidation of reaction mechanisms. The National Institutes of Health advises in its memorandum dated October 21, 1996 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

*Director, Statutory Import Programs Staff.*

[FR Doc. 96-31249 Filed 12-9-96; 8:45 am]

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### **North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews; Request for Panel Review**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of first request for panel review.

**SUMMARY:** On November 20, 1996, General Housewares Corporation filed a First Request for Panel Review with the U.S. Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel

review was requested of the Final Results of Antidumping Duty Administrative Review made by the International Trade Administration respecting Porcelain-On-Steel Cooking Ware from Mexico. This determination was published in the Federal Register on October 21, 1996 (61 FR 54616). The NAFTA Secretariat has assigned Case Number USA-96-1904-01 to this request.

**FOR FURTHER INFORMATION CONTACT:** James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The panel review in this matter will be conducted in accordance with these Rules.

A first Request for Panel Review was filed with The U.S. Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on November 20, 1996, requesting panel review of the final antidumping duty administrative review described above.

The Rules provide that:

(a) a Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is December 20, 1996);

(b) a Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first