

petitioner's argument is essentially a middleman dumping argument and should be rejected. The Department is not free to choose the higher of fish farmer cost or exporter acquisition price. The Department's policy for using the fish farmers' cost of production rather than the exporter's acquisition price was established in the Memorandum from David Mueller, dated December 18, 1990, and has been used as the basis for determining cost of production in all salmon reviews.

#### *Department's Position*

We agree with respondent. We consider the live salmon produced by the fish farmers and sold to the exporters to be the same merchandise covered by the antidumping duty order, but at an earlier stage of production. Accordingly, we consider the live salmon produced by the fish farmers to be the identical merchandise and not an input of the subject merchandise. As we found in all prior administrative reviews of this proceeding, the responding exporter is not transforming the merchandise. To determine the cost of producing salmon, the Department properly reviewed respondent's costs as well as the fish farm cost of cultivation.

Insofar as the Department used the same methodology described in the preliminary results, the final results remain unchanged from the preliminary results. As a result of our comparison of constructed export price (CEP) and normal value (NV), we determine that the following weighted-average dumping margin exists:

| Manufacturer/exporter | Period          | Margin |
|-----------------------|-----------------|--------|
| Nordic Group A/L.     | 5/1/95–10/31/95 | 0.00   |

The 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. The posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's regulations, will no longer be permitted for this firm. The Department will issue appraisal instructions directly to the Customs Service.

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the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1)

The cash deposit rate for the reviewed company will be zero percent; (2) for exporters not covered in this review, but covered in previous reviews or the original less-than-fair-value (LTFV) investigation, 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, previous reviews, 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) the cash deposit rate for all other manufacturers or exporters will continue to be 23.80 percent. This rate is the "All Others" rate from the LTFV investigation.

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

This notice also 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 orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). 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 new shipper administrative review and notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: December 30, 1996.

Robert S. LaRussa,  
Assistant Secretary for Import  
Administration.

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[A-570-832]

#### **Pure Magnesium From the People's Republic of China (PRC): Rescission of Notice of Initiation of New Shipper Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** January 10, 1997.

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

#### **Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

In accordance with section 751(a)(2)(ii) of the Act and 19 CFR 353.22(h)(6) Taiyuan Heavy Machinery Import and Export Corporation (Taiyuan) requested a new shipper administrative review of the antidumping duty order on pure magnesium from the PRC. The Department of Commerce (the Department) inadvertently published two notices of initiation, one on December 30, 1996 (*Notice of Initiation of New Shipper Antidumping Duty Administrative Review: Pure Magnesium from the People's Republic of China* (60 FR 68712, 68713 December 30, 1996) and one on December 31, 1996 (*Notice of Initiation of New Shipper Antidumping Duty Administrative Review: Pure Magnesium from the People's Republic of China* (61 FR 69067 December 31, 1996)).

##### **Rescission of Initiation of Review**

The December 30, 1996, notice of initiation was published in error and is hereby rescinded. We are proceeding to conduct a review of Taiyuan for the period May 1, 1996 through October 31,

1996, pursuant to the December 31, 1996, notice of initiation.

Dated: January 6, 1997.

Jeffrey P. Bialos,

*Principal Deputy Assistant Secretary, Import Administration.*

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[A-583-508]

**Porcelain-on-Steel Cooking Ware From Taiwan: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Order in Part**

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

**ACTION:** Notice of initiation and preliminary results of changed circumstances antidumping duty administrative review, and intent to revoke order in part.

**SUMMARY:** In response to a request from General Housewares Corporation (GHC), the Department of Commerce (the Department) is initiating a changed circumstances antidumping duty administrative review and issuing a notice of preliminary intent to revoke in part the antidumping duty order on porcelain-on-steel cooking ware from Taiwan. GHC requested that the Department revoke the order in part with regard to teakettles. Based on the fact that GHC, who filed the original petition in this case, has expressed no interest in the importation or sale of teakettles, we intend to partially revoke this order.

**EFFECTIVE DATE:** January 10, 1997.

**FOR FURTHER INFORMATION CONTACT:** Amy S. Wei or Zev Primor, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-4737.

**SUPPLEMENTARY INFORMATION:**

The Applicable Statute and Regulations

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, as amended (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).

**Background**

On September 12, 1996, GHC requested that the Department conduct a changed circumstances administrative review to determine whether to partially revoke the order on porcelain-on-steel cooking ware from Taiwan with regard to teakettles. GHC stated that it is the only U.S. producer of porcelain-on-steel cooking ware and that, in the original petition, it requested that the scope of the order include teakettles. GHC also stated that it no longer manufactures porcelain-on-steel teakettles and has no further interest in the antidumping duty order with respect to teakettles.

**Scope of Review**

The products covered by this antidumping order are porcelain-on-steel cooking ware, including teakettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. Kitchenware is not subject to this order. *See Antidumping Duty Order; Porcelain-on-Steel Cooking Ware from Taiwan*, 51 FR 43416 (December 2, 1986).

The merchandise covered by this changed circumstances review are teakettles from Taiwan. Imports of teakettles are currently classifiable under the harmonized tariff schedule (HTS) subheading 7323.94.00.10. The HTS subheading is provided for convenience and U.S. Customs purposes. Our written description of the scope of this proceeding is dispositive. The order with regard to imports of other porcelain-on-steel cooking ware is not affected by this request.

**Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Order in Part**

Pursuant to section 751(d) of the Act, the Department may partially revoke an antidumping duty order based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances administrative review to be conducted upon receipt of a request containing sufficient information concerning changed circumstances.

The Department's regulations at 19 CFR 353.25(d)(2) permit the Department to conduct a changed circumstances administrative review under section 353.22(f) based upon an affirmative statement of no interest from the

petitioner in the proceeding. Section 782(h) of the Act and 19 CFR 353.25(d)(1)(i) further provide that the Department may revoke an order or revoke an order in part if it determines that the order, or part of the order, under review is no longer of interest to interested parties. In addition, in the event that the Department concludes that expedited action is warranted, section 353.22(f)(4) of the regulations permits the Department to combine the notices of initiation and preliminary results.

Therefore, in accordance with sections 751(b)(1) and 751(d) of the Act, 19 CFR 353.25(d), and 353.22(f), we are initiating this changed circumstances administrative review and have determined that expedited action is warranted. Based on an affirmative statement of no interest by petitioner with respect to teakettles, we have preliminarily determined that the portion of the order on porcelain-on-steel cooking ware from Taiwan concerning teakettles no longer is of interest to domestic interested parties. Because we have concluded that expedited action is warranted, we are combining these notices of initiation and preliminary results. Therefore, we are hereby notifying the public of our intent to revoke in part the antidumping duty order as to imports of teakettles from Taiwan.

If final revocation in part occurs, we will instruct the U.S. Customs Service to end the suspension of liquidation and to refund, with interest, any estimated antidumping duties collected for all unliquidated entries of teakettles that are not subject to a final results of administrative review. The current requirement for a cash deposit of estimated antidumping duties will continue until publication of the final results of this changed circumstances review.

**Public Comment**

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice and any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held no later than 28 days after the date of publication of this notice, or the first working day thereafter. Case briefs and/or written comments from interested parties may be submitted no later than 14 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to the issues raised in those case briefs or comments, may be filed no later than 21 days after the date of publication of this notice. All written comments shall be