notes that the Department did not request further information in its supplemental questionnaire. It argues that this policy has been in effect since 1990 and was spelled out in the narrative of the questionnaire response and was in effect during the 1994–1995 review. Therefore, Rubfil argues that the Department should not change its calculations.

DOC Position: In the December 19, 1996, Preliminary Results Analysis Memorandum for Rubfil, the Department noted that Rubfil did not fully explain its calculations for marine insurance. However, we used the information provided in the questionnaire response to calculate our margins. We did not request Rubfil to submit further information, and there is no basis for making adverse inferences as suggested by petitioner. Therefore, we have not changed our calculations in this regard.

Final Results of Review

As a result of comments received we have revised our preliminary results and determine that the following margins exist for the period October 1, 1994, through September 30, 1995:

Manufacturer/exporter	Percent margin
Heveafil Sdn. Bhd	7.88
Rubberflex Sdn. Bhd	20.38
Rubfil Sdn. Bhd	54.31
Filati Lastex Elastofibre (Malaysia)	8.11

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

Further, the following deposit requirements will be effective, upon publication of this notice of final results of review for all shipments of extruded rubber thread from Malaysia entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed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 will be the rates for those firms as stated above (except that for Filati the cash deposit rate will be reduced by 0.15 percent, the current cash deposit rate attributable to export subsidies); (2) for previously 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, 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 continue to be 15.16 percent, the all others rate established in the LTFV investigations.

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 the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with section 353.34(d) of the Department's regulations. Timely 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 Act (19 U.S.C. 1675(a)(1)), section 771(i) of the Act (19 U.S.C. 1677f(i)) and 19 CFR 353.22.

Dated: June 9, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–16046 Filed 6–19–97; 8:45 am]

BILLING CODE 3510–DS–M

DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–831]

Fresh Garlic From the People's Republic of China; 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 requests by the petitioner, the Fresh Garlic Producers Association and its individual members, and an importer, the Department of Commerce is conducting an administrative review of the antidumping duty order on fresh garlic from the People's Republic of China. The period of review is November 1, 1995, through October 31, 1996. Petitioner requested a review of eight exporters. Haitai America, Inc., a U.S. importer, requested a review of sales of its exporter/producer Rizhao Hanxi Fisheries & Comprehensive Development Co., Ltd. Because we have determined that one named respondent has failed to submit a complete response to our questionnaire and the remaining named respondents failed to respond at all to our questionnaires, we have preliminarily determined to use facts otherwise available for cash deposit and assessment purposes for all producers/exporters of the subject merchandise.

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

EFFECTIVE DATE: June 20, 1997.

FOR FURTHER INFORMATION CONTACT: Andrea Chu or Thomas O. Barlow, Office of 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.

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). 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 November 4, 1996, the Department published in the **Federal Register** (61 FR 56663) a notice of ''Opportunity to Request an Administrative Review'' of the antidumping duty order (59 FR 59209, November 16, 1994) on fresh garlic from the PRC. On November 27, 1996, petitioner requested an administrative review of eight producers/exporters of this merchandise

to the United States. On December 2, 1996, Haitai America, a U.S. importer of the merchandise, requested a review of its exporter/producer, Rizhao Hanxi Fisheries & Comprehensive Development Co., Ltd. (Rizhao). We published a notice of initiation of this review on December 16, 1996 (61 FR 66017), and on January 17, 1997, we sent questionnaires to the Embassy of the PRC, the Ministry of Foreign Trade and Economic Cooperation (MOFTEC) and the nine respondent firms named in the initiation notice.

Scope of the Review

The products covered by this review are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing and level of decay.

The scope of this order does not include: (a) Garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0000, 0710.80.7060, 0710.80.9750, 0711.90.6000, and 2005.90.9500 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to the Customs Service to that effect.

Use of Facts Otherwise Available

On January 17, 1997, we sent questionnaires to the Embassy of the PRC, MOFTEC and the nine respondent firms named in the initiation notice. We did not receive a response from either the PRC embassy or MOFTEC. Only one respondent, Rizhao, has responded to any part of our antidumping questionnaire. However, Rizhao did not provide factors-of-production data and therefore has not provided a response with sufficient information to enable us to proceed with our dumping analysis. We also do not have any information on the record with regard to the other eight named respondents. Therefore, we must rely on facts otherwise available in accordance with section 776(a) of the Act for these preliminary results of review.

Because necessary information is not available on the record with regard to sales by the named respondent firms, as a result of their withholding the requested information, we are preliminarily determining to apply antidumping duties based on facts otherwise available pursuant to section 776(a) of the Act. In addition, the Department finds that, in not responding completely or at all to our antidumping questionnaire, the firms failed to cooperate by not acting to the best of their ability to comply with requests for information from the Department.

Where the Department must resort to the facts otherwise available, section 776(b) of the Act authorizes the Department to use an inference adverse to the interests of that respondent in choosing facts available. Section 776(b) of the Act also authorizes the Department to use, as adverse facts available, information derived from the petition, the final determination, a previous administrative review, or other information placed on the record. Because information from the petition and prior segments of the proceeding constitutes secondary information, section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA) provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information to be used has probative value.

In this case, we are using as facts available the PRC-wide rate determined for companies involved in the less-than-fair-value investigation (376.67 percent). Although that rate constitutes secondary information, the information has already been corroborated in a prior review. See Final Results of Administrative Review: Fresh Garlic from the People's Republic of China, 61 FR 68229 (December 27, 1996). There is no evidence that would warrant revisiting that issue in this review. Moreover, we have preliminarily determined that the non-responsive companies do not merit separate rates. See, e.g., Natural Bristle Paint Brushes and Brush Heads From the People's Republic of China; Preliminary Results of Antidumping Duty Administrative Review, 61 FR 57390 (November 6, 1996). Although Rizhao answered the separate-rates and sales portions of the questionnaire, it failed to provide factors of production data and therefore we do not have sufficient data. Accordingly, Rizhao will receive the PRC-wide rate of 376.67 percent.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that a margin of 376.67 percent exists for all producers/exporters of the subject merchandise for the period November 1, 1995, through October 31, 1996.

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 issue 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 will determine, and the Customs Service will assess, antidumping duties on all appropriate entries. Upon completion of this review, the Department will issue appraisement 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 fresh garlic from the PRC 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: for all PRC exporters and for all non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the PRC-wide rate established in the final results of this review.

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.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

Dated: June 16, 1997.

[FR Doc. 97–16247 Filed 6–19–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–826]

Pure Magnesium From the People's Republic of China: Notice of Extension of Time Limit for New Shipper Antidumping Duty Administrative Review

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

EFFECTIVE DATE: June 20, 1997.

FOR FURTHER INFORMATION CONTACT: Everett Kelly or Ellen Grebasch, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–4194 or (202) 482–3773, respectively.

Summary

The Department of Commerce (the Department) is extending the time limit for the preliminary results of the new shipper review of the antidumping duty order on pure magnesium from the People's Republic of China. The period of review is May 1, 1996, through October 31, 1996. This extension is made pursuant to the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (hereinafter, ''the Act'').

Postponement

On December 20, 1996, the Department initiated this new shipper review of the antidumping duty order on pure magnesium from the People's Republic of China (61 FR 69067). The current deadline for the preliminary results is June 18, 1997. Under the Act, the Department may extend the deadline for completion of a new shipper review if it determines that the case is extraordinarily complicated. The Department finds that it is not practicable to complete the new shipper review of pure magnesium from the People's Republic of China within this time limit due to the complex nature of certain issues in this review which require further investigation. Among these issues is the ongoing verification of a reportedly canceled sale and a first time separate rates determination.

In accordance with section 751(a)(2)(B)(iv) of the Act, the Department will extend the time for completion for the preliminary results of this new shipper review to October 16, 1997. Accordingly, we will issue the final results within 90 days after notice of the preliminary results is published in the **Federal Register**.

Jeffrey P. Bialos,

Principal Deputy Assistant Secretary for Import Administration.

Dated: June 12, 1997.

[FR Doc. 97–16245 Filed 6–19–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

University of Arizona; Application for Duty-Free Entry of Scientific Instrument

Pursuant to section 240 of the Trade and Tariff Act of 1984 as amended by Pub. L. 104–295, which pertains solely to the application described below, we invite comments on the question of whether instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are being manufactured in the United States. 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, NW., Washington, DC.

Applicant: University of Arizona, Steward Observatory, 933 N. Cherry Avenue, Tucson, AZ 85721. *Instrument:* Submillimeter Bolometer, Receivers, Acoustical Optical Spectrometer, Spectrometers and other custom equipment to support a submillimeter telescope. *Manufacturer:* Max Planck Institute, Germany. *Intended Use:* The instrument will be used to investigate planetary atmospheres, comets, protostellar nebulae, planetary nebulae, molecular clouds and cores, galaxies and quasars using a battery of experiments to determine physical, chemical, and kinematic structure and the time revolution of these properties.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 97–16246 Filed 6–19–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 061197B]

Gulf of Mexico Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene public meetings.

DATES: The meetings will be held on July 14–16, 1997.

ADDRESSES: These meetings will be held at the Hawk's Cay Resort and Marina, Mile Marker 61, Marathon (Duck Key), FL; telephone: 305–743–7000.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619.

FOR FURTHER INFORMATION CONTACT: Wayne E. Swingle, Executive Director, Gulf of Mexico Fishery Management Council; telephone: (813) 228–2815.

SUPPLEMENTARY INFORMATION:

Council

July 16

8:30 a.m.—Convene.

8:45 a.m. - 9:00 a.m.—Hear presentation on Live Rock Issues.

9:00 a.m. - 11:30 a.m.—Discuss Options Paper for Mackerel Amendment 9.

1:00 p.m. - 4:30 p.m.—Discuss Draft Options Paper for Reef Fish Amendment 16.

4:30 p.m. - 5:00 p.m.—Receive a report of the Personnel Committee.

July 17 8:30 a.m. - 8:45 a.m.—Receive a report of the Habitat Protection Management Committee.

8:45 a.m. - 9:00 a.m.—Receive a report of the Budget Committee.

9:00 a.m. - 9:15 a.m.—Receive a report of the Shrimp Management Committee.

9:15 a.m. - 9:30 a.m.--Receive a report of the Stone Crab Management Committee.

9:30 a.m. - 10:00 a.m.—Receive a report of the Migratory Species Management Committee.