orders in effect or investigations in progress as of January 1, 1989. On October 5, 1994, the Department published a proposed amendment to the conversion (59 FR 50727). Interested parties were invited to comment on this proposed amended conversion. The Department also requested the U.S. Customs Department to comment on the proposed amendment to the conversion. Based on our analysis of the comments received, the Department is now publishing an amended conversion of the scope of the countervailing duty order on certain apparel from Peru.

# EFFECTIVE DATE: May 1, 1995.

FOR FURTHER INFORMATION CONTACT: Martina Tkadlec or Kelly Parkhill, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone (202) 482–2786.

#### SUPPLEMENTARY INFORMATION:

## Background

In 1985, the Department issued a countervailing duty order on Certain Apparel from Peru (C-333-402) (50 FR 9871; March 12, 1985). The scope of this order was originally defined solely in terms of the Tariff Schedules of the United States Annotated (TSUSA) item numbers; no narrative product description was provided. On January 1, 1989, the United States fully converted from the TSUSA to the Harmonized Tariff Schedule (HTS). Section 1211 of the Omnibus Trade and Competitiveness Act of 1988 directed the Department to "take whatever actions are necessary to conform, to the fullest extent practicable, with the tariff classification system of the Harmonized Tariff Schedule (for) all \* \* \* orders \* \* \*'' in effect at the time of the implementation of the HTS.

Accordingly, on January 11, 1989, after reviewing comments received from the public, the Department published the 1989 Conversion for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989 (54 FR 993). That notice also included the conversion of the scope of the countervailing duty order on certain apparel from Peru from TSUSA to HTS item numbers. The 1989 Conversion was based on a one-to-one correspondence of the TSUSA and HTS item numbers. In the notice, the Department stated that it would review the HTS classifications at any time during a proceeding upon receipt of new information or additional comments.

Subsequently, as a result of comments submitted to the Department by the importing public and advice received from the U.S. Customs Service, the Department determined (1) that the 1989 Conversion did not accurately reflect the scope of the countervailing duty order on certain apparel from Peru and, therefore, (2) that the 1989 Conversion should be amended. On October 5, 1994, the Department published a proposed amendment to the 1989 Conversion and invited interested parties to comment (59 FR 50727). The Department also requested comments on the proposed conversion from the U.S. Customs Service.

Based on our analysis of the comments received, the Department has amended the 1989 Conversion governing the countervailing duty order on certain apparel from Peru. The HTS numbers included in this order are listed in the attached Appendix.

## **Analysis of Comments Received**

The Department received no timely comments from interested parties. We are making the following changes to the HTS-defined scope, as published on October 5, 1994 (59 FR 50727), based on comments from the U.S. Customs Service and advice from the U.S. International Trade Commission:

1. Since the original TSUSA-defined scope of this countervailing duty order did not include hand-knit alpaca apparel, we are inserting the following footnote applicable to the whole HTSdefined scope in the attached Appendix: "The order covers all products identified, other than hand-knit alpaca garments."

2. To better reflect the original TSUSA-defined scope of this countervailing duty order, cotton bags should be excluded from the HTS subheading 4202.2280. Consequently, we are inserting the expression "Coverage excludes handbags with outer surface of cotton" for this subheading.

3. To better reflect the original TSUSA-defined scope of this countervailing duty order, we are adding the footnote "Coverage excludes garments having embroidery or permanently affixed applique work on the outer surface" to the following HTS subheadings: 6104.5100, 6104.6315, 6104.5910, 6104.6100, 6104.6315, 6104.6920, 6204.3120, 6204.3340, 6204.3920, 6204.4120, 6204.4330, 6204.4430, 6204.5100, 6204.5320, 6204.5920, 6204.6240, 6204.6325, 6204.6920.

4. An HTS subheading change, made effective on January 1, 1995, necessitates that we replace subheading

6204.6100 with 6204.6190. We are also adding the footnote "Coverage excludes garments having embroidery or permanently affixed applique work on the outer surface" to this HTS subheading.

5. We are inserting HTS subheadings 6104.6210, 6201.1330, and 6202.1330 so that the HTS-defined scope reflects more accurately the original TSUSAdefined scope of this countervailing duty order.

6. We are also inserting HTS subheadings 6106.2010 and 6106.9010 with the footnote "Coverage excludes garments having embroidery or permanently affixed applique work on the outer surface" so that the HTSdefined scope reflects more accurately the original TSUSA-defined scope of this countervailing duty order.

#### **Instructions to Customs**

The Department will instruct the U.S. Customs Service to liquidate without regard to countervailing duties all unliquidated entries of certain apparel from Peru not covered by the attached Appendix that were exported from Peru on or after May 18, 1992. The Department will also instruct the U.S. Customs Service to liquidate at the appropriate countervailing duty rate all unliquidated entries of the subject merchandise covered in the attached Appendix that were exported on or after May 18, 1992, and on or before December 31, 1994.

In addition, we are instructing the Customs Service to terminate the suspension of liquidation for all entries of certain apparel from Peru not covered in the attached Appendix, that are entered or withdrawn from the warehouse on or after the date of publication of this notice. The Department will also instruct the U.S. Customs Service to continue to suspend liquidation and collect the appropriate cash deposit of estimated countervailing duties for the subject merchandise listed in the attached Appendix, entered or withdrawn from the warehouse, on or after the date of publication of this notice.

Dated: April 18, 1995.

# Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

# Appendix: Amended HTS List for Certain Apparel From Peru (C-333-402)▼

4202.1240	6109.1000
4202.2270	6110.1010
4202.2280●	6110.1020
4202.9215	6110.2020
4202.9260	6110.3015
6102.1000	6116.9100