[A-580-803]

Certain Small Business Telephone Systems and Subassemblies Thereof From Korea; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of final results of antidumping duty administrative review.

SUMMARY: On December 23, 1994, the Department of Commerce (the Department) published the preliminary results of its 1993–94 administrative review of the antidumping duty order on certain small business telephone systems and subassemblies thereof (SBTS) from Korea. The review covers one manufacturer/exporter of this merchandise to the United States, SsangBangWool Inc. (SBW). The review period is February 1, 1993, through January 31, 1994.

We gave interested parties the opportunity to comment on the preliminary results. We received one comment from the respondent.

EFFECTIVE DATE: May 4, 1995.

FOR FURTHER INFORMATION CONTACT: Hermes Pinilla or Michael R. Rill, Office of Antidumping Compliance, Import Administration International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

Background

On December 23, 1994, the Department published in the **Federal Register** (59 FR 66294) the preliminary results of its administrative review of the antidumping duty order on SBTS from Korea (55 FR 4215, February 7, 1990). The Department has now completed that administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

Scope of the Review

The products covered by this review are SBTS, currently classifiable under *Harmonized Tariff Schedule* (HTS) item numbers 8517.30.2000, 8517.30.2500, 8517.30.3000, 8517.10.0020, 8517.10.0040, 8517.10.0050, 8517.10.0070, 8517.10.0080, 8517.90.1000, 8517.90.1500, 8517.90.3000, 8518.30.1000, 8504.40.0004, 8504.40.0008, 8504.40.0010, 8517.81.0010, 8517.81.0020, 8517.90.4000, and 8504.40.0015.

The HTS item numbers are provided for convenience and Customs purposes. They are not determinative of the products subject to the order. The written description remains dispositive.

Certain SBTS are telephone systems, whether complete or incomplete, assembled or unassembled, with intercom or internal calling capability and total non-blocking port capacities of between 2 and 256 ports, and discrete subassemblies designed for use in such systems. A subassembly is "designed" for use in a small business telephone system if it functions to its full capability only when operated as part of a small business telephone system. These subassemblies are defined as follows:

(1) Telephone sets and consoles, consisting of proprietary, corded telephone sets or consoles. A console has the ability to perform certain functions including: Answer all lines in the system; monitor the status of other phone sets; and transfer calls. The term "telephone sets and consoles" is defined to include any combination of two or more of the following items, when imported or shipped in the same container, with or without additional apparatus: housing; hand set; cord (line or hand set); power supply; telephone set circuit cards; console circuit cards.

(2) Control and switching equipment, whether denominated as a key service unit, control unit, or cabinet/switch. "Control and switching equipment" is defined to include the units described in the preceding sentence which consist of one or more circuit cards or modules (including backplane circuit cards) and one or more of the following items, when imported or shipped in the same container as the circuit cards or modules, with or without additional apparatus: connectors to accept circuit cards or modules; building wiring.

(3) Circuit cards and modules, including power supplies. These may be incorporated into control and switching equipment or telephone sets and consoles, or they may be imported or shipped separately. A power supply converts or divides input power of not more than 2400 watts into output power of not more than 1800 watts supplying DC power of approximately 5 volts, 24 volts, and 48 volts, as well as 90 volt AC ringing capability.

The following merchandise has been excluded from this order: (1) Nonproprietary industry-standard ("tip/ ring") telephone sets and other subassemblies that are not specifically designed for use in a covered system, even though a system may be adapted to use such nonproprietary equipment to provide some system functions; (2) telephone answering machines or facsimile machines integrated with telephone sets; and (3) adjunct software used on external data processing equipment.

The review covers one manufacturer/ exporter of this merchandise to the United States, SBW. The review period is February 1, 1993, through January 31, 1994.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results as provided by section 353.22(c) of the Department's regulations. We received one comment from the respondent.

Comment Received From SBW

Comment: SBW argues that the Department should include an adjustment for duty drawback with respect to one U.S. sale for which duty drawback has not yet been received. SBW states that it routinely submits the required documentation to Customs and receives the duty drawback allowance. However, at the time of submission, SBW had not received duty drawback with respect to this one sale. Also, SBW asserts that it has already applied for drawback and has no reason to believe that it will not be granted. SBW requests that the Department make the duty drawback adjustment for the sale in question by using the higher of two amounts of drawback reported for the two groups of export transactions for the period of review.

Department's Position: We disagree with SBW. On March 10, 1995, SBW informed the Department that drawback had still not been received with respect to this sale. Thus, more than a year and a half has elapsed since the date of shipment, and SBW has not received any duty drawback. This is more than sufficient time for SBW to collect drawback. In addition, SBW received duty drawback for other exports of this merchandise shipped at about the same time and even later. Accordingly, because SBW has not received drawback for this sale, we have determined that an adjustment for duty drawback is not appropriate.

Final Results of Review

As a result of this review, we determine that the following weightedaverage dumping margin exists for the period February 1, 1993, through January 31, 1994: