

of America (Magcorp), requested that we conduct an administrative review of Norsk Hydro Canada Inc. (NHCI), for the period August 1, 1993, through July 31, 1994. On August 31, 1994, NHCI, an interested party, requested that we conduct an administrative review for the same period. We published a notice of initiation of the antidumping administrative review on September 16, 1994.

The Department has now conducted the administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Tariff Act).

#### Scope of the Review

The product covered by this review is pure magnesium. Pure unwrought magnesium contains at least 99.8 percent magnesium by weight and is sold in various slab and ingot forms and sizes. Granular and secondary magnesium are excluded from the scope of this review. Pure magnesium is currently classified under subheading 8104.11.0000 of the Harmonized Tariff Schedule (HTS). HTS item numbers are provided for convenience and for Customs purposes. The written description remains dispositive.

#### Preliminary Results of Review

The Department has preliminarily determined that the single manufacturer/exporter subject to review, NHCI, had no shipments of this merchandise to the United States during the period of review. The Department will verify this determination. Due to the need to verify information in the first administrative review, that review has not yet been completed, and, therefore, the Department has preliminarily assigned NHCI the cash deposit rate established in Pure Magnesium From Canada: Amendment of Final Determination of Sales at Less Than Fair Value and Order in Accordance With Decision on Remand, 58 FR 62643, November 29, 1993. The rate is 21 percent.

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the following deposit requirements will be effective for all shipments of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided for by section 751(a)(1) of the Tariff Act: (1) The cash deposit rate for the reviewed firm will be that firm's rate established in the final results of this administrative 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, 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) the cash deposit rate for all other manufacturers or exporters not previously reviewed will be 21 percent, the rate established in Pure Magnesium From Canada:

Amendment of Final Determination of Sales At Less Than Fair Value and Order in Accordance With Decision on Remand, 58 FR 62643, November 29, 1993.

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

Interested parties may request disclosure within five days of the date of publication of this notice, and may request a hearing within 10 days of the date of publication. Any hearing, if requested, will be held as early as convenient for the parties but not later than 44 days after the date of publication or the first workday thereafter. Case briefs or other written comments from interested parties may be submitted not later than 30 days after the date of publication of this notice. Rebuttal briefs and rebuttal comments, 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 the final results of this administrative review, including its results of its analysis of issues raised in any such written comments.

This notice 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 Tariff Act (19 U.S.C. 1675(a)(1)) and 19CFR 353.22.

Dated: June 28, 1995.

**Paul L. Joffe,**

*Deputy Assistant Secretary for Import Administration.*

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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 June 26, 1995 Mitsubishi Electronics Industries Canada, Inc. 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 Determination Not to Revoke Antidumping Duty Orders and Findings Nor To Terminate Suspended Investigations made by the International Trade Administration in the respecting Color Picture Tubes from Canada. This determination was published in the **Federal Register** on May 25, 1995 (60 FR 27720, 27722). The NAFTA Secretariat has assigned Case Number USA-95-1904-03 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 NAFTA 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 NAFTA, 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 NAFTA, on June 26, 1995, requesting panel review of the final determination described above.

The Rules provide that: