aggregate volume of third country sales. Therefore, we determined that MSA had a viable home market with respect to sales of seamless pipe during the POI.

During the POI, MSA made home market sales to unrelated customers, as well as to one related customer. Mannesmann Commerciale S.A. (MCSA). In its response, MSA provided two home market sales listings. One sales listing consisted of MSA's sales to MCSA and unrelated parties; the other consisted of MCSA's sales to unrelated parties including MCSA's unrelated customers ("downstream" sales). MSA claims that its related party sales were made at arm's-length. To test the accuracy of respondent's claim, we compared related party prices to unrelated party prices using the test set forth in Appendix II to the Final Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Carbon Steel Flat Products from Argentina, 58 FR 37062 (July 9, 1994), and found that its prices to MCSA were not at arm'slength. Therefore, we excluded MSA's related party sales from our analysis, and used only those sales made to unrelated parties including the downstream sales.

In accordance with past practice, in order to eliminate the distortive effects of hyperinflation in the Brazilian economuy, we calculated separate weighted-average FMVs for each month. (See Ferrosilicon, 59 FR at 733).

In accordance with 19 C.F.R. 353.46, we calculated FMV based on FOB or CIF prices, exclusive of any inflation adjustment, charged to unrelated customers in Brazil. In light of the Court of Appeals for the Federal Circuit's (CAFC) decision in Ad Hoc Committee of AZ-NM-TX-FL Producers of Gray Portland Cement versus United States, 13 F.3d 398 (Fed. Cir. 1994), the Department no longer can deduct home market movement charges from FMV pursuant to its inherent power to fill in gaps in the antidumping statute. Instead, we will adjust for those expenses under the circumstance-of-sale provision of 19 C.F.R. 353.56(a) and the exporter's sales price offset provision of 19 C.F.R. 353.56(b)(2), as appropriate. Accordingly, in the present case, we deducted post-sale home market movement charges from FMV under the circumstance-of-sale provision of 19 C.F.R. 353.56(a). This adjustment included home market inland freight and insurance.

Pursuant to 19 C.F.R. 353.56(a)(2), we made further circumstance-of-sale adjustments, where appropriate, for differences in credit expenses, warranties and product liability expenses between the U.S. and home

markets. For certain transactions with reported negative values (e.g., warranty expenses), we made no adjustment to FMV for the subject expenses. We recalculated U.S. credit expenses in accordance with respondent's methodology, using the revised U.S. shipment dates. (See "United States Price" section of this notice.) For sales with missing payment dates, we recalculated U.S. credit expenses using the date of the preliminary determination for date of payment. For sales with missing shipment and payment dates, we recalculated U.S. credit expenses using the average number of credit days between the revised shipment dates and the reported payment dates for respondent's U.S. sales which were reportedly shipped and paid. We disallowed MSA's claim for home market commissions made to a related party because respondent did not demonstrate that these commissions were arm's-length transactions. (See LMI-La Metalli Industriale, S.p.A. versus United States, 912 F.2d 455 (Fed. Cir. 1990)). We added interest revenue, where appropriate.

We also deducted home market packing and added U.S. packing costs, in accordance with section 773(a)(1) of the Act.

We adjusted for taxes collected in the home market. See "United States Price" section of this notice.

We did not make adjustments for differences in the physical characteristics of the merchandise for the reasons outlined above.

Currency Conversion

No certified rates of exchange, as furnished by the Federal Reserve Bank of New York, were available for the POI. In place of the official certified rates, we used the daily official exchange rates for the Brazilian currency published by the Central Bank of Brazil which were provided by respondent in its Section A response.

Verification

As provided in section 776(b) of the Act, we will verify the information used in making our final determination.

Suspension of Liquidation

In accordance with section 733(d)(1) of the Act, we are directing the Customs Service to suspend liquidation of all entries of seamless pipe from Brazil, as defined in the "Scope of Investigation" section of this notice, that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. The Customs Service shall require a cash deposit or the posting of

a bond equal to the estimated preliminary dumping margins, as shown below. The suspension of liquidation will remain in effect until further notice. The estimated preliminary dumping margins are as follows:

Manufacturer/producer/exporter	Margin percent
Mannesmann S.A	12.83 12.83

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine whether imports of the subject merchandise are materially injuring, or threaten material injury to, the U.S. industry before the later of 120 days after the date of the preliminary determination or 45 days after our final determination.

Public Comment

In accordance with 19 C.F.R. 353.38, case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than March 10, 1995, and rebuttal briefs no later than March 15, 1995. In accordance with 19 C.F.R. 353.38(b), we will hold a public hearing, if requested, to give interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. Tentatively, the hearing will be held on March 20, 1995 at 10:00 a.m. at the U.S. Department of Commerce, Room 1414, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room B–099, within ten days of the publication of this notice in the **Federal Register**. Request should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. In accordance with 19 C.F.R. 353.38(b), oral presentation will be limited to issues raised in the briefs.

This determination is published pursuant to section 733(f) of the Act (19 U.S.C. 1673b(f)) and 19 C.F.R. 353.15(a)(4).