

allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of bicycles from the PRC are being, or are likely to be, sold in the United States at less than fair value. Unless extended, we will make our preliminary determination by September 12, 1995.

#### *Distribution of Copies of the Petition*

In accordance with section 732(b)(3)(A) of the Act, copies of the public version of the petition have been provided to the representatives of the PRC.

#### *ITC Notification*

We have notified the International Trade Commission (ITC) of our initiation, as required by section 732(d) of the Act.

#### *Preliminary Determination by the ITC*

The ITC will determine by May 22, 1995, whether there is a reasonable indication that imports of bicycles from the PRC are causing material injury, or threaten to cause material injury to, a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, this investigation will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 732(c)(2) of the Act.

Dated: April 25, 1995.

**Susan G. Esserman,**  
*Assistant Secretary for Import Administration.*

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[A-429-601]

### **Solid Urea From the German Democratic Republic; Preliminary Results of Changed Circumstances Review and Initiation of Changed Circumstances Antidumping Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of changed circumstances review and initiation of changed circumstances antidumping duty administrative review.

**SUMMARY:** On February 12, 1992, the Department of Commerce (the Department) published in the **Federal Register** (57 FR 5130) a notice of initiation of a changed circumstances review to examine the effect, if any, that

the reunification of Germany (by combination of the former German Democratic Republic (GDR) and the Federal Republic of Germany (FRG)) had on the antidumping duty order covering solid urea from the former GDR (53 FR 2636). Specifically, we reviewed the order's applicability to post-unification shipments of the subject merchandise from producers located in the pre-unification territory of the FRG. The Department preliminarily determines to maintain the order on solid urea from the five German states (Brandenburg, Mecklenburg-Vorpommern, Saxony, Saxony-Anhalt, and Thuringia (plus any other territory included in the former GDR)) that formerly constituted the GDR (hereinafter "the Five States") and to allow entry of shipments from the pre-unification territory of the FRG (the remaining German states) without regard to antidumping duties. We have also determined that there is good cause for conducting a second changed circumstances review to calculate a new cash deposit rate using a market economy analysis for any shipments of solid urea from the Five States occurring after October 2, 1990 and before the effective date of this notice.

**EFFECTIVE DATE:** May 1, 1995.

**FOR FURTHER INFORMATION CONTACT:** Wendy Frankel, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, D.C. 20230.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On July 14, 1987, the Department published in the **Federal Register** (53 FR 2636) an antidumping duty order on solid urea from the GDR that established a cash deposit rate of 44.80 percent. On October 3, 1990, the GDR and the pre-unification territory of the FRG were unified into the single jurisdiction of the Federal Republic of Germany. On October 1, 1990, the U.S. Customs Service issued instructions that it would be appropriate to treat goods that would have been considered products from the former GDR, and were entered or withdrawn from warehouse for consumption on or after October 3, 1990, as products of the unified FRG for customs purposes. In response, on October 10, 1990, the Department instructed the U.S. Customs Service to suspend liquidation of all entries of solid urea from the unified FRG but not to collect cash deposits on solid urea from any company located in what was the pre-unification territory of the FRG.

Thus, entries of solid urea from the pre-unification territory of the FRG were suspended at what was in effect a zero cash deposit rate. We further instructed U.S. Customs officials to continue collecting cash deposits from manufacturers located in what had been the GDR.

On February 12, 1992, the Department published in the **Federal Register** (57 FR 5130) the initiation of a changed circumstances review on solid urea from the former GDR (*Notice of Initiation*). At the time of initiation, companies producing solid urea in the pre-unification territory of the FRG were shipping to the United States. Accordingly, the Department initiated its review to determine whether the order on solid urea from the former GDR is applicable to shipments from producers located in the pre-unification territory of the FRG.

#### **Scope of the Review**

Imports covered by this review are those of solid urea. At the time of the publication of the antidumping duty order, such merchandise was classifiable under item 480.30 of the *Tariff Schedules of the United States Annotated* (TSUSA). This merchandise is currently classified under the *Harmonized Tariff Schedule of the United States* (HTS) item number 3102.10.00. These TSUSA and HTS item numbers are provided for convenience and Customs purposes only. The written description remains dispositive.

#### **Analysis**

Although the Department normally administers antidumping proceedings on a country-by-country basis, neither the statute, the regulations, nor the GATT expressly require such an approach. Indeed, as the Department stated in connection with the special circumstances surrounding the breakup of the Soviet Union and its potential effect on the then-pending antidumping duty investigation concerning uranium, the focus of the law is on merchandise, not countries. See *Postponement of Preliminary Antidumping Duty Determination; Uranium from the Former Union of Soviet Socialist Republics (USSR)*, 57 FR 11064 (1992) (incorporating by reference, memorandum from F. Sailer to A. Dunn dated March 24, 1992); see also *Techsnabexport, Ltd. v. United States*, 802 F. Supp. 469, 471-72 (Ct. Int'l Trade 1992).

In the present case, there are special circumstances that justify maintaining the subject order on the Five States, but not on the remaining German states. The geopolitical entity that was known as