

UNITED STATES INTERNATIONAL TRADE COMMISSION

PRESSURE SENSITIVE PLASTIC TAPE  
FROM WEST GERMANY

Determination of No Injury or Likelihood Thereof in  
Investigation No. AA1921-168  
Under the Antidumping Act, 1921, as Amended,  
Together With the Information Obtained  
in the Investigation



USITC Publication 831  
Washington, D.C.  
September 1977

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

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Daniel Minchew, Chairman  
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Catherine Bedell  
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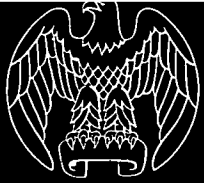
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# NEWS

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FOR RELEASE AT WILL  
September 7, 1977

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USITC FINDS IMPORTATION AND SALE OF PRESSURE SENSITIVE  
PLASTIC TAPE FROM WEST GERMANY NOT HARMFUL TO OR  
THREATENING U.S. MANUFACTURERS; USITC REPORT  
RELEASED ON PRODUCTS FROM ITALY AND WEST GERMANY

The United States International Trade Commission today reported to the Secretary of the Treasury its unanimous determination that the importation and sale of pressure sensitive plastic tape from West Germany are not harmful to or threatening U.S. manufacturers. At the same time, the Commission released its combined report on the importation and sale of the product from Italy and West Germany.

The report which the Commission released last week, Pressure Sensitive Plastic Tape From Italy (USITC Publication 830), contains the views of the Commissioners in that investigation. The Commission's combined report, entitled Pressure Sensitive Plastic Tape From West Germany (USITC Publication 831), contains the views of the Commission regarding the product imported from West Germany as well as information developed during the course of the two investigations (Nos. AA1921-167 and 168). Copies of both publications may be obtained from the Office of the Secretary, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436.

The Commission investigations were begun June 3, 1977, for imports of the product from Italy, and June 27, 1977, for imports from West Germany.

Complaints which led to the Commission investigations were filed by Minnesota Mining & Manufacturing Co., of St. Paul, Minnesota, the largest U.S. producer of pressure sensitive plastic tape.



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Note.--Information which would disclose confidential operations of individual concerns may not be published and therefore has been deleted from this report. Deletions are indicated by asterisks.



United States International Trade Commission  
Washington, D.C.

/AA1921-168/

PRESSURE SENSITIVE PLASTIC TAPE FROM WEST GERMANY

Determination of No Injury or Likelihood Thereof

On June 14, 1977, the United States International Trade Commission received advice from the Department of the Treasury that pressure sensitive plastic tape of more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany is being, or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). Accordingly, on June 27, 1977, the Commission instituted investigation No. AA1921-168 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notices of the institution of the investigation and of the public hearing held in connection therewith were published in the Federal Register on July 5, 1977, and July 20, 1977 (42 F.R. 34385 and 42 F.R. 37258). On August 9, 1977, a hearing was held in Washington, D.C., at which all persons who requested the opportunity were permitted to appear by counsel or in person.

In arriving at its determination, the Commission gave due consideration to all written submissions from interested parties and information adduced at the hearings as well as information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of its investigation, the Commission has unanimously determined that an industry in the United States is not being and is not likely to be injured, and is not prevented from being established, by reason of the importation of pressure sensitive plastic tape of more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany that is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Statement of Reasons for the Negative Determination of  
Vice Chairman Joseph O. Parker and Commissioners George M. Moore,  
Catherine Bedell, and Italo H. Ablondi

On June 14, 1977, the United States International Trade Commission received advice from the Department of the Treasury that pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany is being, or is likely to be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). Accordingly, on June 27, 1977, the Commission instituted investigation No. AA1921-168 under section 201(a) of said act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

In order to find in the affirmative in this investigation, the Commission must find that two conditions are satisfied. First, it must find that an industry in the United States is being or is likely to be injured or is prevented from being established. 1/ Second, any injury or likelihood of injury must be by reason of the importation into the United States of the class or kind of foreign merchandise which Treasury has determined is being, or is likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

Determination

On the basis of the information obtained in the investigation, we determine that an industry in the United States is not being and is not

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1/ Prevention of establishment of an industry is not an issue in this investigation and will not be discussed further.

likely to be injured by reason of the importation of certain pressure sensitive plastic tape from West Germany which is being, or is likely to be, sold at LTFV.

#### The imported article and the domestic industry

Pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness (PSP tape), the imported article which Treasury found to be sold at LTFV, is a plastic-film-backed tape with an adhesive on one side that remains permanently tacky at room temperature. The tape firmly adheres to a variety of surfaces upon mere contact, without the need of more than finger or hand pressure. No activation by water, solvent, or heat is required in order to obtain a strong adhesive holding force. PSP tape of the size and specifications which the Department of the Treasury determined is being or is likely to be sold at LTFV is used primarily in the sealing of corrugated boxes.

In making this determination we have considered the U.S. industry to consist of the facilities in the United States devoted to the production of PSP tape. There are nine known producers of such tape.

#### LTFV sales

The Department of the Treasury examined sales of PSP tape from West Germany during the period February 1976 through August 1976. Three West German firms were found to have made sales at LTFV, but the weighted average LTFV margins found on sales by two of these firms were regarded by Treasury to be minimal (less than 1 percent). These two firms provided Treasury with assurances that further sales to the United States will be

made at prices not less than fair value, and they were excluded from the Treasury determination. LTFV margins ranging from 1 to 13 percent were found on virtually all sales by the third West German firm. The weighted average margin of the LTFV sales was approximately 9 percent.

No injury or likelihood of injury by reason of LTFV imports from West Germany

Notwithstanding our earlier decisions regarding injury or likelihood thereof to the domestic industry owing to LTFV imports of pressure sensitive plastic tape from Italy, <sup>1/</sup> in the instant investigation we have made a negative determination because the second condition requisite for an affirmative determination has not been met. Specifically, we are unable to find a causal relationship between any injury or likelihood thereof and LTFV imports from West Germany.

As noted above, only one West German manufacturer was found by Treasury to have made LTFV sales with sufficient margins to justify subjecting it to a LTFV determination. We cannot find that those sales caused any injury or threat thereof to the domestic industry within the meaning of the Antidumping Act, 1921, as amended. That firm's share of the U.S. market for pressure sensitive plastic tape declined by 25 percent from 1975 to 1976, the period in which Treasury found that the West German sales were made at LTFV. In January-May 1977, the company's market share dropped again by about 20 percent, compared with its share in the corresponding period in 1976. <sup>2/</sup>

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<sup>1/</sup> See Pressure Sensitive Plastic Tape From Italy: Determination . . . in Investigation No. AA1921-167 . . ., USITC Publication 830, 1977.

<sup>2/</sup> Vice Chairman Parker and Commissioner Ablondi note that this is in marked contrast to LTFV imports of PSP tape from Italy, which more than doubled from 1975 to 1976 and continued to increase in 1977.

An analysis of prices for PSP tape in the U.S. market during 1975, 1976, and January-May 1977 showed that LTFV imports from West Germany were competitively priced, but were not a price leader. 1/ Furthermore, the Commission could verify only one sale that a U.S. producer lost to tape imported from the West German supplier of LTFV imports.

#### Conclusion

The conditions mentioned above and the trends that they represent lead us to conclude that an industry in the United States is not being and is not likely to be injured by reason of the importation of pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany which is being, or is likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

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1/ Vice Chairman Parker and Commissioner Ablondi note that during the same period Italian producers emerged as the downside price leaders, as evidenced by the fact that imports of PSP tape from Italy were priced below its domestic counterpart.

Statement of Reasons of Negative Determination  
of Chairman Daniel Minchew

On June 14, 1977, the United States International Trade Commission (Commission) received advice from the Department of Treasury (Treasury) that PSP tape from West Germany is being, or is likely to be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended. Accordingly, on June 27, 1977, the Commission instituted investigation No. AA1921-168 under section 201(a) of the Act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Before the Commission may find in the affirmative in these investigations, it is necessary that the following two conditions be met:

- (1) an industry in the United States is being or is likely to be injured, or is prevented from being established, 1/ and
- (2) the requisite injury must be by reason of the importation into the United States of the merchandise which Treasury has determined is being, or is likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

Determination

On the basis of information obtained in this investigation, I have determined that an industry in the United States is not being

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1/ Prevention of the establishment of an industry is not an issue in the instant investigation and will not be discussed further.

injured and is not likely to be injured, nor is it prevented from being established, by reason of the importation of pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany which is being, or is likely to be, sold at LTFV within the meaning of the Antidumping Act, 1921, as amended.

The U.S. industry

Pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness is the article which is the subject of this investigation. It is a plastic-film-backed tape that firmly adheres to a variety of surfaces upon contact. Its major use is as corrugated-box-sealing tape, but can also be used for the manufacture of printed labels, for tabbing, for color coding, and for label protection.

In considering what makes the U.S. industry, I have determined that it consists of the facilities in the United States devoted to the production of plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness. There are nine known producers of this tape in the United States.

No injury by reason of LTFV imports

On August 31, 1977, the Commission reported to the Secretary of the Treasury that a U.S. industry was being or was likely to be injured by reason of the importation of pressure sensitive plastic tape of more than 1-3/8 inches in width and not exceeding 4 mils in thickness



from Italy that was being, or was likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended. 1/

Along with Commissioner Bedell, I dissented from that position determining that there was no injury or likelihood of injury to an industry in the United States by reason of the importation of that article. In so finding, I, along with Commissioner Bedell, stated that "in our opinion the information gathered during the investigation indicates that an industry in the United States is not being injured. Furthermore, if the requisite injury had been established, there would be no persuasive indication that such injury was caused by LTFV imports." 2/

Further, with regard to likelihood of injury, we found that "the strong growth trends evidenced by the domestic industry lead us to believe that LTFV imports as described by Treasury are not likely to injure the domestic industry." 3/

As the U.S. industry in question in this investigation is identical to the one in the case involving pressure sensitive tape from Italy, and I found no injury in that industry within the last few days, it would not seem necessary to further discuss the question of injury. And, even if it could be shown that there was some injury, the even lower level of LTFV import penetration in this case, about one-half of that attained by the Italian supplier in 1976 would

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1/ Pressure Sensitive Plastic Tape From Italy, USITC Publication 830, August 1977.

2/ Ibid. p. 10.

3/ Ibid. p. 12.

indicate even less likelihood that causation could be established. 1/

Conclusion

For the reasons stated above, I have concluded that an industry in the United States is not being injured and is not likely to be injured by reason of LTFV imports of pressure sensitive plastic tape from West Germany.

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1/ The share of U.S. apparent consumption of all types of PSP tape supplied by Braas, the only West German manufacturer with substantial LTFV margins, declined by about one-quarter from 1975 to 1976 and continued to decline in January - May, 1977, as contrasted with the Italian suppliers of LTFV imports whose share of U.S. consumption doubled from 1975 to 1976 and continued to increase in January - May, 1977.

## INFORMATION OBTAINED IN THE INVESTIGATION

## Summary

Investigation No. AA1921-167 (pressure sensitive plastic tape from Italy) was instituted by the United States International Trade Commission on June 3, 1977, following the receipt of advice from the Department of the Treasury that such merchandise is being, or is likely to be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act, 1921, as amended. Investigation No. AA1921-168 (pressure sensitive plastic tape from West Germany) was instituted by the Commission on June 27, 1977.

The complaints which led to these investigations were filed with Treasury by Minnesota Mining & Manufacturing Co. (3M Co.) of St. Paul, Minn., the largest U.S. producer of pressure sensitive plastic tape. The complaints filed with Treasury specifically alleged that "box sealing tape" made from pressure sensitive plastic tape was being sold in the United States at LTFV. Treasury restricted its investigations and its findings of sales at LTFV to merchandise defined as pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness.

Treasury's investigation with regard to tape from Italy covered sales to the United States during the 7-month period December 1, 1975-June 30, 1976. Treasury found that four firms--Manuli, Boston, Comet, and Plasturopa--accounted for 92 percent of the pressure sensitive plastic tape exported to the United States from Italy during the period under investigation. Treasury made price comparisons on approximately 76 percent of the sales to the United States by Italian manufacturers. These comparisons revealed LTFV margins ranging from 1 to 26 percent on 80.0 percent of the sales made by Manuli, 0 to 17 percent on 71.5 percent of the sales made by Boston, and 2 to 18 percent on 77.3 percent of sales made by Comet. No LTFV margins were found on sales by Plasturopa. The weighted average margins for the three firms selling at LTFV were \*\*\* percent for Manuli, \*\*\* percent for Boston, and \*\*\* percent for Comet.

Treasury's investigation with regard to tape from West Germany covered sales to the United States during the period February 1, 1976-August 31, 1976. Treasury found that three West German manufacturers--Braas, Nopi, and Beiersdorf--accounted for nearly 100 percent of the subject tape exported to the United States during the period under investigation. Treasury made comparisons on approximately 85 percent of the merchandise sold to the United States by the three manufacturers. These comparisons revealed LTFV margins ranging from 1 to 13 percent on nearly 100 percent of the sales made by Braas, 1 to 11 percent on 17 percent of the sales made by Nopi, and about 1 percent on 42 percent of the sales made by Beiersdorf. Sales by Braas showed a weighted

average margin of about 9 percent, while those of the other two firms showed minimal LTFV margins (less than 1 percent) and were excluded from Treasury's determination.

Pressure sensitive plastic tape is made primarily from polyester, polypropylene, and unplasticized polyvinylchloride (UPVC) film to which an adhesive is applied. The tape firmly adheres to a variety of surfaces upon mere contact, with only finger or hand pressure needed. Its major use is in sealing corrugated boxes. Other uses are in the manufacture of printed labels, for tabbing, for color coding, and for label protection.

There are nine U.S. producers of the pressure sensitive plastic tape subject to this investigation. Three of these firms account for more than 90 percent of U.S. production.

Apparent U.S. consumption of the subject tape increased annually from \*\*\* million square yards in 1973 to 108.3 million square yards in 1976. U.S. production also increased annually, rising from \*\*\* million square yards in 1973 to 43.9 million square yards in 1976. U.S. producers' shipments rose from \*\*\* million square yards in 1973 to 37.6 million square yards in 1976. U.S. exports showed an overall increase during the period, rising from \*\*\* square yards in 1973 to 641,000 square yards in 1976. Apparent consumption, production, shipments, and exports continued to increase during January-May 1977.

U.S. imports of pressure sensitive plastic tape more than tripled during the period, rising from 22.6 million square yards in 1973 to 71.3 million square yards in 1976. However, as a share of apparent U.S. consumption, imports increased by less than \*\*\* percentage points, from \*\*\* percent to 65.9 percent. Imports continued to increase in January-May 1977 in absolute terms, but declined slightly as a share of consumption.

Both U.S. employment and man-hours engaged in the manufacture of the subject tape also increased significantly.

Profit-and-loss experience of domestic producers deteriorated over the 4-year period. Profit recorded in 1973 amounted to \*\*\* percent of net sales; a \*\*\* percent operating loss occurred in 1976.

U.S. market penetration of pressure sensitive plastic tape from the Italian firms Manuli, Boston, and Comet increased from \*\*\* to \*\*\* percent in 1973 and 1976, respectively. The share of the market supplied by imports from Braas of West Germany rose from \*\*\* percent in 1973 to \*\*\* percent in 1976. Combined market penetration by these firms gained an additional \*\*\* percent of the U.S. market, as it increased from \*\*\* percent in 1973 to 36.6 percent in 1976.

Price data supplied by domestic producers and importers generally show that prices declined throughout 1975 and the first half of 1976, remained fairly constant during the rest of 1976, and then, in some instances, rose somewhat during January-May of 1977. The weighted average selling price of imported UPVC and polypropylene tape was consistently substantially less than that of domestic tape.

### Introduction

On May 31, 1977, the United States International Trade Commission received advice from the Department of the Treasury that pressure sensitive plastic tape (PSP tape) from Italy is being, or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)). 1/ Accordingly, on June 3, 1977, the Commission instituted investigation No. AA1921-167 under section 201(a) of the act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. A public hearing in connection with this investigation was held in Washington, D.C., on July 26, 1977. By statute the Commission must render its determination within 3 months of its receipt of advice from Treasury, or in this case by August 31, 1977.

Notice of the institution of the investigation and the public hearing was given by posting copies of the notice at the Secretary's office in the Commission in Washington, D.C., and at the Commission's office in New York City and by publication in the Federal Register of June 9, 1977 (42 F.R. 29568). 2/

On June 14, 1977, the Commission received advice from Treasury that PSP tape from West Germany is being, or is likely to be, sold in the United States at LTFV within the meaning of the Antidumping Act, 1921, as amended. 3/ Accordingly, on June 27, 1977, the Commission instituted investigation No. AA1921-168 under section 201(a) of the act to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States. A public hearing in connection with the investigation was held in Washington, D.C., on August 9, 1977. The Commission's determination in the investigation on PSP tape from West Germany must be rendered by September 14, 1977.

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1/ A copy of Treasury's letter to the Commission concerning LTFV sales from Italy is presented in app. A.

2/ Copies of the Commission's notices of investigation and hearing are presented in app. B.

3/ A copy of Treasury's letter to the Commission concerning LTFV sales from West Germany is presented in app. C.

Notice of the institution of the investigation and the public hearing was published in the Federal Register of July 5, 1977 (42 F.R. 34385). Notice that the date of the public hearing had been changed to August 9, 1977 (the hearing was originally scheduled as a combined hearing with that on PSP tape from Italy on July 26, 1977), was published in the Federal Register of July 20, 1977 (42 F.R. 37258). 1/

Treasury instituted its investigation on PSP tape from Italy after receiving a complaint from Minnesota Mining & Manufacturing Co. (3M Co.) on April 8, 1976. Treasury's notice of its antidumping proceedings on PSP tape from Italy was published in the Federal Register of May 14, 1976 (41 F.R. 19990). The Secretary of the Treasury concluded that with respect to PSP tape from Italy, a tentative determination provided in section 201(b)(1) of the Antidumping Act (19 U.S.C. 160 (b)(1)) could not reasonably be made within the normal 6-month investigatory period. The investigation in that case was therefore extended to 9 months, and a notice of extension of the investigatory period was published in the Federal Register of November 17, 1976 (41 F.R. 50748). Notices of withholding of appraisement and the determination of sales at less than fair value were published in the Federal Registers of February 18, 1977 (42 F.R. 10085), and May 31, 1977 (42 F.R. 27705), respectively. 2/

Treasury instituted its investigation on PSP tape from West Germany after receiving a complaint from 3M Co. on August 5, 1976. Treasury's notice of its antidumping proceeding on PSP tape from West Germany was published in the Federal Register of August 30, 1976 (41 F.R. 36521). Notices of withholding of appraisement and the determination of sales at less than fair value were published in the Federal Registers of March 3, 1977 (42 F.R. 12285) and June 9, 1977 (42 F.R. 29586), respectively. 3/

Subsequent to the initiation of both investigations, Treasury concluded that it was inappropriate to include merchandise other than pressure sensitive plastic tape of more than 1-3/8 inches in width and not exceeding 4 mils in thickness within the scope of the investigation.

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1/ Copies of the notices of institution of the investigation and hearing and of the change of date of the public hearing are presented in app. D.

2/ Copies of Treasury's Federal Register notices on PSP tape from Italy are presented in app. E.

3/ Copies of Treasury's Federal Register notices on PSP tape from West Germany are presented in app. F.

## The Product

### Description and uses

PSP tape is a plastic-film-backed tape with an adhesive on one side that remains permanently tacky at room temperature. The tape firmly adheres to a variety of surfaces such as paper, film, glass, wood, and metal upon mere contact, with only finger or hand pressure needed. No activation by water, solvent, or heat is required in order to obtain a strong adhesive holding force.

PSP tape utilizes three basic types of plastic film backings: polyester, polypropylene, and unplasticized polyvinylchloride. Polyester-film-backed tape is produced primarily in the United States, with one large producer (the 3M Co.) dominating U.S. production; UPVC tape is produced almost entirely in Europe; and polypropylene-film-backed tape is produced in the United States, Europe, the Far East, and other areas. Although the chemical composition of the three types of film backing differ, they are virtually identical in appearance. On an equal-thickness basis, polyester tape is considerably stronger than the other two types.

PSP tape is available in a variety of colors and sizes, but it is sold to consumers primarily in tan, clear, and white rolls which are 2 to 4 mils in thickness and vary in width and length. PSP tape is also sold in converter rolls, which are from 2 to 6 inches in width and up to 1,000 yards in length, and in jumbo or parent rolls 50 inches in width and 1,666 yards in length.

This product is used predominantly for sealing cartons or corrugated boxes, also referred to as regular slotted containers. In general, all three types of tape are used interchangeably for carton-sealing applications and compete directly with each other in the marketplace. However, sometimes one tape may be preferred over another because of its suitability with hand-held and automatic box-sealing devices. PSP tape is also used for printed labels, color coding, tabbing, and label protection.

Some of the converter and jumbo rolls of tape are slit to the standard 2-inch-by-55-yard rolls of carton-sealing tape; however, a significant portion of these large rolls are processed into freezer tape, carpet padding tape, security tape, and package-carrying handles, as well as the other products mentioned above. All three types of tape are used interchangeably for most of these applications, although UPVC tape is generally preferred for applications in which the tape must be printed, such as in the production of labels.

U.S. tariff treatment

All imported PSP tape, including the tape found by Treasury to be sold at LTFV, is dutiable under item 790.55 of the Tariff Schedules of the United States (TSUS). The column 1 (most-favored-nation) rate of duty is 10 percent ad valorem; the column 2 rate of duty is 40 percent ad valorem. The column 1 rate has been in effect since January 1, 1972, when the final stage of the concessions granted in the Kennedy round negotiations under the General Agreement on Tariffs and Trade became effective. 1/ No duty is applied to imports under item 790.55 from beneficiary countries under the Generalized System of Preferences.

## Nature and Extent of Sales at Less Than Fair Value (LTFV)

LTFV sales from Italy

Treasury's investigation of U.S. imports of PSP tape from Italy covered the 7-month period extending from December 1, 1975, through June 30, 1976. The Treasury investigation was limited to four Italian manufacturers--Manuli Autoadesivi S.p.A., Boston S.p.A., Comet S.A.R.A. S.p.A., and Plasturopa-SIPA S.a.S--that accounted for 92 percent of the imports of PSP tape from Italy during the period of the investigation. Price comparisons were made on approximately 76 percent of the merchandise sold to the United States by Italian manufacturers. LTFV margins were found on about \*\*\* of the merchandise on which comparisons were made. The margins (as calculated by Treasury) ranged from less than 1 percent to 26 percent, with a weighted average margin of \*\*\* percent. As shown in table 1, these comparisons revealed LTFV margins ranging from 1 to 26 percent on 80 percent of sales examined that were made by Manuli, 0 to 17 percent on 71.5 percent of examined sales made by Boston, and 2 to 18 percent on 77.3 percent of examined sales made by Comet. No LTFV margins were found on sales by Plasturopa. The weighted average margins for the three manufacturers found by Treasury to have made LTFV

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1/ The probable economic effects statement from the Trade Agreement Digest on TSUS item 790.55 is included in this report as app. G.



Table 1.--Pressure sensitive plastic tape from Italy: 1/ Sales examined by Treasury, LTFV sales, sales at fair value, ranges of LTFV margins, and weighted average margins, by manufacturers, Dec. 1, 1975-June 30, 1976

Manufacturer	Sales examined <u>2/</u>	Sales at LTFV	Sales at fair value	Margin of LTFV sales	Range of margins	Weighted average margin on all sales examined
					Percent	Percent
Manuli-----	* * *	* * *	* * *	* * *	1 to 26	* * *
Boston-----	* * *	* * *	* * *	* * *	0 to 17	* * *
Comet-----	* * *	* * *	* * *	* * *	2 to 18	* * *
Plasturopa-----	* * *	0	* * *	-	-	-
Total or average--	* * *	* * *	* * *	* * *	0 to 26	* * *

1/ Pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness.

2/ Represents 76 percent of the PSP tape sold to the United States by Italian manufacturers.

Source: Compiled from information obtained from the U.S. Department of the Treasury.

sales of the subject merchandise were \*\*\* percent for Manuli, \*\*\* percent for Boston, and \*\*\* percent for Comet. 1/

Treasury determined the aggregate value of the margins of sales at less than fair value on the subject merchandise during the period to be \*\*\*, none of which is collectible since Treasury did not withhold appraisement until February 18, 1977.

In light of the fact that Treasury found sufficient quantities of sales of the subject merchandise in the home market which were at a price equal to or above the cost of production, Treasury determined the proper basis for fair-value comparisons to be (1) between purchase price and the home-market price on sales by Boston, Comet, and Plasturopa and (2) between purchase price or exporter's sales price and the home-market price on sales by Manuli. Adjustments to the purchase price were made for ocean freight, shipping expenses, inland freight, insurance, and brokerage costs. The exporter's sales price was adjusted for transportation, insurance, U.S. customs duties, and selling expenses. The home-market price was adjusted for inland shipping expenses, cash discounts, commissions, and packaging costs.

Information on cost of production was analyzed in response to the petitioner's claim that sales in the home market and for export to the United States were at a price lower than the cost of production. Treasury determined that although some home-market sales by Manuli occurred at prices lower than the cost of production, these sales occurred in less than substantial quantities and therefore were considered in computing the home-market price. Production-cost data for Plasturopa, Comet, and Boston, however, revealed substantial home-market sales at less than the cost of production for an extended period of time. These sales, therefore, were disregarded in computing the home-market price.

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1/ The Department of the Treasury calculates percentage dumping margins as

$$\frac{\text{Fair value (in this instance, home-market price) - purchase price (or exporter's sales price)}}{\text{Purchase price (or exporter's sales price)}}$$

while the U.S. International Trade Commission calculates percentage dumping margins as

$$\frac{\text{Fair value (home-market price) - purchase price (or exporter's sales price)}}{\text{Fair value (home-market price)}}$$

The weighted average margins on pressure sensitive plastic tape from Italy, based on the Commission's formula, would be \*\*\* percent for Manuli, \*\*\* percent for Boston, and \*\*\* percent for Comet.

According to Treasury, imports of PSP tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness from Italy during the 7-month period of investigation were valued at \*\*\* million. Copies of certain Treasury memorandums relating to the determination of sales at less than fair value from Italy are reproduced in appendix H of this report.

#### LTFV sales from West Germany

Treasury's investigation of U.S. imports of PSP tape measuring more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany covered the 7-month period extending from February 1, 1976, through August 31, 1976. 1/ The investigation was limited to three West German manufacturers--Braas & Co. GmbH, Nopi GmbH, and Beiersdorf A.G.--that accounted for nearly 100 percent of the imported PSP tape from West Germany. Price comparisons were made on approximately 85 percent of the merchandise sold in the United States by the three manufacturers. As shown in table 2, these comparisons revealed LTFV margins ranging from 1 to 13 percent on almost 100 percent of the sales made by Braas, 1 to 11 percent on 17 percent of the sales made by Nopi, and about 1 percent on 42 percent of the sales made by Beiersdorf. The weighted average LTFV margins for the three manufacturers on the subject merchandise were approximately 9 percent for Braas, 0.81 percent for Nopi, and 0.36 percent for Beiersdorf 2/. The LTFV margins found on sales by Nopi and Beiersdorf were regarded by Treasury to be minimal in relation to the total volume of exports by those manufacturers. Both Nopi and Beiersdorf have furnished assurances to Treasury that further sales to the United States will be made at prices not less than fair value.

Treasury determined the aggregate value of the margins of sales at less than fair value on the subject merchandise during the period of investigation to be \*\*\*, none of which is collectible since Treasury did not withhold appraisement until March 3, 1977.

As in the investigation on PSP tape from Italy, Treasury found sufficient quantities of sales of the subject merchandise in the home market which were at a price equal to or above the cost of production. Hence, Treasury determined the proper basis for fair-value comparisons to be (1) between the purchase price and the home-market price on sales by Braas since all of its export sales to the United States were made to a nonrelated customer, and (2) between the exporter's sales price and the home-market price on sales by Nopi and Beiersdorf since all of their export sales in the United States are made by importers that are related to the exporters of the merchandise. Adjustments were made to

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1/ The period of investigation for Braas was May-August 1976.

2/ The weighted average margins on PSP tape from West Germany based on the Commission's formula would be 8.3 percent for Braas, 0.80 percent for Nopi, and 0.36 percent for Beiersdorf.

Table 2.--Pressure sensitive plastic tape from West Germany: 1/ Total sales, sales examined by Treasury, LTFV sales, sales at fair value, ranges of LTFV margins, and weighted average margins, by manufacturers, Feb. 1-Aug. 31, 1976

Manufacturer	Total sales <u>2/</u>	Sales examined	Sales at LTFV	Sales at fair value	Margin of LTFV sales	Range of margins	Weighted average margin on all sales examined
						Percent	Percent
Braas-----	* * *	* * *	* * *	* * *	* * *	1 to 13	8.7
Nopi-----	* * *	* * *	* * *	* * *	* * *	1 to 11	0.8
Beirsdorf-----	* * *	* * *	* * *	* * *	* * *	1	.4
Total or average---	* * *	* * *	* * *	* * *	* * *	1 to 13	* * *

1/ Pressure sensitive plastic tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness.

2/ Represents 100 percent of U.S. imports of PSP tape supplied by the 3 producers.

Source: Compiled from information obtained from the U.S. Department of the Treasury.

the purchase price for inland freight and ocean transportation cost. The exporter's sales price was adjusted for ocean freight and insurance, brokerage charges, inland freight, U.S. import duties, commissions, cash discounts, and selling expenses. In addition, the costs of certain manufacturing operations performed in the United States were deducted when incurred. Finally, the home-market price was adjusted for freight, commissions, bonus payments to purchasers, cash discounts, and cutting, production, and credit cost differences in the two markets.

According to Treasury, imports of PSP tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness from West Germany during 1976 were valued at approximately \*\*\*. Copies of certain Treasury memorandums relating to the determination of sales at less than fair value from West Germany are attached in appendix I.

#### U.S. Producers

Nine U.S. firms, most of which are located in the midwestern and northeastern parts of the United States, manufacture PSP tape; three of these firms account for over 90 percent of total U.S. production. These firms are Minnesota Mining & Manufacturing (3M Co.); Johnson & Johnson, Inc., Permacel Division; and ADM Corp. Pressure sensitive plastic tape accounts for only a small part of their overall operations. The 3M Co., the complainant in this investigation, is by far the largest U.S. manufacturer. Six of the nine producers began producing PSP tape in 1973 or later.

Three domestic manufacturers of pressure sensitive tape products stated in letters to the Commission that they have evaluated the PSP tape market on several occasions and have found that it would be unprofitable to produce PSP tape even though they have the capability to do so. 1/

There were basically two contentions made in the public hearings and in written briefs as to the industry upon which the Commission should focus its attention. First, the domestic producers contend that the relevant industry consists of the facilities in the United States producing carton-sealing tape. The second contention, made by foreign interests, is that the relevant industry is the U.S. facilities manufacturing all pressure sensitive tape products; according to the Pressure Sensitive Tape Counsel there are more than 80 domestic producers manufacturing hundreds of pressure sensitive tape products.

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1/ See app. J.

## Consideration of Injury or Likelihood Thereof

### U.S. consumption

Although U.S. firms have produced PSP tape for many years, the market for such tape which is more than 1-3/8 inches in width and not exceeding 4 mils in thickness did not develop until the mid-1960's. In the early 1970's, several large domestic producers increased their production of PSP tape and began to sell it primarily to the carton-sealing market. Since then, both the number of manufacturers producing PSP tape and the demand for PSP tape products have increased significantly. The rising demand for the product is primarily the result of changing market conditions that have caused consumers to switch from the traditional methods of sealing cartons (i.e., gummed paper tape and staples) to PSP tape. The development of new products or uses for PSP tape has also contributed to this rising demand.

Domestic producers of PSP tape sell and distribute this product line primarily through a network of hundreds of independent distributors.

Apparent U.S. consumption of PSP tape, as shown in table 3, increased annually during 1973-76, rising from \*\*\* million square yards in 1973 to 108.3 million square yards in 1976. From 1975 to 1976 it increased 59 percent, and more than tripled between 1973 and 1976. The substantial increase in apparent consumption in 1976 is reflected mainly in an 81-percent increase in imports in that year; producers' shipments also increased in 1976, but by only 29 percent. In January-May 1977, apparent U.S. consumption amounted to 54.6 million square yards, 28 percent more than in the corresponding period of 1976.

Apparent U.S. consumption of polyester tape, as shown in table 4, increased steadily from \*\*\* million square yards in 1973 to \*\*\* million square yards in 1976, or by 135 percent. During the period January-May 1977, apparent consumption of polyester tape continued to rise, amounting to \*\*\* million square yards compared to \*\*\* million square yards in the corresponding period of 1976. Apparent consumption of polypropylene-film-backed tape increased substantially from \*\*\* square yards in 1973 to \*\*\* million square yards in 1976. For the period January-May 1977, consumption of polypropylene tape almost equaled consumption of such tape for all of 1976 and was about three times as great as apparent consumption in January-May 1976. The rapidly increasing rate of consumption of polypropylene tape reflects its rising acceptance as carton-sealing tape. Apparent U.S. consumption of UPVC tape, almost 100 percent of which is supplied by imports, followed the same trend as that of the other types of tape for the 4-year period. Consumption of UPVC tape nearly tripled, increasing from \*\*\* million square yards in 1973 to \*\*\* million square yards in 1976. During the period January-May 1977, apparent consumption of UPVC tape leveled off at \*\*\* million square yards, only slightly above what it was in the corresponding period of 1976. Apparently, the substantial increase in consumption of polypropylene tape has displaced some of the consumption of UPVC tape in the United States.

Table 3.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: U.S. producers' shipments, exports, imports for consumption, and apparent consumption, 1973-76, January-May 1976, and January-May 1977

Period	U.S. producers' shipments	Exports	Imports	Apparent consumption	Ratio (percent) of imports to consumption
Quantity (1,000 square yards)					
1973-----	* * *	* * *	22,601	* * *	* * *
1974-----	* * *	* * *	34,231	* * *	* * *
1975-----	29,234	411	39,370	68,193	57.7
1976-----	37,608	641	71,318	108,285	65.9
January-May--					
1976-----	15,176	368	27,727	42,535	65.2
1977-----	20,118	599	35,089	54,608	64.3
Value (1,000 dollars)					
1973-----	* * *	* * *	4,441	* * *	* * *
1974-----	* * *	* * *	7,662	* * *	* * *
1975-----	10,892	155	7,349	18,086	40.6
1976-----	13,352	239	13,404	26,517	50.6
January-May--					
1976-----	5,473	142	5,239	10,570	49.6
1977-----	6,863	213	6,523	13,173	49.5

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 4.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: Apparent U.S. consumption and ratios of imports to consumption, by types, 1973-76, January-May 1976, and January-May 1977

Item	1973	1974	1975	1976	January-May--	
					1976	1977
Apparent consumption:						
Polyester-----1,000 yd <sup>2</sup> --	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----do-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----do-----	* * *	* * *	* * *	* * *	* * *	* * *
Other plastic						
resins-----do-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----do-----	* * *	* * *	68,193	108,285	42,535	54,608
Ratio of imports to						
consumption:						
Polyester-----percent--	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----do----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----do-----	* * *	* * *	* * *	* * *	* * *	* * *
Other plastic						
resins-----do-----	* * *	* * *	* * *	* * *	* * *	* * *
Average-----do-----	* * *	* * *	57.7	65.9	65.2	64.3

1/ Negligible.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.



U.S. capacity

Capacity of U.S. firms to manufacture PSP tape of the dimensions which Treasury found to be sold at LTFV is also capable of being used to produce other sizes and types of pressure sensitive tape. The only available indicator of utilization of U.S. firms' capacity to produce PSP tape is a measure of the ratio of PSP tape production to total plant capacity (i.e., capacity to produce all plastic tape products). These figures, as shown in table 5, represent four of the largest domestic manufacturers and show that PSP tape output accounted for 32 percent of total plant capacity in 1974 and approximately 29 percent in 1975 and 1976. 1/ Over the period, total capacity increased by 66 percent, and PSP tape production was up 51 percent.

Table 5.—Pressure sensitive plastic tape: PSP tape production and total plant capacity, 1/ 1974-76

Item	: 1974	: 1975	: 1976
PSP tape production-----1,000 yd <sup>2</sup> ----	***	***	***
Total plant capacity <u>1/</u> --1,000 yd <sup>2</sup> ----	***	***	***
Ratio of PSP tape production to	:	:	:
total plant capacity-----percent--:	32.0	29.4	28.9

1/ Represents total tape capacity for all plastic tape products in the plants producing PSP tape, based on 3 shifts a day for 5 days a week.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission by domestic producers.

U.S. production, shipments, and exports

U.S. production of PSP tape increased annually from 1973 to 1976, when it reached 44 million square yards, as shown in table 6. U.S. production in 1976 was almost 36 percent higher than it was in 1975 and \*\*\* percent higher than in 1973. Production continued to increase during January-May 1977, reaching a level of 22.8 million square yards, or 28 percent higher than it was during the corresponding period of 1976.

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1/ \*\*\*.

Table 6.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: U.S. production, producers' shipments, and exports, by types, 1973-76, January-May 1976, and January-May 1977

Item	1973	1974	1975	1976	January-May--	
					1976	1977
Quantity (1,000 square yards)						
Production:						
Polyester-----	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----	* * *	* * *	32,290	43,924	17,818	22,798
Shipments:						
Polyester-----	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----	* * *	* * *	29,234	37,608	15,176	20,118
Exports:						
Polyester-----	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----	* * *	* * *	411	641	368	599
Value (1,000 dollars)						
Shipments:						
Polyester-----	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----	* * *	* * *	10,892	13,352	5,473	6,863
Exports:						
Polyester-----	* * *	* * *	* * *	* * *	* * *	* * *
Polypropylene-----	* * *	* * *	* * *	* * *	* * *	* * *
UPVC-----	* * *	* * *	* * *	* * *	* * *	* * *
Total-----	* * *	* * *	155	238	142	213

1/ Less than \$500.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission by domestic producers.

Output of polyester PSP tape, which is produced primarily by the 3M Co., accounted for \*\*\* percent or more of PSP tape production in each of the years 1973-76. Both polyester and polypropylene tape showed annual increases in production during 1973-76; production of UPVC tape peaked in \*\*\*. \*\*\*.

U.S. producers' shipments of PSP tape followed a trend similar to that for production, increasing from \*\*\* million square yards, valued at \*\*\* million, in 1973 to 37.6 million square yards, valued at \$13.4 million, in 1976 (table 6). Producers' shipments in January-May 1977 amounted to 20.1 million square yards, valued at \$6.9 million, or 33 percent more than the quantity of shipments reported for the corresponding period of 1976. The bulk of the PSP tape shipped was polyester tape. Shipments of polyester and polypropylene tape increased annually, while shipments of UPVC-film-backed tape peaked in \*\*\*.

U.S. exports of PSP tape, which accounted for \*\*\* percent or less of producers' shipments in each of the years 1973-76, fluctuated from year to year (table 6). Exports, practically all of which are polyester tape, increased from \*\*\* square yards, valued at \*\*\*, in 1973 to \*\*\* million square yards, valued at \*\*\*, in 1974, decreased to 411,000 square yards, valued at \$155,000, in 1975, and then increased again to \$641,000 square yards, valued at \$238,000, in 1976. U.S. exports for the period January-May 1977 amounted to 599,000 square yards, valued at \$213,000, compared with 368,000 square yards, valued at \$142,000, in the corresponding period of 1976.

U.S. inventories

U.S. producers' inventories of PSP tape increased at a rather constant rate during 1973-75, while a substantial increase occurred in 1976. The following tabulation shows U.S. producers' closing inventories as of December 31 of 1973-76 and May 31 of 1976 and 1977 (in thousands of square yards):

Period	Inventories
As of Dec. 31--	
1973-----	***
1974-----	***
1975-----	***
1976-----	***
As of May 31--	
1976-----	***
1977-----	***

U.S. imports

U.S. imports of PSP tape were principally from West Germany in the years 1973-75; Italy became the principal supplier (in terms of quantity) in 1976. U.S. imports of PSP tape increased annually from 22.6 million square yards in 1973 to 71.3 million square yards in 1976, or by more than 200 percent. U.S. imports in January-May 1977 increased to 35.1 million square yards from 27.7 million square yards in the corresponding period of 1976 (table 7).

Throughout the period 1973-76, the bulk of U.S. imports of PSP tape consisted of UPVC tape, which accounted for 90 percent or more of total U.S. imports in each year. As noted in the preceding section, UPVC tape accounts for only minor shares of domestic PSP tape output and shipments. U.S. imports of UPVC tape, which were primarily from West Germany, increased significantly from 22.5 million square yards in 1973 to 63.9 million square yards in 1976. Imports of UPVC tape increased only 2 percent from January-May 1976 to January-May 1977. However, during the period 1973-76, imports increased at an average annual rate of almost 44 percent.

As shown in table 7, polypropylene tape accounted for the second largest share of U.S. imports of PSP tape. Imports of polypropylene tape increased substantially over the period, rising from 41,000 square yards in 1973 to 7.2 million square yards in 1976. During January-May 1977, such imports were almost five times as great as imports in January-May 1976. It appears that polypropylene's increasing share of total U.S. imports is related to the leveling off of imports of UPVC tape.

Table 7.—Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: U.S. imports for consumption, by sources and by types, 1973-76, January-May 1976, and January-May 1977

Source and type	1973	1974	1975	1976	January-May—	
					1976	1977
Quantity (1,000 square yards)						
Italy:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	***	***	***	***
Polyester-----	0	0	0	0	0	0
Other plastic resins-----	0	0	0	0	0	0
Total-----	8,618	8,391	11,396	30,615	10,477	14,301
West Germany:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	***	***	***	***
Polyester-----	0	0	0	0	0	0
Other plastic resins-----	0	0	0	0	0	0
Total-----	9,027	17,480	21,746	29,560	12,291	15,223
Other:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	0	***	***	***
Polyester-----	***	***	***	***	***	***
Other plastic resins-----	***	***	***	***	***	***
Total-----	4,956	8,360	6,228	11,143	4,959	5,565
Total:						
UPVC-----	22,487	33,935	38,370	63,915	25,977	26,553
Polypropylene----	41	261	938	7,248	1,673	8,134
Polyester-----	28	14	9	23	11	378
Other plastic resins-----	45	21	53	132	66	24
Total-----	22,601	34,231	39,370	71,318	27,727	35,089

Table 7.—Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: U.S. imports for consumption, by sources and by types, 1973-76, January-May 1976, and January-May 1977--Continued

Source and type	1973	1974	1975	1976	January-May—	
					1976	1977
Value (1,000 dollars)						
Italy:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	***	***	***	***
Polyester-----	0	0	0	0	0	0
Other plastic						
resins-----	0	0	0	0	0	0
Total-----	1,484	2,009	1,979	5,397	1,842	2,474
West Germany:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	***	***	***	***
Polyester-----	0	0	0	0	0	0
Other plastic						
resins-----	0	0	0	0	0	0
Total-----	2,007	3,742	4,018	5,841	2,424	3,105
Other:						
UPVC-----	***	***	***	***	***	***
Polypropylene----	***	***	0	***	***	***
Polyester-----	***	***	***	***	***	***
Other plastic						
resins-----	***	***	***	***	***	***
Total-----	940	1,911	1,352	2,166	973	944
Total:						
UPVC-----	4,382	7,581	7,133	12,079	4,922	5,001
Polypropylene----	32	53	179	1,241	276	1,434
Polyester-----	1	19	12	23	11	76
Other plastic						
resins-----	16	9	25	61	30	12
Total-----	4,431	7,662	7,349	13,404	5,239	6,523

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

leveling off of imports of UPVC tape. Polypropylene tape is imported primarily from Italy; however, increasing imports from the Republic of China in recent months have made that country a major source of supply of polypropylene tape.

U.S. imports of polyester tape and tape made from other plastic resins accounted for only a small portion of overall imports of PSP tape into the United States. Imports of polyester-film backed tape showed a slight overall decrease during 1973-76, whereas tape made from other plastic resins showed a sharp increase during the same period. During January-May 1977, polyester tape imports increased significantly compared with those in the corresponding period of 1976, while tape made from other plastic resins declined.

### Employment

Only three domestic producers could accurately segregate employment and man-hour data for their PSP tape product line. The firms which could not provide employment and man-hour data were relatively small producers, and because PSP tape is such a small part of their overall tape operations, it was difficult for them even to provide meaningful estimates. The average number of persons employed in the three reporting domestic firms producing PSP tape increased irregularly from \*\*\* in 1973 to \*\*\* in 1976 (table 8). During January-May 1977, such employees numbered \*\*\* or \*\*\* employees above the number employed during January-May 1976.

Employment data were also received from domestic producers on all pressure sensitive plastic tape manufactured in the facilities producing PSP tape of the dimensions found to have been sold at LTFV. As shown in table 8, the average number of employees manufacturing all pressure sensitive plastic tape increased by \*\*\* persons during 1973-76 and by \*\*\* persons in January-May 1977 compared with the number in the corresponding period of 1976.

The average number of employees producing PSP tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness has increased at a rate greater than that of employment in all pressure sensitive plastic tape in both absolute and relative terms. Employees producing such tape more than tripled during the 4-year period, increasing from \*\*\* in 1973 to \*\*\* in 1976. Employment continued to rise in 1977, with such employees numbering \*\*\* in January-May 1977---\*\*\* employees above the number employed during January-May 1976. One reason for the sharp increase in employment in 1976 was the opening of a new plant in Greenville, S.C., by the 3M Co. in late 1975. This plant, which produces both polyester and polypropylene tape, employs approximately \*\*\* persons.

Table 8.--Pressure sensitive plastic tape: Average number of employees in U.S. facilities producing pressure sensitive plastic tape, total and production and related workers engaged in the manufacture of all products, all pressure sensitive plastic tape, and PSP tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness, 1973-76, January-May 1976, and January-May 1977

(Number of workers)									
Item	:	:	:	:	:	January-May--		Increase in employment	
	:	:	:	:	:	:	:	:	:
	1973	1974	1975	1976		1976	1977	1976	January-May 1977
	:	:	:	:	:	:	:	over	over
	:	:	:	:	:	:	:	1973	January-May 1976
All persons-----	***	***	***	***	***	***	***	***	***
Production and related	:	:	:	:	:	:	:	:	:
workers engaged in the	:	:	:	:	:	:	:	:	:
manufacture of--	:	:	:	:	:	:	:	:	:
All products of the	:	:	:	:	:	:	:	:	:
establishment(s)-----	***	***	***	***	***	***	***	***	***
All pressure sensitive	:	:	:	:	:	:	:	:	:
tape-----	***	***	***	***	***	***	***	***	***
PSP tape more than	:	:	:	:	:	:	:	:	:
1-3/8 inches in width,	:	:	:	:	:	:	:	:	:
not exceeding 4 mils	:	:	:	:	:	:	:	:	:
in thickness-----	***	***	***	***	***	***	***	***	***
	:	:	:	:	:	:	:	:	:

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission by domestic producers.



The number of man-hours worked by production and related workers engaged in the production of PSP tape closely paralleled the trend in employment, increasing in 1974, leveling off in 1975, and then sharply increasing in 1976 (table 9).

Table 9.—Pressure sensitive plastic tape: Man-hours worked in establishments producing PSP tape, by products, 1973-76, January-May 1976, and January-May 1977

(In thousands of man-hours)					
Period	Total	PSP tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness	All other PSP tape	All other products	All products
1973-----	***	***	***	***	***
1974-----	***	***	***	***	***
1975-----	***	***	***	***	***
1976-----	***	***	***	***	***
January-May—					
1976-----	***	***	***	***	***
1977-----	***	***	***	***	***

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission by domestic producers.

Man-hours devoted to the production of PSP tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness not only increased significantly during the period--from \*\*\* in 1973 to \*\*\* in 1976--but also took an increasing share of the man-hours for total pressure sensitive plastic tape produced in those establishments, reflecting the increasing efforts of the major domestic producers to increase production of PSP tape. As shown above, the number of man-hours devoted to the production of all other pressure sensitive plastic tape increased from \*\*\* in 1973 to \*\*\* in 1976. Man-hours for all other products of those establishments showed an overall decline from \*\*\* million in 1973 to \*\*\* million in 1975 and 1976.

#### Profit-and-loss experience of domestic producers

Usable profit-and-loss data were received from three domestic producers of PSP tape that accounted for more than 85 percent of domestic shipments in

1976. Data were also received from one other firm, \*\*\*; however, because of questionable allocation of expenses made to their PSP tape product line only their unit cost data could be used--the rest would distort the over-all industry figures. One of the respondents operated on a fiscal-year basis, year ending June 30; the other two firms operated on a calendar-year basis.

All pressure sensitive plastic tape.—Net sales of all pressure sensitive plastic tape showed an upward trend from 1973 through the first quarter of 1977. Net sales ranged from \*\*\* million in 1973 to \*\*\* million in 1976 (tables 10 and 11).

\*            \*            \*            \*            \*            \*

While the sales of tape were increasing at a steady rate, operating profits followed an opposite trend. Operations for the industry were profitable in the first 3 years, but losses occurred in the next year, 1976, and in the initial quarter of 1977. After experiencing a net operating profit of \*\*\* million in 1973 profits declined and by 1976 the industry had a net operating loss of \*\*\*. In the first quarters of 1976 and 1977 losses amounted to \*\*\* and \*\*\*, respectively. The return on net sales showed a steady decline from a \*\*\* percent profit in 1973 to a \*\*\* percent loss in 1976. In the first quarters of 1976 and 1977, losses were equivalent to \*\*\* percent and \*\*\* percent, respectively, of net sales.

Certain pressure sensitive plastic tape.—Data for operations on PSP tape more than 1-3/8 inches in width and not exceeding 4 mils in thickness show sales, profits (or losses), and return on sales following the same trends as those for all pressure sensitive plastic tape. Net sales increased annually and continued to increase into the first quarter of 1977 as compared with the corresponding period of 1976 (tables 10 and 12). The value of sales increased from \*\*\* million in 1973 to \*\*\* million in 1976. Sales were \*\*\* million in the first quarter of 1976 and \*\*\* million for the corresponding period of 1977. Profit-and-loss experience on such PSP tape operations followed the same pattern as operations on all pressure sensitive plastic tape, with a profit of \*\*\* in 1973 and a loss of \*\*\* million in 1976. In the first quarters of 1976 and 1977 the losses amounted to \*\*\* and \*\*\*, respectively. The ratio of net profit or loss to net sales declined from a profit of \*\*\* percent in 1973 to a loss of \*\*\* percent in 1976. The ratio of net loss to net sales for the first quarters of 1976 and 1977 were \*\*\* percent and \*\*\* percent, respectively.

The increased losses, both actual and relative to net sales, reported for 1976 are largely due to two factors.

\*            \*            \*            \*            \*            \*

Table 10.--Pressure sensitive plastic tape: Aggregate profit-and-loss experience of 3 U.S. producers 1/ on all pressure sensitive plastic tape and on pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness, 1973-76, January-March 1976, and January-March 1977

Period	Net sales	Cost of goods sold	Gross profit	Administrative and selling expense	Net operating profit or (loss)	Ratio of net operating profit or (loss) to net sales
	<u>1,000</u> <u>dollars</u>	<u>1,000</u> <u>dollars</u>	<u>1,000</u> <u>dollars</u>	<u>1,000</u> <u>dollars</u>	<u>1,000</u> <u>dollars</u>	<u>Percent</u>
All pressure sensitive plastic tape:						
1973-----	***	***	***	***	***	***
1974-----	***	***	***	***	***	***
1975-----	***	***	***	***	***	***
1976-----	***	***	***	***	***	***
January-March--						
1976-----	***	***	***	***	***	***
1977-----	***	***	***	***	***	***
Certain pressure sensitive plastic tape: <u>2/</u>						
1973-----	***	***	***	***	***	***
1974-----	***	***	***	***	***	***
1975-----	***	***	***	***	***	***
1976-----	***	***	***	***	***	***
January-March--						
1976-----	***	***	***	***	***	***
1977-----	***	***	***	***	***	***

1/ 1 producer did not start production until 1975.

2/ Tape that is more than 1-3/8 inches in width, not exceeding 4 mils in thickness.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 11.--Pressure sensitive plastic tape: Profit-and-loss experience of 3 U.S. producers on all pressure sensitive plastic tape, 1973-76, January-March 1976, and January-March 1977

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Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 12.--Pressure sensitive plastic tape: Profit-and-loss experience of 3 U.S. producers on pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness, 1973-76, January-March 1976, and January-March 1977

\* \* \* \* \*

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Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

\* \* \* \* \*

Average unit cost of production.—Data for the average unit cost of producing PSP tape ranging from 2.0 to 2.6 mils in thickness, 2 inches in width, and 55 yards in length were submitted by two domestic manufacturers--3M Co. and Permacel Division, Johnson & Johnson, Inc. Both of these firms provided production cost data for polyester-film-backed tape, while only 3M Co. provided production cost data for polypropylene-film-backed tape and only Permacel provided cost data for UPVC-film-backed tape. 1/

\* \* \* \* \*

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1/ \*\*\*.

Table 13.--Pressure sensitive plastic tape: Average unit cost of production of 2 domestic producers on pressure sensitive plastic tape ranging from 2.0 to 2.6 mils in thickness, 2 inches in width, and 55 yards in length, by types, 1974-76, and January-March 1977

\* \* \* \* \*

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Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

\* \* \* \* \*

Investment in production facilities.--Data were received on investment in production facilities for the total establishment of the plants where PSP tape is produced, as well as investment in the assets employed in the production of pressure sensitive plastic tape only. Data on the establishments' net purchases and net disposals of production facilities were collected. Also requested was the increase or decrease in the depreciation reserve as a result of those acquisitions or disposals which changed the net book value of the assets. The replacement cost of assets presently held was also requested but could be supplied by only the 3M Co. \*\*\*.

The gross value (before depreciation) of total assets of the plants in which PSP tape is produced increased in each of the 4 years 1973-76, from \*\*\* million in 1973 to \*\*\* million in 1976 (tables 14 and 15). The net book value also increased from \*\*\* million in 1973 to \*\*\* million in 1976. \*\*\*.

None of the other companies showed purchases of this type of equipment. Assets and book value for machinery and equipment used to produce pressure sensitive plastic tape also increased during the 4-year period (tables 14 and 16). The gross value of such production facilities increased from \*\*\* million in 1973 to \*\*\* million in 1976. The net book value increased from \*\*\* in 1973 to \*\*\* million in 1976. \*\*\*.



Table 14.--Pressure sensitive plastic tape: Investment of U.S. producers in all production facilities in the establishments in which pressure sensitive plastic tape is produced, and investment in the assets employed in the production of pressure sensitive plastic tape, 1973-76

Category and year	Assets (cost-basis): balance at the beginning of year	Additions	Assets (cost-basis): balance at the end of year	Depreciation and amortization	Net book value	Ratio of net profit or (loss) to-- Cost value of assets	Book value of assets
	<u>1,000 dollars</u>	<u>1,000 dollars</u>	<u>1,000 dollars</u>	<u>1,000 dollars</u>	<u>1,000 dollars</u>	<u>Percent</u>	<u>Percent</u>
For total establishment: <u>1/</u>							
1973-----	***	***	***	***	***	***	***
1974-----	***	***	***	***	***	***	***
1975-----	***	***	***	***	***	***	***
1976-----	***	***	***	***	***	***	***
For PSP tape only: <u>2/</u>							
1973-----	***	***	***	***	***	***	***
1974-----	***	***	***	***	***	***	***
1975-----	***	***	***	***	***	***	***
1976-----	***	***	***	***	***	***	***

1/ Data from 4 U.S. producers.

2/ Data from 3 U.S. producers.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 15.--Pressure sensitive plastic tape: Investment of 4 U.S. producers in all production facilities in the establishments in which pressure sensitive plastic tape is produced, 1973-76

\* \* \* \* \*

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Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 16.--Pressure sensitive plastic tape: Investment of 3 U.S. producers in the assets employed in the production of pressure sensitive plastic tape, 1973-76

\* \* \* \* \*

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Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

In terms of return on investment the ratio of net profit or loss to the net book value of the facilities used in the production of PSP tape declined from a profit of \*\*\* percent of the net book value in 1973 to a profit of \*\*\* percent in 1974 and then showed a loss of \*\*\* percent in 1975 and a loss of \*\*\* percent in 1976. The ratio of net profit to the gross value of the facilities used in the production of PSP tape declined from a profit of \*\*\* percent of the gross value in 1973 to a profit of \*\*\* percent in 1974; the ratio of net loss to the gross value of facilities declined from a loss of \*\*\* percent in 1975 to a loss of \*\*\* percent in 1976.

### The Italian and West German Industries

#### General background

PSP tape as produced in Italy and West Germany is made primarily from UPVC plastic film which was developed and patented in Europe in the early 1960's by BASF, a West German chemical company. The demand for the product arose because gummed paper tape, which was used prior to the advent of PSP tape, was becoming increasingly difficult and expensive to produce; the basic raw materials used to produce gummed paper tape (wood pulp and kraft paper) had to be imported from timber-rich countries (e.g., the United States, Canada, Sweden, etc.), and the cost of this raw material was steadily increasing. Since UPVC plastic film was readily available, its use and acceptance increased rapidly, and it has virtually replaced gummed paper sealing tape in European markets.

Polypropylene-film-backed tape is also produced in Italy and West Germany and exported to the United States. Production of this tape, however did not begin until the early 1970's, and sales to consumers were made only on an experimental basis in 1973. Commercial quantities of this tape did not become available for sale until 1976. Polypropylene film was developed long before 1975, but was not used for PSP tape because of its poor quality (e.g., low tensile strength) and because of the difficulties encountered in applying adhesives to the film. Once these problems were overcome, polypropylene tape became particularly attractive to producers in Italy and West Germany as well as producers in the United States, the Far East, and other countries. One of its chief attractions is the low cost of producing polypropylene film.

#### The Italian industry

There are seven Italian manufacturers of PSP tape that exported this product to the United States during the period of Treasury's investigation. The four manufacturers investigated by Treasury, as previously mentioned, were the major exporters. The three remaining firms, Nastri Adhesive Stampati (NAS), Autoadesivi S.p.A., and Vibac S.p.A., exported insignificant quantities to the United States during that period.

Manuli Autoadesivi, Milano, Italy, is the only Italian manufacturer to establish a U.S. distribution operation; it operated under the name of Monotape prior to January 1, 1977, and since then has operated under the name Manuli Tape, U.S.A., Inc. Prior to April 1, 1976, Monotape acted as a factory representative and import broker with no warehousing facilities in this country. For the period April 1, 1976, to January 1, 1977, Monotape distributed tape from a warehouse located on the west coast for sales of less than one container load (1,000 cases or 36,000 rolls) and acted as a broker for sales of one container load or greater. Presently, Manuli Tape, U.S.A., sells from its west coast warehouse and a newly constructed warehouse located in New Jersey; it no longer acts as an import broker.

#### The West German Industry

The three West German manufacturers investigated by Treasury, Braas, Nopi, and Beiersdorf are the only manufacturers of PSP tape in West Germany. Braas, the only manufacturer with substantial LTFV sales, sells to one unrelated customer in the United States--Cowa Trading Co., located in New York City. \*\*\*.

#### Consideration of the Causal Relationship Between Alleged Injury and LTFV Sales

#### Market penetration of LTFV sales

U.S. imports from Italy.—The Department of the Treasury found LTFV margins on 80 percent of Manuli's sales, 71 percent of Boston's sales, and 77 percent of Comet's sales to the United States during its period of investigation, December 1, 1975, through June 30, 1976. Total sales during this period by these three firms amounted to \*\*\* million, which, according to Treasury, accounted for about \*\*\* percent of total Italian exports to the United States. <sup>1/</sup> Part of the remaining exports were accounted for by Plasturopa, which was found not to have sold at LTFV. Three other Italian firms export to the United States but were not investigated by Treasury.

As shown in table 17, the share of apparent U.S. consumption of all types of PSP tape--the vast majority of which is UPVC tape--supplied by Manuli, Boston, and Comet, decreased from \*\*\* percent in 1973 to approximately \*\*\* percent in 1974 and 1975 and then increased to \*\*\* percent in 1976 when imports from those three firms were at their highest level for the 1973-76 period. The ratio of imports from those firms to consumption for January-May 1977 was \*\*\* percent--6 percentage points higher than that for the corresponding period of 1976.

The ratio of imports to apparent consumption from other Italian manufacturers, primarily Plasturopa, varied slightly from year to

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<sup>1/</sup> Refer to the table on page A-7 for details of sales by company.

Table 17.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: Apparent U.S. consumption, imports from Manuli, Boston, and Comet of Italy, imports from all other Italian producers, total imports from Italy, imports from all other countries, and total imports, 1973-76, January-May 1976, and January-May 1977

Period	: Apparent : : consump- : : tion : : (1) :	Imports from Italy			Imports : : from all : : other : : countries : : (5) :	Total : : imports : : (6) :	Ratio of--				
		Manuli, :	All :	Total :			(2) to :	(3) to :	(4) to :	(5) to :	(6) to :
		Boston, :	other :	Total :			(1) :	(1) :	(1) :	(1) :	(1) :
		and Comet :	:	:			:	:	:	:	:
	: <u>1,000</u> :	: <u>1,000</u> :	: <u>1,000</u> :	: <u>1,000</u> :	: <u>1,000</u> :	: <u>1,000</u> :					
	: <u>square</u> :	: <u>square</u> :	: <u>square</u> :	: <u>square</u> :	: <u>square</u> :	: <u>square</u> :					
	: <u>yards</u> :	: <u>yards</u> :	: <u>yards</u> :	: <u>yards</u> :	: <u>yards</u> :	: <u>yards</u> :	: <u>Percent</u> :	: <u>Percent</u> :	: <u>Percent</u> :	: <u>Percent</u> :	: <u>Percent</u> :
1973-----	: *** :	: *** :	: *** :	: 8,618 :	: 13,983 :	: 22,601 :	: *** :	: *** :	: *** :	: *** :	: *** :
1974-----	: *** :	: *** :	: *** :	: 8,391 :	: 25,840 :	: 34,231 :	: *** :	: *** :	: *** :	: *** :	: *** :
1975-----	: 68,193 :	: *** :	: *** :	: 11,396 :	: 27,943 :	: 39,370 :	: *** :	: *** :	: 16.7 :	: 41.0 :	: 57.7 :
1976-----	: 108,285 :	: *** :	: *** :	: 30,615 :	: 40,703 :	: 71,318 :	: *** :	: *** :	: 28.3 :	: 37.6 :	: 65.9 :
January-May--	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :
1976-----	: 42,535 :	: *** :	: *** :	: 10,477 :	: 17,250 :	: 27,727 :	: *** :	: *** :	: 24.6 :	: 40.6 :	: 65.2 :
1977-----	: 54,608 :	: *** :	: *** :	: 14,301 :	: 20,788 :	: 35,089 :	: *** :	: *** :	: 26.2 :	: 38.1 :	: 64.3 :
	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :	: : :

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

year. This ratio dropped from \*\*\* percent in 1973 to \*\*\* percent in 1974, rose to \*\*\* percent in 1975, and then dropped again to \*\*\* percent in 1976. During the period January-May 1977 the ratio of imports to consumption from other Italian firms dropped to its lowest level of \*\*\* percent--approximately 4 percentage points lower than the ratio for the corresponding period of 1976.

The ratio of total imports from Italy to apparent consumption for the period 1973-76 followed the same trend as that of the Italian firms selling at LTFV. The ratio dropped from \*\*\* percent in 1973 to 16.7 percent in 1975 and then increased to 28.3 percent in 1976. The ratio of imports to consumption for the period January-May 1977, was about 1.5 percentage points higher than that for the corresponding period of 1976.

Imports from all other importing countries, as a percentage of apparent consumption, ranged between \*\*\* percent and 41.0 percent for the period 1973-75 and then reached their lowest level of 37.6 percent in 1976. During the period January-May 1977 the ratio was 38.1 percent as compared with 40.6 percent for the corresponding period of 1976.

U.S. imports from West Germany.—The Department of the Treasury found LTFV margins on almost 100 percent of sales made by Braas, 17 percent of sales made by Nopi, and 42 percent of sales made by Beiersdorf to the United States during its period of investigation, February 1, 1976, through August 31, 1976. Total exports to the United States during 1976 by these three firms amounted to \*\*\* million, which, according to Treasury, accounted for almost all West German exports of PSP tape to the United States.

As shown in table 18, the share of apparent U.S. consumption of all types of PSP tape--the vast majority of which is UPVC tape--supplied by Braas, the only West German manufacturer with substantial LTFV margins, increased from \*\*\* percent in 1973 to \*\*\* percent in 1975 and then decreased to \*\*\* percent in 1976. Braas' share of the market continued to decline in the first 5 months of 1977, to \*\*\* percent as compared with \*\*\* percent for the corresponding period of 1976.

The ratio of imports from all other West German manufacturers (i.e. Nopi and Beiersdorf) to apparent consumption shows that these firms had a higher share of the U.S. market in each of the years 1973-76 than did Braas. The ratio showed only small decreases from \*\*\* percent in 1973 to \*\*\* percent in 1976 with the highest level--\*\*\* percent--being reported in 1974. These two firms increased their market share during January-May 1977 to \*\*\* percent--\*\*\* percentage points higher than their share for the corresponding period of 1976.

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1/ Refer to the table on page A-10 for details of sales by companies during Feb.-Aug. 1976.

Table 18.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: Apparent U.S. consumption, imports from Braas of West Germany, imports from all other West German producers, total imports from West Germany, imports from all other countries, and total imports, 1973-76, January-May 1976, and January-May 1977

Period	Apparent	Imports from West Germany			Imports	Total imports	Ratio of--				
	consump-				from all						
	tion	Braas	All	Total	other		(2) to	(3) to	(4) to	(5) to	(6) to
	(1)	(2)	other	(4)	countries		(1)	(1)	(1)	(1)	(1)
	1,000	1,000	1,000	1,000	1,000	1,000					
	square	square	square	square	square	square					
	yards	yards	yards	yards	yards	yards	Percent	Percent	Percent	Percent	Percent
1973-----	***	***	***	9,027	13,574	22,601	***	***	***	***	***
1974-----	***	***	***	17,480	16,751	34,231	***	***	***	***	***
1975-----	68,193	***	***	21,746	17,624	39,370	***	****	31.9	25.8	57.7
1976-----	108,285	***	***	29,560	41,758	71,318	***	***	27.3	38.6	65.9
January-May--											
1976-----	42,535	***	***	12,291	15,436	27,727	***	***	28.9	36.3	65.2
1977-----	54,608	***	***	15,223	19,866	35,089	***	***	27.9	36.4	64.3

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.



Total West German imports as a percentage of apparent U.S. consumption maintained a fairly constant level. This percentage increased to its highest level in 1975, 31.9 percent, and then declined to 27.3 percent in 1976. The ratio of total imports from West Germany to consumption showed very little change for January-May 1977 when the ratio dropped slightly to 27.9 percent from 28.9 percent for the corresponding same period of 1976.

The ratio of U.S. imports to consumption from all other countries, including Italy, ranged between 25.8 percent and \*\*\* percent in the period 1973-76. During January-May of 1976 and 1977 the ratio stayed close to the 36 percent level.

Combined U.S. imports from Italy and West Germany.—Combined U.S. imports from the four foreign manufacturers that were found to have sold PSP tape at LTFV decreased from \*\*\* percent in 1973 to \*\*\* percent in 1974 and then increased to 27.1 percent in 1975 and 36.6 percent in 1976. During the period January-May 1977 the ratio for the four firms was 34.0 percent, or 3.3 percentage points greater than that for the corresponding period of 1976 (table 19).

The ratio of imports to apparent consumption for all other Italian and West German manufacturers fluctuated very little during the period investigated, ranging from 19.0 percent to \*\*\* percent. For January-May 1977 the ratio dropped about 2.7 percentage points from that for January-May 1976.

Total Italian and West German imports, both fair value and LTFV imports combined, as shown in table 19, accounted for roughly half of U.S. apparent consumption during the period 1973-76. This ratio increased slightly, from 53.5 percent during January-May 1976 to 54.1 percent during the corresponding period of 1977.

Imports from all other countries held a fairly constant 10-15 percent share of the U.S. PSP tape market during the 4 year period covered, as well as during January-May of 1976 and 1977.

In summary, during the period 1973-76 Italian LTFV imports peaked at \*\*\* percent of the U.S. market in 1976, West German LTFV imports peaked at a level of \*\*\* percent in 1975, and total LTFV imports from the two countries combined peaked at 36.6 percent in 1976. Imports of PSP tape from all other countries appear to have maintained a fairly constant share of apparent U.S. consumption during the 4-year period.

Evidence of sales lost by domestic producers to LTFV imports from Italy and West Germany

Two U.S. producers of PSP tape--3M Co. and Permacel--presented specific information to the Commission on sales lost to LTFV imports of

Table 19.--Pressure sensitive plastic tape more than 1-3/8 inches in width, not exceeding 4 mils in thickness: Apparent U.S. consumption, imports from Braas of West Germany and Manuli, Boston, and Comet of Italy, imports from all other West German and Italian producers, total imports from Italy and West Germany, imports from all other countries, and total imports, 1973-76, January-May 1976, and January-May 1977

Period	Imports from Italy and West Germany						Ratio of--				
	Apparent	Braas,	Manuli,	All	Total	Imports	Total	(2) to	(3) to	(4) to	(5) to
	consump-	Boston,	other	other	Total	from	imports	(1)	(1)	(1)	(1)
	tion	and Comet				all other					
	(1)	(2)	(3)	(4)	(5)	(6)					
	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>	<u>1,000</u>					
	<u>square</u>	<u>square</u>	<u>square</u>	<u>square</u>	<u>square</u>	<u>square</u>					
	<u>yards</u>	<u>yards</u>	<u>yards</u>	<u>yards</u>	<u>yards</u>	<u>yards</u>	Percent	Percent	Percent	Percent	Percent
1973-----	***	***	***	17,645	4,956	22,601	***	***	***	***	***
1974-----	***	***	***	25,871	8,360	34,231	***	***	***	***	***
1975-----	68,193	18,495	14,647	33,142	6,228	39,370	27.1	21.5	48.6	9.1	57.7
1976-----	108,285	39,654	20,521	60,175	11,143	71,318	36.6	19.0	55.6	10.3	65.9
January-May--											
1976-----	42,535	13,070	9,698	22,768	4,959	27,727	30.7	22.8	53.5	11.7	65.2
1977-----	54,608	18,566	10,958	29,524	5,565	35,089	34.0	20.1	54.1	10.2	64.3

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

PSP tape from Italy and West Germany. The other domestic producers could not provide specific instances where sales were lost to foreign competition. However, some firms made statements in their questionnaire responses to the effect that they did lose sales to foreign competition from both Italy and West Germany but did not have those instances documented. In addition, three firms stated that foreign competition has restricted their PSP tape sales as well as restricting expansion of their PSP tape product line. The two producers who provided specific instances of lost sales claimed lost sales due to competition from LTFV imports of \*\*\* in 1976 and \*\*\* in early 1977. There were also additional claims of lost sales amounting to \*\*\* due to competition from other foreign suppliers.

A total of 13 U.S. purchasers of PSP tape were named as having reduced purchases of U.S.-made PSP tape as the result of import competition. Of those 13 firms, 5 showed reduced purchases of the domestic product because of import competition from foreign manufacturers that were not found to have made sales at LTFV. The remaining eight customers were contacted by the Commission's staff in an effort to further explore the claims of lost sales. In practically every instance, price considerations were cited as the determinative factor in the customers' decisions to import PSP tape from Italy or West Germany. \*\*\*.

Several customers were asked by the Commissions staff about 3M Co.'s lower priced Crystal Bay brand tape. \*\*\*.

Only one customer provided reasons for switching to Italian or West German tape that differed from the usual responses. \*\*\*.

A survey of 17 U.S. purchasers of PSP tape--distributors that resell to the end user--was conducted in an attempt to determine whether these purchasers had changed their source of supply of PSP tape over the period covered. Some of the information supplied by those purchasers supported claims of displaced purchases while other information did not. Seven of the purchasers stated that they use domestic PSP tape either exclusively or predominantly; four of those seven firms stated that they were aware of very little or no competition from imports, while the remaining three firms maintained that import competition from Italy and West Germany had caused them to lose sales. Five purchasers stated that they only handled foreign tape, predominantly Italian and West German, and did so primarily because the price of the foreign tape is so much lower than that of domestic tape. Two purchasers carried both U.S.- and foreign-made tapes, but both carried domestic tape primarily; the foreign tape was used to supply their customers who preferred UPVC tape over polyester or polypropylene tape. Out of the 17 purchasers contacted only 1 purchaser switched from U.S.- to foreign-produced tape, and he did so primarily because of price. Finally, two firms stated that they did not handle PSP tape.

### Prices

Domestic producers and importers of PSP tape were requested to supply data on net delivered prices of each of the three basic types of such tape (i.e., polyester, polypropylene, and UPVC) sold in rolls 2 inches wide and 55 yards long. Data were requested on lowest prices and on weighted average prices, by months, during January 1975-May 1977. The information obtained is summarized in tables 20 and 21.

Two conclusions are immediately apparent from these two tables. First is the wide range of lowest net selling prices reported by both domestic producers and importers. Second is the considerable overlap in prices of the domestic and imported product. In January 1976, for example, the lowest prices reported for U.S.-made PSP tape ranged from \$.57 per roll to \$1.14 per roll, while those for imported PSP tape ranged from \$.55 to \$1.17 per roll. \*\*\*.

Prices of PSP tape, both imported and domestic, trended downward throughout 1975 and the first half of 1976. Since mid-1976 prices have remained relatively stable or, \*\*\*, increased somewhat. As illustrated graphically in the figure on page A-47, U.S.-made PSP tape was priced well above tape imported from Italy and West Germany during the January 1975-May 1977 period. \*\*\*.

Two U.S. producers of PSP tape presented specific information to the Commission where selling prices were reduced in order to meet import competition from Italy and West Germany. In some instances it was difficult for the respondents to specifically identify the origin of the foreign tape. This situation arose for several reasons.

\* \* \* \* \*

A total of 80 instances were reported by domestic producers where prices were lowered to meet import competition. Of these 80 instances, 42 were attributed to competition from \*\*\*, 16 to competition from \*\*\*, 8 to competition from \*\*\*, and in 14 instances prices were reduced to meet competition from either Germany, Italy, or unknown foreign sources.

In practically every instance the price at which domestic producers sold their tape to meet foreign competition was either equal to or more than the foreign price. In the majority of the instances the domestic producers sold at a price which, generally speaking, ran approximately 10 percent higher than the foreign price.

Table 20.--Pressure sensitive plastic tape: Lowest and weighted average net delivered prices received by U.S. producers and importers for tan, clear, or white pressure sensitive plastic tape in rolls ranging from 2.0 to 2.6 mils in thickness, 2 inches in width, and 55 yards in length, by types and by months, January 1975-May 1977

(In dollars per roll)													
Year and month	Polyester				Polypropylene				UPVC				
	Importers		U.S. producers		Importers		U.S. producers		Importers		U.S. producers		
	Range in lowest prices	Weighted average prices	Range in lowest prices	Range in weighted average prices	Range in lowest prices	Range in weighted average prices	Range in lowest prices	Range in weighted average prices	Range in lowest prices	Range in weighted average prices	Range in lowest prices	Weighted average prices	
1975:													
January-----	1/	***	***	***	0.85-0.90	0.88-0.95			0.73-0.98	0.75-1.15	1/	***	
February-----	1/	***	***	***	.85-.90	.88-.95			.73-.98	.73-1.15	1/	***	
March-----	1/	***	***	***	.84-.90	.88-.95			.68-.98	.70-1.15	1/	***	
April-----	1/	***	***	***	.84-.90	.86-.95	***	***	.64-.98	.66-1.15	1/	***	
May-----	1/	***	***	***	.82-.90	.85-.95	***	***	.61-.98	.62-1.12	1/	***	
June-----	1/	***	***	***	.78-.90	.80-.95	***	***	.60-.98	.61-1.10	1/	***	
July-----	1/	***	***	***	.76-.84	.77-.88	***	***	.61-.98	.62-1.10	1/	***	
August-----	1/	***	***	***	.75-.84	.75-.88	***	***	.59-.98	.62-1.09	1/	***	
September-----	1/	***	***	***	.72-.84	.72-.88	***	0.65-1.05	.60-.98	.62-1.08	1/	***	
October-----	1/	***	***	***	.72-.84	.72-.86	***	.66-1.04	.57-.98	.59-1.08	1/	***	
November-----	1/	***	***	***	.72-.82	.72-.86	***	.64-1.03	.58-.98	.60-1.07	1/	***	
December-----	1/	***	***	***	.72-.80	.72-.84	***	.65-1.05	.56-.98	.56-1.07	***	***	
1976:													
January-----	1/	***	***	***	.64-.78	.64-.82	***	.65-.98	.55-.98	.58-1.07	***	***	
February-----	1/	***	***	***	.62-.76	.65-.80	***	.63-.92	.54-.98	.57-1.07	***	***	
March-----	1/	***	***	***	.60-.76	.62-.80	***	.64-.90	.55-.98	.57-1.06	***	***	
April-----	1/	***	***	***	.60-.74	.61-.78	***	.63-.90	.55-.98	.57-1.06	***	***	
May-----	1/	***	***	***	.54-.74	.56-.78	***	.63-.91	.50-.98	.56-1.05	***	***	
June-----	1/	***	***	***	.55-.74	.59-.78	***	.62-.94	.52-.98	.55-1.05	***	***	
July-----	1/	***	***	***	.54-.74	.54-.74	***	.65-.92	.52-.98	.59-1.04	***	***	
August-----	1/	***	***	***	.55-.74	.55-.74	***	.64-.99	.56-.98	.59-1.04	***	***	
September-----	1/	***	***	***	.58-.74	.65-.78	***	.62-.87	.57-.98	.59-1.03	***	***	
October-----	1/	***	***	***	.56-.74	.60-.78	0.58-1.01	.60-1.01	.55-.98	.61-1.03	***	***	
November-----	1/	***	***	***	.55-.72	.65-.76	.58-.99	.59-.98	.55-.98	.59-1.03	***	***	
December-----	1/	***	***	***	.58-.72	.61-.76	.58-.97	.62-.97	.57-.98	.61-1.02	***	***	
1977:													
January-----	1/	***	***	***	.58-.75	.61-.75	.58-1.01	.62-1.01	.58-.98	.59-1.02	***	***	
February-----	1/	***	***	***	.58-.75	.62-.75	.58-1.00	.60-1.00	.58-.98	.60-1.02	***	***	
March-----	1/	***	***	***	.58-.75	.63-.75	.58-.99	.60-.99	.58-.98	.63-1.03	***	***	
April-----	1/	***	***	***	.61-.75	.63-.75	.58-.99	.61-.99	.60-.98	.63-1.05	***	***	
May-----	1/	***	***	***	.61-.75	.63-.75	.60-1.02	.63-.99	.60-.98	.57-1.07	***	***	

1/ Not available

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Table 21.--Pressure sensitive plastic tape: Lowest and weighted average net delivered prices received by U.S. producers and importers from Italy and West Germany for tan, clear, or white pressure sensitive plastic tape in rolls ranging from 2.0 to 2.6 mils in thickness, 2 inches in width, and 55 yards in length, by types and by months, January 1975-May 1977

(In dollars per roll)												
Year and Month	Polyester		Polypropylene				UPVC					
	U.S. Producers		Importers of tape from Manuli, Boston and Comet (Italy)		U.S. Producers		Importers of tape from Braas (West Germany)		Importers of tape from Manuli, Boston and Comet (Italy)		U.S. Producers	
	Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices	
	Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices	
	Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices		Range in : weighted : lowest : average : prices	
1975:												
January-----	***	***	***	***	-	-	***	***	0.80-0.98	0.93-1.15	1/	***
February-----	***	***	***	***	-	-	***	***	.80- .98	.91-1.15	1/	***
March-----	***	***	***	***	-	-	***	***	.78- .98	.89-1.15	1/	***
April-----	***	***	***	***	***	***	***	***	.66- .98	.80-1.15	1/	***
May-----	***	***	***	***	***	***	***	***	.65- .98	.76-1.12	1/	***
June-----	***	***	***	***	***	***	***	***	.66- .98	.74-1.10	1/	***
July-----	***	***	0.76-0.84	0.77-0.88	***	***	***	***	.65- .98	.65-1.10	1/	***
August-----	***	***	.75- .84	.75- .88	***	***	***	***	.63- .98	.73-1.09	1/	***
September-----	***	***	.72- .84	.72- .88	***	0.65-1.05	***	***	.62- .98	.73-1.08	1/	***
October-----	***	***	.72- .82	.72- .86	***	.66-1.04	***	***	.60- .98	.72-1.08	1/	***
November-----	***	***	.72- .82	.72- .86	***	.64-1.03	***	***	.60- .98	.69-1.07	1/	***
December-----	***	***	.72- .80	.72- .84	***	.65-1.05	***	***	.60- .98	.70-1.07	***	***
1976:												
January-----	***	***	.64- .78	.64- .82	***	.65-0.98	***	***	.55- .98	.61-1.07	***	***
February-----	***	***	.62- .76	.65- .80	***	.63-0.92	***	***	.58- .98	.58-1.07	***	***
March-----	***	***	.60- .76	.62- .80	***	.64-0.90	***	***	.55- .98	.63-1.06	***	***
April-----	***	***	.60- .74	.61- .78	***	.63-0.90	***	***	.50- .98	.63-1.06	***	***
May-----	***	***	.54- .74	.56- .78	***	.63-0.91	***	***	.50- .98	.56-1.05	***	***
June-----	***	***	.55- .74	.59- .78	***	.62-0.94	***	***	.52- .98	.55-1.05	***	***
July-----	***	***	.54- .74	.57- .78	***	.65-0.92	***	***	.52- .98	.60-1.04	***	***
August-----	***	***	.55- .74	.58- .78	***	.64-0.99	***	***	.56- .98	.63-1.04	***	***
September-----	***	***	.58- .74	.65- .78	***	.62-0.87	***	***	.57- .98	.63-1.03	***	***
October-----	***	***	.56- .74	.60- .78	0.58-1.01	.60-1.01	***	***	.55- .98	.61-1.03	***	***
November-----	***	***	.55- .72	.65- .76	.58- .99	.59-0.98	***	***	.55- .98	.59-1.03	***	***
December-----	***	***	.58- .72	.61- .76	.58- .97	.62-0.97	***	***	.57- .98	.61-1.02	***	***
1977:												
January-----	***	***	.58- .75	.61- .75	.58-1.01	.62-1.01	***	***	.58- .98	.59-1.02	***	***
February-----	***	***	.58- .75	.62- .75	.58-1.00	.60-1.00	***	***	.58- .98	.62-1.02	***	***
March-----	***	***	.58- .75	.63- .75	.58- .99	.60-0.99	***	***	.58- .98	.63-1.03	***	***
April-----	***	***	.61- .75	.63- .75	.58- .99	.61-0.99	***	***	.61- .98	.63-1.05	***	***
May-----	***	***	.61- .75	.65- .75	.60-1.02	.63-0.99	***	***	.61- .98	.65-1.07	***	***

1/ Not available.

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission.

Weighted average prices received for PSP tape, by sources and by  
months, 1975, 1976, and January-May 1977

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APPENDIX A

TREASURY DEPARTMENT LETTER TO THE COMMISSION  
ADVISING THE COMMISSION OF ITS DETERMINATION  
OF LESS-THAN-FAIR-VALUE SALES FROM ITALY



A-50

THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220

MAY 20 1977 31

Dear Mr. Chairman:

In accordance with Section 201(a) of the Anti-dumping Act, 1921, as amended, you are hereby advised that pressure sensitive plastic tape from Italy is being, or is likely to be, sold at less than fair value within the meaning of the Act.

The Treasury has limited the scope of its investigation to pressure sensitive plastic tape of more than 1 and 3/8's inches in width and not exceeding 4 mils in thickness.

The Treasury Department is at this time making the file relative to this determination available to the International Trade Commission under separate cover. This file is for the Commission's use in connection with its investigation as to whether an industry in the United States is being, or is likely to be, injured, or is prevented from being established, by reason of the importation of this merchandise into the United States. Since some of the data in this file is regarded by the Treasury to be of a confidential nature, it is requested that the Commission consider all information therein contained for the use of the Commission only, and not to be disclosed to others without prior clearance with the Treasury Department.

Sincerely yours,

Henry C. Stockell  
Acting General Counsel

The Honorable  
Daniel Minchew  
Chairman  
U.S. International  
Trade Commission  
Washington, D.C. 20436

APPENDIX B

U.S. INTERNATIONAL TRADE COMMISSION NOTICES  
OF INVESTIGATION AND HEARING ON PRESSURE  
SENSITIVE PLASTIC TAPE FROM ITALY

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

[AA1921-167]

PRESSURE SENSITIVE PLASTIC TAPE FROM ITALY

Notice of Investigation and Hearing

Having received advice from the Department of the Treasury on May 31, 1977, that pressure sensitive plastic tape of more than one and 3/8's inches in width and not exceeding 4 mils in thickness from Italy is being, or is likely to be, sold at less than fair value, the United States International Trade Commission on June 3, 1977, instituted investigation No. AA1921-167 under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Hearing. A public hearing in connection with the investigation will be held in Washington, D.C. at a place to be announced later, beginning at 10 a.m., e.d.t., on Tuesday, July 26, 1977. All parties shall there and then have the right to appear by counsel or in person, to present evidence, and to be heard. Requests to appear at the public hearing, or to intervene under the provisions of section 201(d) of the Antidumping Act, 1921 (19 U.S.C. 160(d)), shall be filed with the

Secretary of the Commission, in writing, not later than noon, Thursday,  
July 21, 1977.

By order of the Commission:

A handwritten signature in black ink, appearing to read 'K. R. Mason', written over a horizontal line.

Kenneth R. Mason  
Secretary

Issued: June 6, 1977

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

[AA1921-167]

PRESSURE SENSITIVE PLASTIC TAPE FROM ITALY

Place of Public Hearing

Notice is hereby given that the hearing in this matter set to begin at 10 a.m., e.d.t., on Tuesday, July 26, 1977, will be held in the Hearing Room, U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. 20436.

Notice of the investigation and hearing was published in the Federal Register of June 9, 1977 (42 F.R. 29568).

By order of the Commission:

Kenneth R. Mason  
Secretary

Issued: July 15, 1977

APPENDIX C

TREASURY DEPARTMENT LETTERS TO THE COMMISSION  
ADVISING THE COMMISSION OF ITS DETERMINATION  
OF LESS-THAN-FAIR-VALUE SALES FROM WEST GERMANY



A-56

DOCKET  
NUMBER

THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D. C. 20220

# 452

Office of the  
Secretary

Dear Mr. Chairman:  
Intl. Trade Commission

JUN 3 - 1977

77 JUN 6 PM 12:29

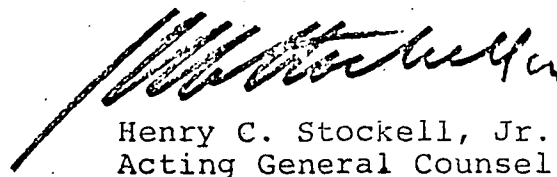
OFFICE OF THE SECRETARY  
U.S. INTERNATIONAL TRADE COMMISSION

In accordance with section 201(a) of the Anti-dumping Act, 1921, as amended, you are hereby advised that pressure sensitive plastic tape from West Germany is being or is likely to be sold at less than fair value within the meaning of the Act.

The Treasury Department will make the files with respect to this determination available to the International Trade Commission as promptly as possible. These files are being furnished for the Commission's use in connection with its investigation as to whether an industry is being or is likely to be injured, or is prevented from being established, by reason of the importation of this merchandise into the United States.

Since some of the data in this file is regarded by the Treasury to be of a confidential nature it is requested that the United States International Trade Commission consider all information therein contained for the official use of the Trade Commission only, and not to be disclosed to others without prior clearance with the Treasury Department.

Sincerely yours,



Henry C. Stockell, Jr.  
Acting General Counsel

The Honorable  
Daniel Minchew  
Chairman  
U.S. International Trade  
Commission  
Washington, D.C. 20436





A-57

THE GENERAL COUNSEL OF THE TREASURY  
WASHINGTON, D.C. 20220

JUN 14 11 21  
JUN 13 1977

Re. Docket  
#452

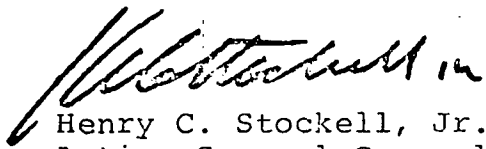
Dear Mr. Chairman:

This letter is in reference to my letter to you of June 3, 1977, advising the Commission that pressure sensitive plastic tape from West Germany is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act.

My earlier letter inadvertently omitted the clarifying language used in the public notice to describe the class or kind of merchandise subject to that determination as pressure sensitive plastic tape "measuring over one and three-eighths inches in width and not exceeding four mils in thickness".

You are hereby formally advised of that clarification.

Sincerely yours,



Henry C. Stockell, Jr.  
Acting General Counsel

The Honorable  
Daniel Minchew  
Chairman  
U.S. International Trade  
Commission  
Washington, D.C. 20436



APPENDIX D

U.S. INTERNATIONAL TRADE COMMISSION NOTICES  
OF INVESTIGATION AND HEARING ON PRESSURE  
SENSITIVE PLASTIC TAPE FROM WEST GERMANY

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

[AA1921-168]

PRESSURE SENSITIVE PLASTIC TAPE FROM WEST GERMANY

Notice of Investigation and Hearing


Having received advice from the Department of the Treasury on June 14, 1977, that pressure sensitive plastic tape of more than one and 3/8's inches in width and not exceeding 4 mils in thickness from West Germany is being, or is likely to be, sold at less than fair value, the United States International Trade Commission on June 27, 1977, instituted investigation No. AA1921-168 under ~~section~~ 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

The Commission has determined that this investigation will be conducted concurrently with investigation No. AA1921-167, which concerns pressure sensitive plastic tape of more than one and 3/8's inches in width and not exceeding 4 mils in thickness from Italy. Notice of that investigation was issued by the Commission on June 6, 1977 (42 F.R. 29568).

Hearing. A public hearing in connection with both investigations will be held in Washington, D.C., at a place to be announced later, beginning at 10 a.m., e.d.t., on Tuesday, July 26, 1977. Such hearing was previously announced for investigation No. AA1921-167 in the notice cited in the preceding paragraph. All parties shall there and then have the right to appear by counsel or in person, to present evidence, and to be heard.

Requests to appear at the public hearing, or to intervene under the provisions of section 201(d) of the Antidumping Act, 1921 (19 U.S.C. 160(d)), shall be filed with the Secretary of the Commission, in writing, not later than noon, Thursday July 21, 1977.

By order of the Commission:



Kenneth R. Mason  
Secretary

Issued: June 29, 1977

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.

[AA1921-168]

PRESSURE SENSITIVE PLASTIC TAPE FROM WEST GERMANY

Change of Date and Place of Public Hearing

Notice is hereby given that the public hearing in this matter, previously scheduled to begin on Tuesday, July 26, 1977, will now be held beginning Tuesday, August 9, 1977, in the Hearing Room, U.S. International Trade Commission Building, 701 E Street NW., Washington, D.C. 20436. Postponement of this hearing does not affect the previously noticed date of July 26, 1977, for the hearing on investigation No. AA1921-167, Pressure Sensitive Plastic Tape from Italy.

Notice of the investigation and hearing for investigation No. AA1921-168 was published in the Federal Register of July 5, 1977 (42 F.R. 34385).

By order of the Commission:

Kenneth R. Mason  
Secretary

Issued: July 15, 1977

APPENDIX E

TREASURY DEPARTMENT NOTICES ON PRESSURE SENSITIVE  
PLASTIC TAPE FROM ITALY AS PUBLISHED IN THE  
FEDERAL REGISTER

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## NOTICES

approves such determination, then it shall become final on the day after the close of the 60-day period (i.e. June 3, 1976), or the day on which the President notifies the Commission of his approval, as the case may be.

The International Trade Commission Notice and Order was published in the FEDERAL REGISTER April 8, 1976 (41 FR 14948).

VERNON D. ACREE,  
Commissioner of Customs.

[FR Doc.76-14194 Filed 5-13-76;8:45 am]

## Office of the Secretary

## MONOSODIUM GLUTAMATE FROM KOREA

## Antidumping Proceeding

On April 12, 1976, information was received in proper form pursuant to §§ 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that monosodium glutamate from Korea is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available information indicates that imports of the subject merchandise from Korea during 1975 amounted to approximately 3.6 percent of domestic consumption. Further information indicates that imports of the subject merchandise from Korea declined 52 percent from 1974 to 1975. There is no evidence of domestic unemployment or less than full capacity utilization, nor of any loss of market share to Korean imports. On the basis of such evidence, it has been concluded that there is substantial doubt of injury to, likelihood of injury to, or prevention of establishment of an industry in the United States by reason of such importations from Korea. Accordingly, the United States International Trade Commission is being advised of such doubt pursuant to section 201(c)(2) of the Act (19 U.S.C. 160(c)(2)).

Having conducted a summary investigation as required by § 153.29 of the Customs Regulations (19 U.S.C. 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value. Should the United States International Trade Commission, within 30 days of receipt of the information cited in the preceding paragraph, advise the Secretary that there is no reasonable indication that an industry is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States, the Department will publish promptly in the FEDERAL REGISTER a

notice terminating the investigation. Otherwise, the investigation will continue to a conclusion.

A summary of price information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

DAVID R. MACDONALD,  
Assistant Secretary  
of the Treasury.

MAY 7, 1976.

[FR Doc.76-14117 Filed 5-13-76;8:45 am]

## PRESSURE SENSITIVE PLASTIC TAPE FROM ITALY

## Antidumping Proceeding

On April 8, 1976, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating a possibility that pressure sensitive plastic tape from Italy is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. This evidence indicates that decreases in employment and under utilization of production facilities have occurred in the U.S. industry during the last 3 years. The evidence also indicates that petitioner's share of the U.S. market has declined substantially since 1972, and that imports of the subject merchandise from Italy have increased by approximately 48% since 1973.

Having conducted a summary investigation as required by section 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the constructed value.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 CFR 153.30).

JAMES B. CLAWSON,  
Acting Assistant Secretary  
of the Treasury.

MAY 10, 1976.

[FR Doc.76-14118 Filed 5-13-76;8:45 am]

## DEPARTMENT OF DEFENSE

Department of the Air Force

## DRAFT ENVIRONMENTAL DETERMINATION

Availability

MAY 7, 1976.

On 6 December 1974, the United States Air Force announced in the FEDERAL REGISTER (page 42698) its intent to prepare an environmental impact statement on the proposed beddown of the A-10 aircraft at Davis-Monthan Air Force Base, Arizona.

A comprehensive evaluation of the environmental impact of the proposed action was performed, and on 20 February 1976 the USAF determined that the proposed beddown was not a major Federal action with significant adverse impact on the quality of the human environment. This determination was based on the following:

a. The proposed action will result in a net decrease in the emission of air pollutants from the current flying activities.

b. The proposed action will result in a decrease in the area affected by noise as measured by the Day Night Average Sound Level.

c. The proposed action will result in a 1 percent (120 people) increase in the base population from the current level to the FY 1980 time period.

d. On-base construction in the amount of \$11 million will be accomplished in support of the proposed action.

e. The Depleted Uranium (DU) munitions will be stored at Davis-Monthan AFB only after receipt of the license from the Nuclear Regulatory Commission (NRC). Further, this material will be stored for War Readiness Material purposes only and will not be used for training or other routine purposes.

f. The proposed action was first announced on 22 November 1974 and subsequently appeared in the FEDERAL REGISTER and local Tucson newspapers. No adverse reaction or controversy has resulted from these announcements.

For the reasons outlined above, the United States Air Force has decided not to file a Draft Environmental Statement with the Council on Environmental Quality but has prepared an Environmental Determination. Any questions or comments on this action should be directed to the Special Assistant for Environmental Quality (SAF/ILE), United States Air Force, Pentagon, Room 4C885, Washington, D.C. 20330.

Copies of the determination and the environmental assessment are available for review by interested parties at the following locations:

Environmental Coordinator, Engineering and Construction Branch, 803 CSG/DEV, Building 5315, Davis-Monthan AFB, Arizona 85707, Telephone: 602-748-5548.



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In accordance with § 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning imports and home market sales of monosodium glutamate from Korea during the period of January 1 through June 30, 1976.

c. *Exporter's sales price.* For the purposes of this tentative determination of sales at not less than fair value, adjustments have been made on the following basis. In the import transactions, all merchandise was sold in the United States, before or after the time of importation, by or for the exporter, within the meaning of section 204 of the Act. Exporter's sales price has been calculated on the basis of an ex-warehouse or delivered price, to United States purchasers, with deductions for ocean freight, marine insurance, inland transportation in Korea, container drayage, container freight station charges, wharfage, loading, Korean clearance, U.S. delivery, duty, U.S. clearance, U.S. freight, selling expenses, and commission, where applicable. Taxes and duties which were refunded or not collected by reason of the exportation of merchandise were added in accordance with the Act.

The deductions were based on actual costs incurred in transporting or selling the merchandise in accordance with section 204 of the Act. The additions for taxes and duties which were refunded or not collected by reason of the exportation of the merchandise relate to the refund of duties on raw materials and the non-collection of a commodity tax, a defense surtax, and a sales tax.

d. *Home market price.* For the purposes of this tentative determination of sales at not less than fair value, adjustments have been made on the following basis. The home market price was calculated on the basis of the f.o.b. price from Miwon Sales, a related sales agency of the manufacturer, Seoul Miwon, to unrelated purchasers in accordance with § 153.13(a), Customs Regulations (19 CFR 153.13(a)). Adjustments were made for a discount, inland freight, and an offset for selling expenses incurred in the United States.

The adjustment for a discount relates to a discount granted by Seoul Miwon on sales to Miwon Sales which is in turn passed on to unrelated purchasers. The deduction has been made on the basis of the actual amount of the discount.

The adjustment for inland freight is related to the costs incurred in transporting the merchandise from the point of manufacture to the point of delivery.

The adjustment for selling expenses, in accordance with § 153.10, Customs Regulations (19 CFR 153.10), relates to an offset for selling expenses and a commission deduction in the exporter's sales price.

e. *Results of fair value comparisons.* Using the above criteria, exporter's sales price was found to be not less than the home market price of such or similar merchandise. Comparisons were made on approximately .70 percent of the monosodium glutamate from Korea sold to the United States during the period of investigation.

In accordance with §§ 153.40(a) and 153.40(b), Customs Regulations (19 CFR 153.40(a), 153.40(b)), interested persons may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Con-

stitution Avenue, NW., Washington, D.C. 20229, in time to be received by his office not later than November 29, 1976. Such request must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received by his office not later than December 17, 1976.

This tentative determination and the statement of reasons therefor are published pursuant to § 153.34(a) Customs Regulations (19 CFR 153.34(a)).

PETER O. SUCHMAN,  
Acting Assistant Secretary  
of the Treasury.

NOVEMBER 12, 1976.

[FR Doc.76-33969 Filed 11-16-76;8:45 am]

### PRESSURE SENSITIVE PLASTIC TAPE FROM ITALY

Antidumping; Extension of Investigatory Period

On April 8, 1976, information was received in proper form from the Minnesota Mining and Manufacturing Company, St. Paul, Minnesota, alleging that pressure sensitive plastic tape from Italy was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of May 14, 1976 (41 FR 19990).

The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to, or the likelihood of injury to, or the prevention of establishment of, an industry in the United States.

Pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)), notice is hereby given that the Secretary concludes that the determination provided for in section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), cannot reasonably be made within six months. The determination under section 201(b)(1) of the Act (19 U.S.C. 160(b)(1)), will therefore, be made within no more than nine months.

The reasons and bases for the above conclusion are as follows: The need for the collection of additional data and the need for analysis of all submissions along with the need for resolution of technical issues that have arisen in connection therewith, makes it inadvisable to take tentative action at this time.

This notice is published pursuant to section 201(b)(2) of the Act (19 U.S.C. 160(b)(2)).

PETER O. SUCHMAN,  
Acting Assistant Secretary  
of the Treasury.

NOVEMBER 12, 1976.

[FR Doc.76-33968 Filed 11-16-76;8:45 am]

### Office of the Secretary

[Treasury Dept. Order 230; (Revision 2)]

### DEPUTY SECRETARY OF THE TREASURY

#### Delegation of Authority

Pursuant to the authority vested in me as Secretary of the Treasury in the Regional Rail Reorganization Act of 1973, Pub. L. 93-236, 87 Stat. 985, it is hereby ordered that:

(1) The Deputy Secretary of the Treasury shall serve as my duly authorized representative with respect to the powers and duties conferred upon me as a Government member of the Board of Directors of the United States Railway Association pursuant to Section 201(d) of the Regional Rail Reorganization Act of 1973.

(2) This delegation shall be without prejudice to my exercise of the authority of a member of the Board of Directors of the United States Railway Association whenever I shall deem such exercise appropriate.

(3) Treasury Department Order No. 230 (39 FR 5508), dated July 9, 1974, is hereby rescinded.

Dated: November 2, 1976.

WILLIAM E. SIMON,  
Secretary of the Treasury.

[FR Doc.76-33876 Filed 11-16-76;8:45 am]

### SMALL BUSINESS ADVISORY COMMITTEE ON ECONOMIC POLICY

#### Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act, Pub. L. 92-463, notice is hereby given that a meeting of the Small Business Advisory Committee on Economic Policy will be held on December 6 and 7, 1976, at Main Treasury Building, 15th Street and Pennsylvania Avenue, N.W., Washington, D.C. 20220. On Monday, December 6, the full Committee will meet in Room 4121 from 9:30 a.m. to 11:30 a.m. The Committee will then break up and meet in its 3 ad hoc Task Forces—Capital Formation (Room 4426), Taxation (Room 4121), and Legislation, Regulation, and Paperwork (Room 4125), from 11:30 a.m. to 12:30 p.m. and from 2 p.m. to 5 p.m. The full Committee will reconvene at 9:30 a.m. on Tuesday in Room 4121 until approximately 12:30 p.m.

On December 6 the agenda for the full Committee meeting includes a discussion of the 1976 changes in the tax law and the December 7 meeting agenda includes reports and action on recommendations of the ad hoc Task Force meetings. On December 6 the ad hoc Taxation Task Force will address tax policy as it affects small businesses; the ad hoc Capital Formation Task Force will focus on Securities Exchange Commission requirements; and the ad hoc Legislation, Regulation, and Paperwork Task Force will address Treasury regulations and public reporting requirements.

and of the exportation of the merchandise were treated as indirect taxes and were added in accordance with the Act.

The deductions were based on actual costs incurred in transporting or selling the merchandise in accordance with section 204 of the Act. The addition for taxes and duties which were refunded or not collected by the government of the exportation of the merchandise to the refund of duties on raw materials and the non-collection of a commodity tax, a defense surtax, and a sales tax. The deduction for the cost savings under the import deposit program relates to monies which are usually deposited with the central bank for a fixed period of time when goods are imported. This deposit requirement is reduced in amount and time of deposit when materials are imported pursuant to export orders for a final product. Such programs are usually applied in cases where a higher duty rate would appear prohibitive but serve the same purpose. The deposit requirement has the same effect as a duty and the interest payments on the exported merchandise has been added in accordance with the Act.

**Home Market Price.** For the purposes of the tentative determination of sales at not less than fair value, adjustments have been made on the following basis. The home market price was calculated on the basis of the price for industrial size containers from Seoul Miwon Sales, a related sales agency of the manufacturer. Seoul Miwon, to unrelated home market purchasers in accordance with 153.13(a), Customs Regulations (19 U.S.C. 153.13(a)). Adjustments were made for inland freight, and an offset for selling expenses incurred in the United States.

The adjustment for a discount relates to the discount granted by Seoul Miwon to Miwon which is in turn passed on to unrelated purchasers. The deduction has been made on the basis of the actual amount of the discount.

The adjustment for inland freight is related to the costs incurred in transporting the merchandise from the point of manufacture to the point of delivery.

The adjustment for selling expenses, in accordance with 153.10, Customs Regulations (19 U.S.C. 153.10), relates to an offset for selling expenses and commission deductions in the exporter's sales price.

There has been made by the petitioner the use of sales in industrial sizes was a proper basis for fair value since these constitute an insignificant portion of the home market sales. The industrial sizes were used since virtually all of the sales in the United States were in industrial sizes. Monosodium glutamate in industrial sizes is used in commercial food packaging and is repacked in small containers for sale. The sales of industrial size containers was deemed to constitute a level of trade in accordance with 153.15, Customs Regulations (19 CFR 153.15). On the basis of the data available, it was determined that the industrial size market in the home market amounted to approximately 10 percent of Miwon's volume in Korea, was representative of the basis of fair value. It was determined that in past cases home market sales constituted a smaller portion of the total sales and have been deemed sufficient for determining fair value when the sales were at the same level of trade and the sales were approximately equal to the sales in the home market as is true in this case.

There has been made by the petitioner additional home market sales which have been considered in the determination of fair value. These sales were of the same level of trade and which were at a different level of trade. These comparisons were

made between sales at the same level of trade, inclusion of these sales was deemed to be inappropriate.

**e. Results of Fair Value Comparisons.** Using the above criteria, exporter's sales price was found to be not less than the home market price of such or similar merchandise. Comparisons were made on approximately 70 percent of the monosodium glutamate from the Republic of Korea sold to the United States during the period of investigation.

This determination and statement of reasons therefor are published pursuant to 153.34(c) of the Customs Regulations (19 CFR 153.34(c)).

JOHN H. HARPER,  
Acting Assistant  
Secretary of the Treasury.

FEBRUARY 14, 1977.

[FR Doc. 77-5124 Filed 2-17-77; 8:45 am]

### PRESSURE SENSITIVE PLASTIC TAPE FROM ITALY

#### Antidumping; Withholding of Appraisement Notice

Information was received in proper form on April 8, 1976, from the Minnesota Mining and Manufacturing Company of St. Paul, Minnesota, alleging that pressure sensitive plastic tape from Italy was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the FEDERAL REGISTER of May 14, 1976 (41 FR 19990). The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

The Secretary concluded that a tentative determination could not reasonably be made within the usual six-month period. The investigatory period in this case was therefore extended to no more than 9 months, and a "Notice of Extension of Investigatory Period" to that effect was published in the FEDERAL REGISTER of November 17, 1976 (41 FR 50748).

Subsequent to the initiation of the investigation, it has been concluded that it is inappropriate to include within the scope of the investigation, merchandise other than pressure sensitive plastic tape of more than one and three-eighths inches in width and not exceeding four mils in thickness. Accordingly, the scope of this notice is limited to pressure sensitive plastic tape of more than one and three-eighths inches in width and not exceeding four mils in thickness.

#### TENTATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE

On the basis of the information developed in Customs' investigation and for the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price or the exporter's

sales price of pressure sensitive plastic tape from Italy other than that produced and sold by Plasturopa-SIPA S.a.S., is less, or is likely to be less, than the fair value, and thereby the foreign market value, of such or similar merchandise.

#### STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

**a. Scope of the investigation.** It appears that 92 percent of imports of the subject merchandise from Italy were manufactured by Boston S.p.A., Milan, Italy (Boston), Manuli Autoadesivi S.p.A., Milan, Italy (Manuli), Plasturopa-SIPA S.a.S., Florence, Italy (Plasturopa), and Comet S.A.R.A., Como, Italy (Comet). Therefore the investigation was limited to these four manufacturers.

**b. Basis of Comparison.** For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison appears to be between purchase price and the home market price of such or similar merchandise on sales by Boston and Plasturopa, between purchase price and constructed value in the case of Comet, and between purchase price or exporter's sales price and the home market price of such or similar merchandise on sales by Manuli. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used for three manufacturers since all export sales by those three companies appear to be made to non-related customers in the United States. Purchase price was also used for certain sales by Manuli where the merchandise was purchased by a non-related customer prior to the time of exportation from Italy. Exporter's sales price as defined in section 204 of the Act (19 U.S.C. 163), was used for those sales in which the related importer acted as the seller of the merchandise.

Home market price, as defined in 153.3, Customs Regulations (19 CFR 153.3), was used for Boston, Manuli and Plasturopa, since such or similar merchandise appears to be sold in the home market in sufficient quantities, at prices equal to or above the cost of production, to provide a basis of comparison for fair value purposes. With regard to Comet, verified cost and home market and third country price information was not received in time to permit analysis. Accordingly, the fair value was based on constructed value using the best evidence available (19 CFR 153.5 and 153.6). That evidence has been determined to be the highest cost of production data of another Italian manufacturer of such or similar merchandise.

In accordance with 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing and cost of production information was obtained concerning export and appropriate home market sales of pressure sensitive plastic tape from Italy during the period December 1, 1975, through June 30, 1976.

**c. Purchase Price.** For the purpose of this tentative determination of sales at less than fair value, purchase price has been calculated on the basis of the c.i.f. price to U.S. customers. Deductions have been made for ocean freight, and shipping expenses, Italian inland freight, insurance and brokerage costs, as appropriate.

**d. Exporter's Sales Price.** For the purpose of this tentative determination of sales at

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less than fair value, exporter's sales price has been calculated on the basis of the price to the unrelated United States customers, with deductions for transportation, insurance, United States customs duties, handling costs, and selling expenses, as appropriate.

e. *Home Market Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the delivered price in the home market to unrelated purchasers, with adjustments for differences in merchandise sold to the two markets, as appropriate.

In the case of Plasturopa, adjustment was made for differences in delivery and commission expenses in the two markets.

In the case of Boston, adjustment was made for differences in inland shipping, cash discounts, commissions and packing costs between the two markets.

In the case of Manuli, adjustments have been made on the following bases. For comparison with purchase price, adjustments have been made for differences in cash discount, freight expense and commissions granted sales agents in the home market. In accordance with § 153.10(b), adjustment has been made for actual selling expenses incurred in the home market up to the amount of selling expenses incurred in the United States market.

f. *Constructed Value.* The fair value for Comet was calculated on the basis of the constructed value, as determined by the sum of the costs of materials and of fabrication or other processing involved in producing the merchandise, plus an amount for general expenses, incurred by another manufacturer producing such or similar merchandise, plus an amount for profit equal to that required by section 206(a)(2)(B) of the Act, plus the cost of all containers and coverings and other expenses incidental to placing the merchandise in condition, packed ready for shipment to the United States.

g. *Result of Fair Value Comparisons.* Using the above criteria, preliminary analysis suggests that purchase price and/or exporter's sales price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on approximately 73 percent of the sales of the subject merchandise to the United States by manufacturers during the investigative period. Margins were tentatively found ranging from 2 to 34 percent for sales made by Boston on 100 percent of the sales compared, ranging from 2 to 26 percent for sales made by Comet on 89 percent of the sales compared, and from 1 to 27 percent for sales made by Manuli on 80 percent of the sales compared. Tentatively, no margins have been found on sales by Plasturopa.

Accordingly, Customs officers are being directed to withhold appraisement of pressure plastic tape measuring over one and three-eighths inches in width and not exceeding 4 mils in thickness, from Italy, other than that produced and sold by Plasturopa, in accordance with § 153.48 Customs Regulations (19 CFR 153.48).

In accordance with § 153.40, Customs Regulations (19 CFR 153.40), interested persons may present written views or

arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any request that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue, NW, Washington, D.C. 20226, in time to be received by his office on or before February 28, 1977. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received in his office on or before March 21, 1977.

This notice, which is published pursuant to § 153.35(b), Customs Regulations (19 CFR 153.35(b)), shall become effective February 18, 1977. It shall cease to be effective at the expiration of August 18, 1977, unless previously revoked.

JOHN H. HARPER,  
Acting Assistant  
Secretary of the Treasury.

FEBRUARY 14, 1977.

[FR Doc.77-5125 Filed 2-17-77; 8:45 am]

### VETERANS ADMINISTRATION

#### CENTRAL OFFICE EDUCATION AND TRAINING REVIEW PANEL

##### Meeting

The Veterans Administration gives notice pursuant to Pub. L. 92-463 that a meeting of the Central Office Education and Training Review Panel, authorized by Section 1790(b), Title 38, United States Code, will be held in Room A53 Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington DC on March 21, 1977, at 10 a.m. The meeting will be held for the purpose of reviewing the decision of the Director, Veterans Administration Regional Office, San Diego, California, that disallowed further enrollments in the PREP program and denied educational assistance to any eligible persons already enrolled in the PREP program conducted by the College of the Desert, 43-500 Monterey Avenue, Palm Desert, California 92260. The effective date of the decision is December 17, 1976.

The meeting will be open to the public up to the seating capacity of the conference room. Because of the limited seating capacity, it will be necessary for those wishing to attend to contact Mr. Bernard D. Duber, Acting Chief, Field Operations, Education and Rehabilitation Service, Veterans Administration Central Office (phone 202-389-2850) prior to March 15, 1977.

Dated: February 14, 1977.

R. L. ROUBENBUSH,  
Administrator.

[FR Doc.77-5160 Filed 2-17-77; 8:45 am]

### INTERSTATE COMMERCE COMMISSION

[No. 30427]

#### ARKANSAS INTRASTATE FREIGHT R. AND CHARGES—1976

Petition for Investigation of Intra  
Freight Rates and Charges Within  
State of Arkansas

By joint petition authorized under section 13(3) of the Interstate Commerce Act, filed August 23, 1976, petitioner, common carriers by railroad<sup>1</sup> subject Part I of the Interstate Commerce and also operating in intrastate commerce in the State of Arkansas, request that this Commission institute an investigation of their Arkansas intrastate freight rates and charges, under sections 13 and 15a of the Interstate Commerce Act, wherein they will seek an order authorizing them to increase such rates; charges in the same amounts applicable for interstate application by this Commission in Ex Parte No. 305-RE, increased Freight Rates and Charges 1975—Recyclable Materials.

By tariff filed with the Arkansas Transportation Commission, petitioner sought to make the increases grant Ex Parte 305-RE, supra, applicable to Arkansas intrastate traffic, effective November 16, 1975. Following suspension order dated November 14, 1975, a subsequent hearing regarding said order held on February 11, 1976, said Commission denied the increases by report order dated March 1, 1976.

Petitioners contend that present intrastate freight rates from, to, and within Arkansas are just and reasonable; that the proposed intrastate rates will not exceed a just and reasonable rate; that transportation conditions for intrastate traffic in Arkansas are not as favorable as for interstate traffic; that traffic moving under present Arkansas intrastate rail freight rates and charges falls to provide its fair share of earnings; and, that the present Arkansas intrastate rail freight rates and charges create undue and unreasonable advantage, preference, and prejudice between persons and localities in intrastate commerce within Arkansas and interstate and foreign commerce, and result in undue, unreasonable, and unjust discrimination against and an undue burden on interstate commerce in violation of sections 13 and 15a of the Interstate Commerce Act, among others, to the extent that they do not include the increases authorized in Ex Parte No. 305-RE, supra.

<sup>1</sup> Chicago, Rock Island and Pacific Railroad Company; The Kansas City Southern Railroad Company; Louisiana & Arkansas Railroad Company; Missouri Pacific Railroad Company; St. Louis-San Francisco Railway Company; and St. Louis Southwestern Railroad Company.

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0.344 for the y coordinates and 0.023 for the z. This means that the z coordinate is three times the maximum permitted value of the red requirement, placing the coordinate toward the pink portion of the chromaticity diagram. To the naked eye the lamp is distinctly paler and pinker than one that meets the color requirements. There are approximately 94,000 Capri's which have been imported and sold during the time that the lamp was manufactured. It is presently unknown how many lamps have been manufactured for the replacement market.

Ford's arguments that this apparent noncompliance is inconsequential may be summarized as follows. The lamp itself otherwise meets all requirements of standard No. 103. Further even though the color deviates from the prescribed red, it in no way could be mistaken for the amber-colored front side marker lamp. There is also a de minimis exposure to oncoming motorists from the limited number of situations in which one will encounter a Capri, or any vehicle, at right angles. In virtually all situations, argues the company, direction of travel of the Capri is determined by the presence and relative motion of lights other than the side marker lamps long before situations arise in which sole reliance on these lamps could be placed.

This notice of receipt of a petition is published under section 157 of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1417) and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit written data, views and arguments on the petition of Ford Motor Company described above. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, S.W., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials and all comments received after the closing date will also be filed and will be considered to the extent possible. When the petition is granted or denied, notice will be published in the Federal Register pursuant to the authority indicated below.

Comment closing date: July 15, 1977.

(Sec. 102, Pub. L. 92-492, 25 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on May 23, 1977.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc. 77-15112 Filed 5-27-77; 8:45 am]

## STUART FAUNCE, Ph.D.

## Grant of Petition to Commence Defect Proceeding

This notice announces the granting of a petition by Stuart Faunce, Ph.D., of Fenwick, M.I., that the National Highway Traffic Safety Administration commence a proceeding to determine whether to issue an order pursuant to Section 152(b) of the National Traffic and Motor Vehicle Safety Act (15 U.S.C. 1301 et seq.). Such an order, if issued, would require Ford Motor Company to initiate a notification and remedy campaign to correct a safety-related defect.

The petition alleges that 1972 Capri passenger cars, manufactured by Ford Motor Company and sold through its Lincoln-Mercury dealers, may incorporate improperly designed and manufactured stabilizer bars in a front suspension system, and that accordingly such vehicles contain a defect which relates to motor vehicle safety.

The file number assigned to the petition is F7-804.

(Sec. 102, Pub. L. 92-492, 25 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 501.8)

Issued on May 23, 1977.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc. 77-15113 Filed 5-27-77; 8:45 am]

## DEPARTMENT OF THE TREASURY

## Office of the Secretary

PRESSURE SENSITIVE PLASTIC TAPE  
MEASURING OVER ONE AND THREE-  
EIGHTS INCHES IN WIDTH AND NOT  
EXCEEDING FOUR MILS IN THICK-  
NESS FROM ITALY

Antidumping Determination of Sales at Less Than Fair Value

AGENCY: United States Treasury Department.

ACTION: Determination of sales at less than fair value.

SUMMARY: This notice is to advise the public that an antidumping investigation has resulted in a determination that pressure sensitive plastic tape measuring over one and three-eighths inches in width and not exceeding four mils in thickness from Italy is being sold at less than fair value under the Antidumping Act. (Sales at less than fair value generally occur when the price of merchandise for exportation to the United States is less than the price of such or similar merchandise sold in the home market or to third countries.) This case is being referred to the United States International Trade Commission for a determination concerning possible injury to an industry in the United States.

EFFECTIVE DATE: May 31, 1977.

## FOR FURTHER INFORMATION CONTACT:

David R. Chapman, Operations Officer,  
Duty Assessment Division, United  
States Customs Service, 1301 Constitu-  
tion Avenue NW., Washington, D.C.  
20229, telephone 202-566-5492.

## SUPPLEMENTARY INFORMATION:

Information was received in proper form on April 8, 1976, from the Minnesota Mining and Manufacturing Company of St. Paul, Minnesota, alleging that pressure sensitive plastic tape from Italy was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). This information was the subject of an "Antidumping Proceeding Notice" which was published in the Federal Register of May 14, 1977 (41 FR 19890). The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

The Secretary concluded that a tentative determination could not reasonably be made within the usual six-month period. The investigatory period in this case was therefore extended to no more than 9 months, and a "Notice of Extension of Investigatory Period" to that effect was published in the Federal Register of November 17, 1976 (41 FR 50349).

A "Withholding of Appraisement Notice" issued by the Secretary of the Treasury was published in the Federal Register of February 10, 1977 (41 FR 10793).

## DETERMINATION OF SALES AT LESS THAN FAIR VALUE

I hereby determine that for the reasons stated below, pressure sensitive plastic tape measuring over one and three-eighths inches in width and not exceeding four mils in thickness, from Italy other than that produced and sold by Plasturopa, is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)).

## STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

The reasons and basis for the above determination are as follows:

(a) *Scope of the investigation.* It appears that 23 percent of imports of the subject merchandise from Italy was manufactured by four companies: Manuli Autodesivi S.p.A., Milan, Italy (Manuli), Boston S.p.A., Milan, Italy (Boston), Comet S.A.R.L. S.p.A., Como, Italy (Comet), and Plasturopa-SIPA S.a.S., Florence, Italy (Plasturopa). Therefore, the investigation was limited to these four manufacturers.

(b) *Basis of comparison.* For the purpose of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison is between purchase price and the home market price of such or similar merchandise on sales by Boston, Plasturopa and Comet and between purchase price or exporter's sales price and the home market price of such or similar merchandise on sales by Manuli. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used in the cases of Boston, Plasturopa and Comet since all export sales by those three companies appear to be made to non-related purchasers in the United States. Purchase price was also used for certain sales by Manuli where the merchandise was purchased by a non-related customer prior to the exportation from Italy. Exporter's sales price as defined in section 204 of the Act (19 U.S.C. 163), was used for those sales in which the related importer acted as the seller of the merchandise.

Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3), was used since such or similar merchandise was sold in the home market in sufficient quantities, at prices equal to or above the cost of production, to provide a basis of comparison for fair value purposes.

In accordance with section 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing and cost of production information was obtained concerning export and appropriate home market sales of pressure sensitive plastic tape from Italy during the period December 1, 1975, through June 30, 1976.

(c) *Purchase price.* For the purpose of this determination of sales at less than fair value, purchase price has been calculated on the basis of the c.i.f. price to U.S. customers. Deductions have been made for ocean freight and shipping expenses, Italian inland freight, insurance and brokerage costs, as appropriate.

(d) *Exporter's sales price.* For the purpose of this determination of sales at less than fair value, exporter's sales price has been calculated on the basis of the price to the unrelated United States customers, with deductions for transportation, insurance, United States customs duties, handling costs, and selling expenses.

(e) *Home market price.* For the purpose of this determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the delivered price in the home market to unrelated purchasers, with adjustments for differences in merchandise sold to the two markets, as appropriate.

In the case of Boston, adjustment was made for differences in inland shipping expenses, cash discounts, commissions and packing costs between the two markets.

In the case of Comet, adjustment was made for differences in inland freight, cash discount and commissions between the two markets.

In the case of Plasturopa, adjustment was made for differences in delivery expenses and commissions between the two markets.

In the case of Manuli, adjustment was made for differences in cash discounts, inland freight expenses and commissions between the two markets in all cases. In accordance with Section 153.10(b), Customs Regulations (19 CFR 153.10(b)), adjustment was made for actual selling expenses incurred in the same market up to the amount of selling expenses incurred in the United States market, in those cases where home market price was compared to sales made to the United States on which exporter's sales price applied.

The issue has been raised in what circumstances home market sales at prices below the cost of production might be included with other home market sales at prices equal to or greater than the cost of production under Section 205 (b). Section 205(b) of the Act requires that if the Secretary determines that home market sales made at less than the cost of production have been made over an extended period of time and in substantial quantities, and are not at prices which permit recovery of all costs within a reasonable period of time in the normal course of trade, such sales shall be disregarded in the determination of foreign market value and thereby the fair value. In this case, it has been determined that although some home market sales by Manuli occurred at prices less than the cost of production, these sales occurred in less than substantial quantities within the meaning of Section 205(b) of the Act, and therefore have not been disregarded in computing home market price. It has further been determined that home market sales at prices less than the cost of production, by Plasturopa, Comet, and Boston have occurred in substantial quantities over an extended period of time and at prices not permitting recovery of all costs within a reasonable period of time in the normal course of trade. These sales have therefore been disregarded in computing home market price for these manufacturers.

(f) *Result of fair value comparisons.* Using the above criteria, purchase price and/or exporter's sales price was found to be lower than the home market price of such or similar merchandise. Comparisons were made on approximately 76 percent of the merchandise sold to the United States by manufacturers during the investigative period. Margins were found ranging from 0 to 17 percent for sales made by Boston on 71.5 percent of the sales compared, ranging from 2 to 18 percent for sales made by Comet on 77.3 percent of the sales compared, and from 1 to 26 percent for sales made by Manuli on 80 percent of the sales compared. No margins were found on sales by Plasturopa.

The Secretary has provided an opportunity to known interested persons to present written and oral views pursuant to § 153.40, Customs Regulations (19 CFR 153.40).

The United States International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(d) of the Act (19 U.S.C. 160(d)).

Dated: May 20, 1977.

HENRY C. STOCKELL, Jr.,  
Acting General Counsel.

[FR Doc. 77-15487 Filed 5-27-77; 8:45 am]

## INTERSTATE COMMERCE COMMISSION

[Notice No. 400]

### ASSIGNMENT OF HEARINGS

MAY 25, 1977.

Cases assigned for hearing, postponement, cancellation or oral argument appear below and will be published only once. This list contains prospective assignments only and does not include cases previously assigned hearing dates. The hearings will be on the issues as presently reflected in the Official Docket of the Commission. An attempt will be made to publish notices of cancellation of hearings as promptly as possible, but interested parties should take appropriate steps to insure that they are notified of cancellation or postponements of hearings in which they are interested.

MC 111231 (Sub-203), Jones Truck Lines, Inc., now assigned July 21, 1977 at Chicago, Illinois, hearing canceled and the application is dismissed.

MC 138420 (Sub-14), Chizek Elevator & Transport, Inc., now being assigned July 21, 1977 (2 days) at Chicago, Illinois, in a hearing room to be later designated.

MC 110563 Sub 187, Coldway Food Express, Inc., Extension Denver Meats now being assigned June 21, 1977 (9 days) and July 19, 1977 (9 days) at Denver, Colorado and will be held at the Court of Appeals, Division Two, US Courthouse, 1961 Stout Street, and at the Tax Court, Room 587, US Federal Building and Courthouse, 1961 Stout Street respectively.

AB 52 Sub 7, Atchison, Topeka and Santa Fe Railway Company Abandonment Between Cushing and Shawnee in Payne, Lincoln and Pottawatomie Counties, Oklahoma now assigned June 1, 1977 at Shawnee, Oklahoma is cancelled.

MC 134922 Sub Nos. 214, 210, 217, 201, and 225, B. J. McAdams, Inc., and MC 19157 Sub Nos. 24, 27, 28 and 32, McCormack's Highway Transportation, Inc. now being assigned June 27, 1977 for prehearing conference at the Office of the Interstate Commerce Commission in Washington, D.C.

MC 128007 (Sub-No. 91), Hofer, Inc., now being assigned July 26, 1977, at Jefferson City, Mo. in a hearing room to be later designated.

ROBERT L. OSWALD,  
Secretary.

[FR Doc. 77-15375 Filed 5-27-77; 8:45 am]

[Notice No. 171]

### MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MAY 31, 1977.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211,



APPENDIX F

TREASURY DEPARTMENT NOTICES ON PRESSURE SENSITIVE  
PLASTIC TAPE FROM WEST GERMANY AS PUBLISHED IN  
THE FEDERAL REGISTER



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from business ventures, investment, and employment in the other country, and would include provisions for nondiscrimination in tax treatment and for administrative cooperation in resolving income tax questions.

Comments are invited on the income tax aspects of doing business in Hungary. Interested persons may wish to refer to the income tax conventions recently concluded by the United States with Romania and Poland and to the model draft treaty issued by the Treasury Department on May 18, 1976. Comments should be submitted in writing to Assistant Secretary for Tax Policy, Charles M. Walker, U.S. Treasury, Washington, D.C. 20220 as promptly as possible so that they may be taken into account in the September discussions.

Dated: August 24, 1976.

DAVID S. FOSTER,  
International Tax Counsel and  
Director, Office of International Tax Affairs.

[FR Doc.76-25288 Filed 8-27-76; 8:45 am]

#### KNITTING MACHINES FOR LADIES' SEAMLESS HOSIERY FROM ITALY

##### Antidumping; Determination of Sales at Less Than Fair Value

Information was received on July 15, 1975, from Rockwell International, Reading, Pennsylvania, alleging that knitting machines for ladies' seamless hosiery from Italy were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*) (referred to in this notice as "the Act"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the Federal Register of August 15, 1975 (40 F.R. 34424).

The Secretary determined that it was inadvisable to take tentative action within the normal 6-month investigatory period. The investigatory period in this case was therefore extended to 9 months and a "Notice of Extension of Investigatory Period" to that effect was published in the Federal Register of February 12, 1976 (41 F.R. 6289).

A "Withholding of Appraisement Notice" issued by the Secretary of the Treasury was published in the Federal Register of May 21, 1976 (41 F.R. 20899).

##### DETERMINATION OF SALES AT LESS THAN FAIR VALUE

I hereby determine that, for the reasons stated below, knitting machines for ladies' seamless hosiery from Italy are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160 (a)).

##### STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

The reasons and bases for the above determination are as follows:

a. *Scope of the Investigation.* It appears that 95 percent of imports of the

subject merchandise from Italy were manufactured by either Billi-Matec, S.p.A., Florence, Italy, or DiLanati Francesco & Figli, S.N.C., Brescia, Italy. Therefore, the investigation was limited to these two manufacturers.

b. *Basis of Comparison.* For the purposes of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison for DiLanati Francesco & Figli, S.N.C. is between purchase price and the home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used since all export sales were made to non-related customers in the United States. Home market price, as defined in section 153.2, Customs Regulations (19 C.F.R. 153.2), was used since such or similar merchandise appears to be sold in the home market in sufficient quantities to provide a basis of comparison for fair value purposes.

The proper basis for comparison for Billi-Matec, S.p.A., appears to be between purchase price and the constructed value of such or similar merchandise. Constructed value, as defined in section 206 of the Act (19 U.S.C. 165), was used since all sales of such or similar merchandise in the home market and to third countries were at less than cost of production.

c. *Purchase Price.* For the purposes of this final determination of sales at less than fair value, adjustments have been made on the following bases. In accordance with section 153.31(b), Customs Regulations (19 C.F.R. 153.31(b)), pricing information was obtained concerning imports of knitting machines for ladies' seamless hosiery from Italy during the period March 1 through October 31, 1975, from both companies.

In the import transaction, all of the merchandise was purchased, or agreed to be purchased, prior to the time of exportation by the persons by whom or for whose account it was imported, within the meaning of the Act. The purchase price has been calculated on the basis of the c.i.f., duty paid, price to unrelated U.S. purchasers. Deductions have been made for transportation expenses, including Italian inland freight, U.S. import duties, insurance and installation and interest expenses, where applicable. An addition has been made for rebates of indirect taxes made upon the exportation of this product, as appropriate.

d. *Home Market Price.* For the purposes of this final determination of sales at less than fair value, adjustments have been made on the following bases. The home market price for DiLanati Francesco & Figli, S.N.C. was calculated on the basis of the delivered price in the home market to unrelated purchasers. Adjustments have been made for installation expenses, for discounts, and for differences in commissions in the two markets, as appropriate. Adjustment for commissions relates to commissions paid on certain sales in both markets. Adjustment for discounts relates to quan-

tity discounts actually given to home market purchasers.

e. *Constructed Value.* The fair value for Billi-Matec, S.p.A., was calculated on the basis of constructed value. The constructed value is the sum of the costs of materials and of fabrication or other processing involved in producing the merchandise, plus an amount for general expenses equal to that actually incurred by this manufacturer in sales of merchandise of the same general class or kind as the merchandise under consideration plus an amount for profit equal to that required by section 206(a)(2)(B) of the Act, plus the cost of all containers and coverings and all other expenses incidental to placing the merchandise in condition, packed ready for shipment to the United States.

f. *Result of Fair Value Comparisons.* Using the above criteria, purchase price was found to be lower than the home market price or constructed value, as appropriate, of such or similar merchandise. Comparisons were made on approximately 100 percent of sales of the subject merchandise to the United States by both manufacturers during the investigative period. Margins were found, ranging from 45.8 percent to 93.3 percent, with a weighted average margin of 61.78 percent, for sales made by Billi-Matec, S.p.A., on 100 percent of the sales compared, and from 3 percent to 25 percent, with a weighted average margin of 17 percent, for sales made by DiLanati Francesco & Figli, S.N.C., on 95 percent of the sales compared.

The United States International Trade Commission is being advised of this determination.

This determination is being published pursuant to section 201(c) of the Act (19 U.S.C. 160(c)).

DAVID R. MACDONALD,  
Assistant Secretary  
of the Treasury.

AUGUST 24, 1976.

[FR Doc.76-25332 Filed 8-27-76; 8:45 am]

#### PRESSURE SENSITIVE PLASTIC TAPE FROM WEST GERMANY

##### Antidumping Proceeding Notice

On August 5, 1976, information was received in acceptable form pursuant to sections 153.26 and 153.27, Customs Regulations (19 C.F.R. 153.26, 153.27), from the Minnesota Mining and Manufacturing Company (3M), indicating the possibility that pressure sensitive plastic tape from West Germany is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 *et seq.*).

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. This evidence indicates that decreases in employment and underutilization of production facilities have occurred in the U.S. industry during the last 3 years. The evidence also indicates that the petitioner's share of the U.S. market has declined



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## NOTICES

since 1972, and that 1976 imports of the subject merchandise from West Germany have increased more than threefold from 1973.

Having conducted a preliminary investigation as required by § 153.29 of the Customs Regulations (19 C.F.R. 153.29), and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information received from all sources is as follows:

The information received tends to indicate that the prices of the merchandise sold for exportation to the United States are less than the constructed value.

This notice is published pursuant to section 153.30 of the Customs Regulations (19 C.F.R. 153.30).

DAVID R. MACDONALD,  
Assistant Secretary  
of the Treasury.

AUGUST 25, 1976.

[FR Doc. 76-25333 Filed 8-27-76; 8:45 am]

[Public Debt Series No. 22-76]

# **TREASURY NOTES OF SERIES E-1980**

## **Interest Rates**

AUGUST 25, 1976.

### **I. INVITATION FOR TENDERS**

Dated and bearing interest from September 14, 1976; Due September 30, 1980.

1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites tenders on a yield basis for \$2,000,000,000, or thereabouts, of notes of the United States, designated Treasury Notes of Series E-1980 (CUSIP No. 912827 FY 3). The interest rate for the notes will be determined as set forth in Section III, paragraph 3, hereof. Additional amounts of these notes may be issued at the average price of accepted tenders to Government accounts and to Federal Reserve Banks for themselves and as agents of foreign and international monetary authorities. Tenders will be received up to 1:30 p.m., Eastern Daylight Saving time, Tuesday, August 31, 1976, under competitive and noncompetitive bidding, as set forth in Section III hereof.

### **II. DESCRIPTION OF NOTES**

1. The notes will be dated September 14, 1976, and will bear interest from that date, payable on a semiannual basis on March 31 and September 30, 1977, and thereafter on March 31 and September 30 in each year until the principal amount becomes payable. They will mature September 30, 1980, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes is subject to all taxes imposed under the Internal Revenue Code of 1954. The notes

are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached, and notes registered as to principal and interest, will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Book-entry notes will be available to eligible bidders in multiples of those amounts. Interchanges of notes of different denominations and of coupon and registered notes, and the transfer of registered notes will be permitted.

5. The notes will be subject to the general regulations of the Department of the Treasury, now or hereafter prescribed, governing United States notes.

### **III. TENDERS AND ALLOTMENTS**

1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, D.C. 20226, up to the closing hour, 1:30 p.m., Eastern Daylight Saving time, Tuesday, August 31, 1976. Each tender must state the face amount of notes bid for, which must be \$1,000 or a multiple thereof, and the yield desired, except that in the case of noncompetitive tenders the term "noncompetitive" should be used in lieu of a yield. In the case of competitive tenders, the yield must be expressed in terms of an annual yield, with two decimals, e.g., 7.11. Fractions may not be used. Noncompetitive tenders from any one bidder may not exceed \$500,000.

2. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, may submit tenders for account of customers provided the names of the customers are set forth in such tenders. Others will not be permitted to submit tenders except for their own account. Tenders will be received without deposit from banking institutions for their own account. Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions with respect to Government securities and borrowings thereon, and Government accounts. Tenders from others must be accompanied by payment of 5 percent of the face amount of notes applied for.

3. Immediately after the closing hour tenders will be opened, following which

public announcement will be made by Department of the Treasury of amount and yield range of accepted tenders. Those submitting competitive tenders will be advised of the acceptance or rejection thereof. In considering the acceptance of tenders, those with the lowest yields will be accepted to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After a determination is made as to which tenders are accepted, a coupon rate will be determined at a  $\frac{1}{8}$  of one percent increment that translates into an average accepted price close to 100.000 and a low accepted price above 99.000. That rate of interest will be paid on all of the notes. Based on such interest rate, the price for each competitive tender allotted will be determined and each successful competitive bidder will be required to pay a price corresponding to the yield bid. Calculations will be carried to 1 decimal places on the basis of price hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders, in whole or in part, including the right to accept tenders for more or less than the \$2,000,000,000 of notes offered, and his action in any such respect shall be final. Subject to these reservations, noncompetitive tenders for \$500,000 or less without a yield from any one bidder will be accepted in full at the average price (three decimals) of accepted competitive tenders.

### **IV. PAYMENT**

1. Settlement for accepted tenders in accordance with the bids must be completed on or before September 1, 1976, at the Federal Reserve Bank Branch or at the Bureau of the Public Debt, Washington, D.C. 20226. Payment must be in cash, in other funds immediately available to the Treasury by September 14, 1976, or by check drawn on the order of the Federal Reserve Bank to which the tender is submitted, United States Treasury if the tender is submitted to it, which must be received at such Bank or at the Treasury not later than: (1) Thursday, September 9, if the check is drawn on a bank in the Federal Reserve District of the Bank to which the check is submitted, Fifth Federal Reserve District in the District of the Treasury, or (2) Tuesday, September 7, 1976, if the check is drawn on a bank in another district. Checks received after the dates set forth in the preceding sentence will not be accepted unless they are payable at a Federal Reserve Bank. Payment will not be deemed to have been completed where registered notes are requested if the appropriate identification number as required on tax return and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer's identification number) is not furnished. In every case where full payment

\* Average price may be at, or more than 100.000.

## NOTICES

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ure of catalytic converter not present an unreasonable risk of injury to the public. 13, which had been established as a central repository of all safety material, will be closed, effective as of the date of this notice, and no rule-making place with respect to this notice, and no rule-making place with respect to this notice.

of Defects Investigation A, will continue to monitor catalytic converter safety. The docket will be reopened if interest demands it. The comments, including imports of ODI recently filed, will be for inspection in the at Room, Room 5108, 400 t, S.W., Washington, D.C. February 24, 1977.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.  
372 Filed 3-2-77:8:45 am]

No. IP76-11; Notice 2]

## VOST CAR, INC.

## Exemption From Notice and Inconsequential Noncompliance

grants the petition by Inc. of Ste. Claire, Quebec, exempted from the notification requirements of the Act and Motor Vehicle 5 U.S.C. 1381, et. seq.) for noncompliance with 49 CFR Vehicle Safety Standard Window Retention and Release; petitioned on the basis of noncompliance was inconsequential; relates to motor vehicle

he petition was published 2, 1976, (41 FR 52933) and is hereby afforded for comment.

S5.2.1 of Standard No. 217 states that the emergency roof must have a GVWR of more than 10,000 pounds and provide "an opening large enough to permit unobstructed passage of a person whose major axis horizontal at all times and whose minor axis an ellipse or axis of 20 inches and a width of 13 inches." The ellipsoid cross section of the human body must be met as is overturned on either side. The Pre-on 60 Prestige models, and units, manufactured between 1973 and October 1976,

had its long sides (24 inches) parallel to the sides of the bus and the short sides (17 inches) perpendicular to it. This means that the width (17 inches) fails by a margin of 3 inches on each side to pass the emergency roof exit.

Petitioner's argument that the non-compliance is inconsequential as it relates to motor vehicle safety is that although the width of this opening is 3 inches too narrow, there is a compensation in that the height of the opening is 11 inches greater than is required. Petitioner submitted photographs showing four different male subjects of various sizes existing through both the non-compliant opening and one that meets the minimum requirements of Standard No. 217. It argued that their pictures demonstrated that it is "easier, safer, and faster to escape" through the Prevost opening.

No comments were received on the petition.

The agency has reviewed and found persuasive the arguments and supporting photographs submitted by Prevost. Using sheets of plywood to simulate the roof Prevost cut complying and noncomplying openings to approximate the position of the openings relative to the ground when a bus is overturned. These photographs demonstrate that the Standard No. 217 opening is best utilized by crawling out head or feet first. Prevost's noncomplying opening appears to afford the same means of crawling exit with no apparent increase in difficulty as well as an additional means of exiting upright, by passing one leg through the opening followed by the torso and the other leg. The ability to exit standing appears to be due to the vertical dimension of the opening being 11 inches greater than the standard's minimum requirement.

Accordingly petitioner has met its burden of persuasion and it has been determined that the noncompliance is inconsequential as it relates to motor vehicle safety. The petition by Prevost Car, Inc. is hereby granted.

(Sec. 102, Pub. L. 93-492, 88 Stat. 1470 (15 U.S.C. 1417); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8.)

Issued on February 24, 1977.

ROBERT L. CARTER,  
Associate Administrator,  
Motor Vehicle Programs.

[FR Doc.77-6373 Filed 3-2-77:8:45 am]

## DEPARTMENT OF THE TREASURY

Office of the Secretary

## PRESSURE SENSITIVE PLASTIC TAPE FROM WEST GERMANY

## Antidumping; Withholding of Appraisement Notice

Information was received on August 5, 1976, that pressure sensitive plastic tape from West Germany was being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as the "Act"). This information was the subject of an "Antidumping Proceeding Notice" which

was published in the FEDERAL REGISTER of August 30, 1976 (41 FR 36521). The "Antidumping Proceeding Notice" indicated that there was evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States.

Subsequent to the initiation of the investigation it has been concluded that it is inappropriate to include within the scope of the investigation merchandise other than pressure sensitive plastic tape exceeding one and three-eighths inches in width and not exceeding four mils in thickness. Accordingly, insofar as the scope of this notice is concerned, merchandise other than pressure sensitive plastic tape exceeding one and three-eighths inches in width and not exceeding four mils in thickness is not included.

## TENTATIVE DETERMINATION OF SALES AT LESS THAN FAIR VALUE

On the basis of the information developed in the United States Customs Service investigation and for the reasons noted below, pursuant to section 201(b) of the Act (19 U.S.C. 160(b)), I hereby determine that there are reasonable grounds to believe or suspect that the purchase price or the exporter's sales price of pressure sensitive plastic tape from West Germany is less, or is likely to be less, than the fair value, and thereby the foreign market value of such or similar merchandise.

## STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

(a) *Scope of the Investigation.* It appears that all imports of the subject merchandise from West Germany were manufactured by Brass and Co. GMBH, Frankfurt, West Germany (Brass), Nopi GMBH, Flensburg, West Germany (Nopi), and Beiersdorf A.G., Hamburg, West Germany (Beiersdorf). Therefore, investigation was limited to these three manufacturers.

(b) *Basis of Comparison.* For the purposes of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison appears to be between purchase price and the home market price of such or similar merchandise on sales by Brass. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162) was used as all export sales by Brass were made to a non-related customer in the United States. On sales by Nopi and Beiersdorf, the proper basis of comparison appears to be between exporter's sales price, as defined in section 204 of the Act (19 U.S.C. 163), and home market price, as sales in the United States are made by importers who are related to the exporters of the merchandise. Home market price, as defined in section 153.3, Customs Regulations (19 CFR 153.3), was used since such or similar merchandise is sold in the home market in sufficient quantities to provide a basis of comparison.

## NOTICES

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son for fair value purposes. Some sales in the home market, as alleged, were at less than the cost to produce. However, after disregarding those sales made over an extended period of time and in substantial quantities and at prices which do not permit recovery of all costs in a reasonable period of time, there remained sufficient home market sales with which to determine fair value.

(c) *Purchase Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. In accordance with § 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning sales of pressure sensitive plastic tape from West Germany during the period of May 1 through August 31, 1976, for sales by Brass.

In the import transactions, all of the merchandise was purchased or agreed to be purchased, prior to the time of exportation, by the persons by whom or for whose account it was imported within the meaning of section 203 of the Act. The purchase price has been calculated on the basis of the c. and f. price to U.S. customers. A deduction was made for the inland and ocean transportation costs included in the prices.

(d) *Exporter's Sales Price.* Pricing information was obtained concerning sales in the United States during the period February 1 through August 31, 1976, for Beiersdorf and April 1 through August 31, 1976, for NopI. The exporter's sales price represents sales to United States wholesalers. Deductions have been made for ocean freight and insurance, brokerage charges, inland freight, United States import duties, commissions, cash discounts, and for expenses incurred in selling the merchandise in the United States. In addition, costs of manufacturing operations performed in the United States were deducted when incurred.

(e) *Home Market Price.* For the purposes of this tentative determination of sales at less than fair value, adjustments have been made on the following bases. The home market price has been calculated on the basis of the delivered price in the home market to wholesalers. Adjustments have been made for the differences in amount of tape sold per individual roll in the two markets.

In the case of Brass, adjustments were made for freight, commissions, cash discounts, and cutting and credit cost differentials in the two markets.

In the case of NopI, adjustments have been made for inland freight and insurance, cash discounts, bonus payments to purchasers, and commissions. An adjustment has also been made for selling expenses incurred in the home market, but not exceeding the amounts incurred in the United States, as provided by § 153.10(b) Customs Regulations (19 CFR 153.10(b)).

In the case of Beiersdorf, adjustments have been made for cash discounts,

bonus payments, and selling expenses. However, in accordance with § 153.10(b), the adjustment for selling expenses incurred in the home market was made in an amount not in excess of these expenses incurred in the United States market. As inland freight in both markets is stated to be the same, no adjustment is necessary.

(f) *Result of Fair Value Comparison.* Using the above criteria, preliminary analysis suggests that purchase price and/or exporter's sales price probably will be lower than the home market price of such or similar merchandise. Comparisons were made on approximately 85 percent of the subject merchandise exported to the United States by the three West German manufacturers during the investigative period. Margins were tentatively found ranging from 3 to 7 percent for sales made by Brass on nearly 100 percent of sales compared, from 1 to 12 percent for sales made by NopI on 29 percent of sales compared, and from 1 to 28 percent for sales made by Beiersdorf on 80 percent of sales compared. Weighted average margins across each firm's entire sales were approximately 12 percent for Brass, 2 percent for NopI and 15 percent for Beiersdorf.

According, Customs officers are being directed to withhold appraisement of pressure sensitive plastic tape measuring over one and three-eighths inches in width and not over four mills in thickness from West Germany, in accordance with § 153.48 Customs Regulations (19 CFR 153.48).

In accordance with § 153.40 Customs Regulations (19 CFR 153.40), interested parties may present written views or arguments, or request in writing that the Secretary of the Treasury afford an opportunity to present oral views.

Any requests that the Secretary of the Treasury afford an opportunity to present oral views should be addressed to the Commissioner of Customs, 1301 Constitution Avenue, N.W., Washington, D.C. 20229, in time to be received by his office not more than 10 calendar days from the publication of this notice. Such requests must be accompanied by a statement outlining the issues wished to be discussed.

Any written views or arguments should likewise be addressed to the Commissioner of Customs in time to be received in his office not more than 30 calendar days from the publication of this notice.

This notice, which is published pursuant to section 153.35(b), Customs Regulations (19 CFR 153.35(b)), shall become effective on March 3, 1977. It shall cease to be effective at the expiration of 6-months from the date of publication unless previously revoked.

JOHN H. HARPER,  
Assistant Secretary of the Treasury.

FEBRUARY 25, 1977.

[FR Doc.77-6396 Filed 3-2-77; 8:45 am]

Office of the  
SALE OF UNITED STATES  
Discontinuance of Scrip  
Post Office

Notice is given that States Savings Bonds, States Post Offices is termination affects on of investors since mos already stopped sellin Investors who buy sav offices may make pi merical banks, thri other entities qualifi Part 317 as issuing a savings bonds. Mail made from any Fede or Branch or the Bu Debt, Washington, D may be directed to Mr penny, Bureau of the I ington, D.C. 20236 (2)

Effective date: Th effective on March 26,

Dated: February 25,

Fiscal Ass  
[FR Doc.77-6314 Filed

VETERANS ADM  
GERIATRIC RESEARCH  
CLINICAL CENTER:  
MITTEE

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The Veterans Ad notice pursuant to P a meeting of the G Education and Clinics Committee, authorize will be held in Conf Veterans Administrat 810 Vermont Avenue, DC on March 24 and ing will be for the pu and evaluating the C Education and Clinics and advising the Vet tion on selection, dev plementation. The ( the Veterans Admir the Assistant Chief M Extended Care.

The meeting will be up to the seating cap from 8 a.m. to 4:30 and from 8 a.m. to 1 To assure adequate those who plan to att Dr. Richard Flier, mental Committee B Administration Centr ion, DC (202-389-385 19, 1977.

Dated: February 25  
R.

[FR Doc.77-6342 Filed

## DEPARTMENT OF THE TREASURY

## Customs Service

(049575)

## AMERICAN MANUFACTURER'S PETITION

**Receipt of an American Manufacturer's Petition To Revoke Duty-Free Treatment Under the Generalized System of Preferences for Diuron Formulated into a Wettable Powder and Imported From Israel**

**AGENCY:** United States Customs Service, Department of the Treasury.

**ACTION:** Notice of receipt of American manufacturer's petition.

**SUMMARY:** The Customs Service has received a petition from an American manufacturer of chemicals requesting that diuron formulated into a wettable powder not be granted free entry under the Generalized System of Preferences (GSP) when imported from Israel. The petitioner does not believe that the product meets the requirements set forth in the law for duty-free treatment under GSP.

**DATES:** Interested persons may comment on this petition, and comments must be received on or before July 11, 1977.

**ADDRESS:** Comments may be addressed to the Commissioner of Customs, Attention: Special Projects and Programs Branch, 1301 Constitution Avenue NW., Washington, D.C. 20229.

## FOR FURTHER INFORMATION CONTACT:

Ronald W. Gerdes, Attorney, Special Projects and Programs Branch, United States Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229. (202-566-5786).

## SUPPLEMENTAL INFORMATION:

## BACKGROUND

A petition has been filed under section 516 of the Tariff Act of 1930, as amended (19 U.S.C. 1516), by E. I. du Pont de Nemours & Company of Wilmington, Delaware, an American manufacturer of chemicals. The petitioner requests that diuron formulated into a wettable powder not be granted free entry under the Generalized System of Preferences (GSP) when imported from Israel. The petitioner believes that the product does not meet the "value-added" requirements to qualify for free entry under GSP.

Under section 503 of the Trade Act of 1974 (19 U.S.C. 2463), in order to qualify for duty-free entry under the Generalized System of Preferences, 35% of the final appraised value of the merchandise must consist of either direct costs of processing operations performed in the beneficiary developing country or of

materials produced in the beneficiary developing country. The petitioner indicates that in his view the products in question should be classified under item 405.15 of the Tariff Schedules of the United States with appraised value based on the American Selling Price. The petitioner further indicates that as the largest producer of these materials in the United States it has supplied information as to the domestic selling price for the merchandise to the Area Director of Customs of the New York Seaport. The petitioner then describes the manufacturing process for the goods and indicates that on the best information at its disposal it does not appear that any materials which could be considered to have been produced in Israel are used in the manufacture of the product. Additionally, based upon petitioner's knowledge of the production process, petitioner does not believe that the "direct costs of processing operations" are sufficient to reach 35% of the American Selling Price for the merchandise.

This notice is being published in accordance with section 175.21(a) of the Customs Regulations (19 CFR 175.21(a)).

## COMMENTS

Under § 175.21(b) of the Customs Regulations copies of the submitted petition are available for public inspection by interested parties. Copies may be obtained during regular business hours from Mr. Ronald W. Gerdes, Attorney, Special Projects and Programs Branch, United States Customs Service, 1301 Constitution Avenue NW., Washington, D.C. 20229. (202-566-5786).

G. R. DICKERSON,  
Acting Commissioner of Customs.

[FR Doc. 77-16307 Filed 6-8-77; 8:45 am]

## Office of the Secretary

## PRESSURE SENSITIVE PLASTIC TAPE, MEASURING OVER ONE AND THREE-EIGHTHS INCHES IN WIDTH AND NOT EXCEEDING FOUR MILS IN THICKNESS, FROM WEST GERMANY

**Determination of Sales at Less Than Fair Value and Discontinuance of Investigation**

**AGENCY:** United States Treasury Department.

**ACTION:** Determination of Sales at Less Than Fair Value and Discontinuance of Investigation.

**SUMMARY:** This notice is to advise the public that it has been determined that certain pressure sensitive plastic tape from West Germany is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended, except that produced and sold by Nopi GmbH and Beiersdorf

A.C. Sales at less than fair value generally occur when the prices of the merchandise sold for exportation to the United States are less than the price of such or similar merchandise sold in the home market or to third countries. In the case of Nopi and Beiersdorf, the investigation is being discontinued since it was determined that the extent of sales at less than fair value was minimal in relation to total sales. Appropriate assurances have been received from those manufacturers that future sales will not be made at less than fair value. Regarding other sales, this case is being referred to the International Trade Commission for a determination whether a United States industry is being injured.

**EFFECTIVE DATE:** June 9, 1977.

## FOR FURTHER INFORMATION CONTACT:

David P. Mueller, Duty Assessment Division, Office of Operations, United States Customs Service, 1301 Constitution Avenue, N.W., Washington, D.C. 20229 (202-566-5492).

## SUPPLEMENTARY INFORMATION:

Information was received in proper form on August 5, 1976, from the 3-M Company, St. Paul, Minnesota, alleging that pressure sensitive plastic tape from West Germany was being sold at less than fair value, thereby causing injury to, or the likelihood of injury to, or the prevention of the establishment of an industry in the United States, within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act"). On the basis of this information and subsequent preliminary investigation by the Customs Service, an "Antidumping Proceeding Notice" was published in the FEDERAL REGISTER of August 30, 1976 (41 FR 36521).

A "Withholding of Appraisement Notice" was published in the FEDERAL REGISTER of March 3, 1977 (42 FR 12285), with regard to pressure sensitive plastic tape from West Germany. In that notice the scope of the investigation was limited to pressure sensitive plastic tape exceeding 1 3/8 inches in width and not exceeding 4 mils in thickness. An "Amendment of Withholding of Appraisement Notice" was published in the FEDERAL REGISTER of March 28, 1977 (42 FR 16532), correcting certain errors in the notice of March 3, 1977.

## DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND DISCONTINUANCE OF INVESTIGATION

I hereby determine that, for the reasons stated below, pressure sensitive plastic tape, measuring over one and three-eighths inches in width and not exceeding four mils in thickness, from West

## NOTICES

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Germany is being, or is likely to be, sold at less than fair value within the meaning of section 201(a) of the Act (19 U.S.C. 160(a)). In the case of pressure sensitive plastic tape, measuring over and under three-eighths inches in width and not exceeding four mills in thickness, from West Germany produced and sold by Nopi GmbH and Beiersdorf A.G., I hereby discontinue the antidumping investigation.

#### STATEMENT OF REASONS ON WHICH THIS DETERMINATION IS BASED

The reasons and bases for the above determination are as follows:

##### (A) SCOPE OF THE INVESTIGATION

Nearly 100 percent of the imports of the subject merchandise from West Germany are manufactured by Braas and Company GmbH, Frankfurt, West Germany (Braas); Nopi GmbH, Flensburg, West Germany (Nopi); and Beiersdorf A.G., Hamburg, West Germany (Beiersdorf). Therefore, the investigation was limited to these three manufacturers.

##### (B) BASIS OF COMPARISON

For the purposes of considering whether the merchandise in question is being, or is likely to be, sold at less than fair value within the meaning of the Act, the proper basis of comparison is between the purchase price, or the exporter's sales price, and the home market price of such or similar merchandise. Purchase price, as defined in section 203 of the Act (19 U.S.C. 162), was used on sales by Braas, since all export sales to the United States were made to a non-related customer. On sales by Nopi and Beiersdorf, the proper basis of comparison is between exporter's sales price, as defined in section 204 of the Act (19 U.S.C. 163), since sales in the United States are made by importers who are related to the exporters of the merchandise. Home market price, as defined in 153.2 Customs Regulations (19 CFR 153.2), was used since such or similar merchandise is sold in the home market in sufficient quantities to provide a basis of comparison for fair value. Some sales in the home market, as alleged, were at less than the cost to produce. However, after disregarding those sales made over an extended period of time and in substantial quantities and at prices that do not permit recovery of all costs in a reasonable period of time, there remained sufficient home market sales with which to determine fair value.

In accordance with § 153.31(b), Customs Regulations (19 CFR 153.31(b)), pricing information was obtained concerning imports and home market sales of pressure sensitive plastic tape from West Germany during the period February 1 through August 31, 1976.

##### (C) PURCHASE PRICE

For the purposes of this determination of sales at less than fair value, the purchase price has been calculated on the basis of a c. and f. price to the U.S. customer. A deduction was made for the inland and ocean transportation costs included in the price.

##### (D) EXPORTER'S SALES PRICE

For the purposes of this determination of sales at less than fair value, the exporter's sales price has been calculated on the basis of the price to unrelated United States customers. Deductions have been made for ocean freight and insurance, brokerage charges, inland freight, United States import duties, commissions, cash discounts, and for expenses incurred in selling the merchandise in the United States. In addition, costs of manufacturing operations performed in the United States were deducted when incurred.

##### (E) HOME MARKET PRICE

For the purposes of this determination of sales at less than fair value, the home market price has been calculated on the basis of the delivered price in the home market to wholesalers. Adjustments have been made for the differences in the amount of tape sold per individual roll in the two markets.

In the case of Braas, adjustments were made for freight, commissions, cash discounts, and cutting, production and credit cost differentials in the two markets. Counsel for Braas has claimed an allowance for selling and stocking costs incurred on home market sales but not on sales for export to the United States. These costs do not bear that direct relationship to sales envisioned in § 153.10 of the Customs Regulations (19 CFR 153.10). These selling and stocking costs, incurred prior to sale, do not, therefore, bear a direct relationship to the sales under consideration.

A claim for adjustment was also made by counsel for Braas regarding the United States importer's costs of purchasing Deutsche Mark futures since the importer was required to make all payments in Deutsche Marks. This claim was disallowed since the option of buying currency futures was at the discretion of the importer and in no way affected the net return to the manufacturer.

An allowance for bad debts incurred by Braas in the home market was requested by counsel. Bad debts are regarded as an overhead expense item which does not qualify for an allowance under the provisions of § 153.10, Customs Regulations (19 CFR 153.10).

In the case of Nopi, adjustments have been made for inland freight and insurance, cash discounts, bonus payments to purchasers, and commissions. An adjustment has also been made for selling expenses incurred in the home market, but not exceeding the amounts incurred in the United States as provided by § 153.10 (b) Customs Regulations (19 CFR 153.10 (b)).

In the case of Beiersdorf, adjustments have been made for cash discounts, bonus payments, freight, and selling expenses. However, in accordance with § 153.10(b), the adjustment for selling expenses incurred in the home market was made in an amount not in excess of those expenses incurred in the United States market.

##### (F) RESULTS OF FAIR VALUE COMPARISONS

Using the above criteria, comparisons were made on approximately 85 percent of the subject merchandise exported to the United States by the three West German manufacturers during the investigative period. Margins were found ranging from less than 1 to 13 percent for sales made by Braas on nearly 100 percent of sales compared, and from less than 1 to 11 percent for sales made by Nopi on 17 percent of sales compared. For Beiersdorf, margins under 1 percent were found on 42 percent of sales compared. Weighted average margins across each firm's sales compared were approximately 9 percent for Braas, 0.81 percent for Nopi, and 0.36 percent for Beiersdorf. The margins found on sales by Nopi and Beiersdorf are regarded to be minimal in relation to the volume of exports by those manufacturers. Both Nopi and Beiersdorf have furnished assurances that future sales will be made at prices not less than fair value.

The Secretary has provided an opportunity to known interested persons to present written and oral views pursuant to § 153.40, Customs Regulations (19 CFR 153.40).

The United States International Trade Commission is being advised of this determination.

The order issued March 3, 1977, to withhold appraisement on the subject merchandise from West Germany, the notice of which is cited above, is hereby terminated with respect to Nopi GmbH and Beiersdorf A.G., effective upon publication of this notice.

This determination and discontinuance are being published pursuant to section 291(d) of the Act (19 U.S.C. 160(d)), and § 153.38, Customs Regulations (19 CFR 153.38), respectively.

Dated: June 3, 1977.

HENRY C. STOCKELL, Jr.,  
Acting General Counsel.

[FR Doc. 77-16249 Filed 6-8-77; 8:45 am]



APPENDIX G

PROBABLE ECONOMIC EFFECTS STATEMENT FROM  
THE TRADE AGREEMENT DIGEST

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APPENDIX H

TREASURY DEPARTMENT MEMORANDUMS ON LTFV SALES FROM ITALY

A-82 to A-112

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APPENDIX I

TREASURY DEPARTMENT MEMORANDUMS ON LTFV SALES FROM WEST GERMANY

A-114 to A-124

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A-125

APPENDIX J

LETTERS FROM DOMESTIC PRODUCERS



IDEAL TAPE COMPANY • P.O. Box 828, Lowell, Mass. 01853 Phone: (617) 458-6833, 729-6777, 729-6778  
Telex: 94-7420 • Cable: IDTAPCO

July 22, 1977

Mr. Kenneth Mason, Secretary  
United States International Trade  
Commission  
Washington, D.C. 20436

Subject: ANTI-DUMPING ACT INVESTIGATION  
NO. AA1921-167

Dear Mr. Mason,

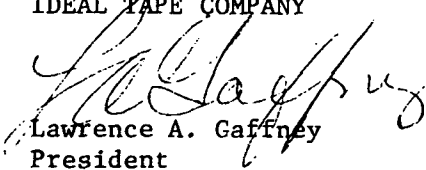
The Ideal Tape Company Division of Chelsea Industries, Inc. is a manufacturer of pressure sensitive tape. We do not manufacture the polyester, polypropylene, UPVC film or other plastic tapes specified in your questionnaire.

However, we have a number of times in the past evaluated the market for these products. Although we are physically capable of producing these products, on every occasion we were forced to recognize that we could not economically compete with foreign competition. Our normal cost of business plus material costs left virtually no profit.

We are returning your questionnaire uncompleted for the reasons stated above. We do strongly support your investigation, as the import of these filmic tapes has virtually prohibited profitable participation by U.S. firms.

Very truly yours,

IDEAL TAPE COMPANY

  
Lawrence A. Gaffney  
President

LAG/lp



A DIVISION OF CHELSEA INDUSTRIES, INC.  
PLANTS IN LOWELL, MASS., EXETER, N.H., ST. LOUIS, MO., RENAIX (RONSE), BELGIUM

**KENDALL****POLYKEN DIVISION**

ONE FEDERAL STREET, BOSTON, MASSACHUSETTS 02101 • (617) 423-2000

CABLE: KENDALL  
TELEX: 94-0503

JUL 21 PM 1:59

July 11, 1977

Mr. Kenneth Mason, Secretary  
United States International Trade  
Commission  
Washington, DC 20436

SUBJECT: ANTI-DUMPING ACT INVESTIGATION  
NO. AA1921-167

Dear Mr. Mason:

The Polyken Division of the Kendall Company is a manufacturer of pressure sensitive tapes. We do not, however, manufacture the tapes referred to in your investigation, i.e., polyester, polypropylene, UPVC film tapes in tan, clear or white.


The pricing of these products in the marketplace, due to imports, is such that we cannot profitably compete. On two separate occasions, we made a market survey and cost analysis of these tapes, with the objective of developing two million dollars in sales meaning increased factory production and increased employment. The conclusion was that the sales would not generate a profit for our company.

We did attempt at one point to purchase from a European company and redistribute to our customers in the U.S. As pricing eroded, due to fierce competitive activities, so too did the value of our inventory erode making a return on investment impossible. For the last two years, we have been out of the market totally despite the volume opportunity present.

We are returning herewith your 24 page questionnaire uncompleted, since we are not a factor in the U.S. marketplace. We do support your investigation, as the import of these filmic tapes has virtually eliminated our profitable participation.

Very truly yours,

THE KENDALL COMPANY



E. A. McPherson  
General Marketing Manager  
Polyken Industrial Tape  
Division

EAM:eeo

Enclosure

THE KENDALL COMPANY

**SHUFORD MILLS, INC.**  
704-322-2700 • P. O. BOX 1530 • HICKORY, NORTH CAROLINA 28601

**TAPE  
DIVISION**

July 12, 1977

United States International Trade Commission  
Washington, D. C. 20436

Gentlemen:

We have, to the best of our ability, completed the enclosed "Pressure Sensitive Plastic Tape Producer's Questionnaire".

Most of the questionnaire is not applicable to Shuford Mills, Inc. We are, and have been, vitally interested in the plastic pressure sensitive tape segment of our industry.

However, in numerous cost studies we have determined that the apparent policy by certain European manufacturers of selling in this country at less than fair value has made domestic manufacturing of these products unprofitable.

The true damage to our domestic industry is impossible to assess, as there are a number of other manufacturers who reached the same conclusion that we have. Therefore few of us have made capital investment, material purchases, or employee additions to manufacture pressure sensitive plastic tape. The apparent merchandising of this type product in the U.S.A. at less than fair value, therefore, not only inflicted damage to the domestic producers of like products, but also played a paramount role in restricting investment and growth within the industry in this country.

Very truly yours,



John H. Scherer  
Vice President - General Manager  
Shuford Mills, Inc.  
Tape Division

pk

Enclosure





Library Cataloging Data

U.S. International Trade Commission.

Pressure sensitive plastic tape from West Germany. Determination of no injury or likelihood thereof in investigation no. AA1921-168 under the Antidumping act, 1921, as amended, together with the information obtained in the investigation. Washington, 1977.

"USITC Publication 831"

1. Plastic industry and trade--U.S.
  2. Plastic industry and trade--Germany (Federal Republic, 1949- )
  3. Plastic industry and trade--Italy.
  4. Tape, plastic.
- I. Title.

UNITED STATES  
INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C. 20436

OFFICIAL BUSINESS

ADDRESS CORRECTION REQUESTED

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OF POSTAGE, \$300



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shown above.