

Dated: June 1, 1999.

Robert S. LaRussa,

*Assistant Secretary for Import
Administration.*

[FR Doc. 99-14511 Filed 6-7-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-301-602]

Certain Fresh Cut Flowers From Colombia: Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Order

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

ACTION: Notice of initiation and
preliminary results of changed
circumstances antidumping duty
administrative review, and intent to
revoke order.

SUMMARY: In response to a request from Timothy Haley, the Floral Trade Council, and the FTC's Committees on Standard Carnations, Miniature Carnations, Standard Chrysanthemums, and Pompom Chrysanthemums (collectively "the FTC and its Committees"), the Department of Commerce (the Department) is initiating a changed circumstances antidumping duty review and is issuing this notice of intent to revoke the antidumping duty order on certain fresh cut flowers from Colombia. The FTC and its Committees requested that the Department revoke the order on certain fresh cut flowers from Colombia retroactive to March 1, 1997, because they no longer have an interest in maintaining the order. The FTC represents a domestic interested party and was the petitioner in the less-than-fair-value (LTFV) investigation. We are initiating this changed circumstances administrative review and issuing this notice of our preliminary determination to revoke the order retroactive to March 1, 1997.

EFFECTIVE DATE: June 8, 1999.

FOR FURTHER INFORMATION CONTACT: Rosa Jeong or Marian Wells, Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone (202) 482-3853 or (202) 482-6309, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR part 351 (1998).

Background

On May 21, 1999, the FTC and its Committees requested that the Department conduct a changed circumstances administrative review to revoke the antidumping duty order on certain fresh cut flowers from Colombia retroactive to March 1, 1997. The FTC and its Committees stated that circumstances have changed such that the FTC and its Committees no longer have an interest in maintaining the antidumping duty order.

The FTC and its Committees also requested that, due to the pendency of the ongoing administrative reviews of the order, the Department initiate and complete the changed circumstances review on an expedited basis.

Scope of Review

The products covered by this changed circumstances review are certain fresh cut flowers from Colombia including standard carnations, miniature (spray) carnations, standard chrysanthemums, and pompon chrysanthemums. These products are currently classifiable under item numbers 0603.10.30.00, 0603.10.70.10, 0603.10.70.20, and 0603.10.70.30 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS item numbers are provided for convenience and customs purposes, the Department's written description of the scope remains dispositive.

This changed circumstances review covers all producers and exporters of certain fresh cut flowers from Colombia.

Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review, and Intent to Revoke Order

Pursuant to section 751(d)(1) of the Act, the Department may revoke, in whole or in part, an antidumping duty order based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances administrative review to be conducted upon receipt of a request containing sufficient information concerning changed circumstances.

The Department's regulations at 19 CFR 351.216(d) require the Department to conduct a changed circumstances administrative review in accordance with 19 CFR 351.221 if it decides that changed circumstances sufficient to warrant a review exist. Section 782(h) of the Act and § 351.222(g)(1)(i) of the Department's regulations provide further that the Department may revoke an order, in whole or in part, if it concludes that the order under review is no longer of interest to domestic interested parties. In addition, in the event that the Department concludes that expedited action is warranted, § 351.221(c)(3)(ii) of the regulations permits the Department to combine the notices of initiation and preliminary results.

The FTC is a domestic interested party as defined by section 771(9)(E) of the Act and 19 CFR 351.102(b) and was the petitioner in the LTFV investigation of this proceeding. Therefore, based on the affirmative statement by the FTC and its Committees of no interest in the continued application of the antidumping duty order on certain fresh cut flowers from Colombia, we are initiating this changed circumstances review. Further, based on the request by the FTC and its Committees and their affirmative statement of no interest, we have determined that expedited action is warranted, and we are combining these notices of initiation and preliminary results. We have preliminarily determined that there are changed circumstances sufficient to warrant revocation of the order in whole. We are hereby notifying the public of our intent to revoke in whole the antidumping duty order on certain fresh cut flowers from Colombia retroactive to March 1, 1997.

In the event this revocation is made final, the Department will terminate the administrative reviews covering the following periods: March 1, 1997, through February 28, 1998 (initiated on April 21, 1998 (63 FR 19709)); March 1, 1998, through February 28, 1999 (initiated on April 30, 1999 (64 FR 23269)).

If final revocation of the order occurs, we intend to instruct the Customs Service to end the suspension of liquidation and to refund any estimated antidumping duties collected for all unliquidated entries of certain fresh cut flowers from Colombia on or after March 1, 1997, in accordance with 19 CFR 351.222(g)(4). We will also instruct the Customs Service to pay interest on such refunds in accordance with section 778 of the Act. The current requirement for a cash deposit of estimated antidumping duties will continue until

publication of the final results of this changed circumstances review.

Public Comment

Any interested party may request a hearing within 10 days of publication of this notice. Any hearing, if requested, will be held no later than 28 days after the date of publication of this notice. Written comments from interested parties may be submitted not later than 14 days after the date of publication of this notice. Rebuttal comments to written comments, limited to issues raised in those comments, may be filed not later than 21 days after the date of publication of this notice. All written comments shall be submitted in accordance with 19 CFR 351.303. Persons interested in attending the hearing should contact the Department for the date and time of the hearing. The Department will publish the final results of this changed circumstances review, including the results of its analysis of issues raised in any written comments.

This notice is in accordance with section 751(b)(1) of the Act and 19 CFR 351.216 and 351.222.

Dated: June 1, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-14523 Filed 6-7-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-041]

Notice of Final Court Decision and Amended Final Results of Expedited Sunset Review on Synthetic Methionine from Japan

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

ACTION: Notice of final court decision and amended final results of expedited sunset review on synthetic methionine from Japan.

SUMMARY: On April 22, 1999, the Court of International Trade (the Court) affirmed the Department of Commerce's (the Department) remand determination arising out of the expedited sunset review of the antidumping finding on synthetic methionine from Japan. See *NOVUS International, et. al. v. United States*, Slip Op. 99-38 (CIT April 22, 1999). As there is now a final and conclusive court decision in this action, we are amending the final results of review in this matter and will notify the

U.S. International Trade Commission ("the Commission") that the magnitude of the margin likely to prevail were the finding to be revoked is 48 percent.

EFFECTIVE DATE: June 8, 1999.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3207 or (202) 482-1560, respectively.

SUPPLEMENTARY INFORMATION:

Background

On January 27, 1999, the Court issued an order remanding to the Department the final results of the expedited sunset review on synthetic methionine from Japan.¹ On April 21, 1999, in accordance with the Court's remand order, the Department filed its final results of redetermination. See Final Results of Redetermination Pursuant to Court Remand, April 21, 1999, *NOVUS International, et. al. v. United States*, Court No. 99-01-00007 (Remand Results). In this determination, the Department reconsidered the 48 percent rate from the Treasury Department's less-than-fair-value investigation of synthetic methionine from Japan as a possible appropriate indicator of the magnitude of dumping that would prevail were the dumping finding on synthetic methionine from Japan to be revoked. The Department determined that a reliable source that contains a Treasury fair-value rate can be used as a basis for reporting margins to the Commission. See Remand Results at 6. Further, the Department determined that, regardless of whether the investigation rate was published in the Treasury finding, the Department did ascertain and rely on a rate from the original investigation for purposes of the final results of the first administrative review. Therefore, we determined that, "consistent with our policy of selecting a margin "from the investigation, because that is the only calculated rate that reflects the behavior of the exporters * * * without the discipline of an order in place (footnote omitted)," we should report the 48 percent rate to the Commission. See Remand Results at 7.

On April 22, 1999, the Court upheld the Department's redetermination pursuant to Court remand. *NOVUS International, et. al. v. United States*,

¹ *NOVUS International, Inc., Degussa Corporation, and Rhone-Poulenc Animal Nutrition v. United States*, Slip Op. 99-14 (CIT January 27, 1999).

Slip Op. 99-38 (CIT April 22, 1999). The period to appeal has expired and no appeal was filed. Therefore, as there is now a final and conclusive court decision in this action, we are amending our final results of the expedited sunset review.

Amended Final Results of Review

Pursuant to section 516A(e) of the the Tariff Act of 1930, as amended (the Act), we are now amending the final results of the expedited sunset review on synthetic methionine from Japan and determining that the magnitude of dumping that is likely to prevail if the finding on synthetic methionine from Japan were revoked is 48 percent.

Dated: June 1, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 052499B]

Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Application for an Exempted Fishing Permit

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Receipt of an exempted fishing permit application.

SUMMARY: NMFS announces receipt of an application from the Alaska Fisheries Development Foundation (AFDF) for an Exempted Fishing Permit (EFP) to test artificial longline bait fabricated from seafood wastes in the Gulf of Alaska. It is intended to promote the objectives of the North Pacific Fishery Management Council (Council).

ADDRESSES: Copies of the EFP application are available by writing to Steven Pennoyer, Administrator, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

FOR FURTHER INFORMATION CONTACT: Susan Salvesson, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Fishery Management Plan (FMP) for Groundfish of the Gulf of Alaska and its implementing regulations at 50 CFR part 679.6 authorize issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing