

original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews or the original LTFV investigation, the cash deposit rate will be 39.10 percent, the "All Others" rate which is based on the LTFV investigation (57 FR 29702, July 6, 1992). These requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675(a)(1) and 1677f(i)(1)).

Dated: July 30, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-20344 Filed 8-5-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-806]

Final Results of Expedited Sunset Review: Carbon Steel Wire Rope From Mexico

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

ACTION: Notice of final results of expedited sunset review: carbon steel wire rope from Mexico.

SUMMARY: On January 4, 1999, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on carbon steel wire rope from Mexico (64 FR 364) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of domestic interested parties and inadequate response (in this case, no response) from respondent interested parties, the

Department determined to conduct an expedited review. As a result of this review, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT:

Scott E. Smith 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) 482-6397 or (202) 482-1560, respectively.

Effective Date: August 6, 1999.

Statute and Regulations

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("Sunset Regulations"). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—Policies Regarding the Conduct of Five-year ("Sunset") Reviews of *Antidumping and Countervailing Duty Orders*; *Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

Scope

The merchandise subject to this antidumping duty order is carbon steel wire rope from Mexico. Carbon steel wire rope includes ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of plated wire. The subject merchandise is classifiable under subheadings 7312.10.9030, 7312.10.9060 and 7312.10.9090 of the Harmonized Tariff Schedule (HTS). The HTS subheadings are provided for convenience and customs purposes. The written description remains dispositive.

The review covers all manufacturers and exporters of Mexican carbon steel wire rope.

History of the Order

The antidumping duty order on carbon steel wire rope from Mexico was published in the **Federal Register** on March 25, 1993 (58 FR 16173). The Department, in the antidumping duty order, established a deposit rate of 111.68 percent for Aceros Camesa S.A. de C.V. (Camesa). In addition, the

Department established a rate of 111.68 percent on all other imports of the subject merchandise from Mexico (58 FR 16173, March 25, 1993).

Since that time, the Department has conducted one administrative review.¹ We note that, to date, the Department has not issued any duty absorption findings in this case. The order remains in effect for all manufacturers and exporters of the subject merchandise.

Background

On January 4, 1999, the Department initiated a sunset review of the antidumping order on carbon steel wire rope from Mexico (64 FR 364), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate on behalf of the Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers ("the Committee") on January 19, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*.² The Committee claimed interested party status, under 19 U.S.C. 1677(9)(C) and (F), as a trade association, the majority of whose members manufacture, produce, or wholesale carbon steel wire rope in the United States. We received a complete substantive response from the Committee on February 3, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). In its response, the Committee indicated that it was the petitioner in the original investigation and participated in the first administrative review of this order and is currently participating in the ongoing second administrative review. We did not receive a substantive response from any respondent interested party to this proceeding. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department determined to conduct an expedited, 120-day, review of this order.

The Department determined that the sunset review of the antidumping duty order on steel wire rope from Mexico is extraordinarily complicated. In accordance with section 751(c)(6)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995).

¹ See *Carbon Steel Wire Rope From Mexico*; *Final Results of Antidumping Duty Administrative Review*, 63 FR 46735, September 2, 1998.

² The Committee's members include: Bergen Cable Technology, Inc., Bridon American Corporation, Carolina Steel & Wire Corporation, Continental Cable Company, Loos & Co., Inc., Macwhyte Company, Paulsen Wire Rope Corporation, Sava Industries Inc., Strandflex (Division of MSW) and the Wire Rope Corporation of America, Inc.

(See section 751(c)(6)(C) of the Act.) Therefore, on May 3, 1999, the Department extended the time limit for completion of the final results of this review until not later than August 2, 1999, in accordance with section 751(c)(5)(B) of the Act.³

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making this determination, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping order, and shall provide to the International Trade Commission ("the Commission") the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, the Committee's comments with respect to continuation or recurrence of dumping and the magnitude of the margin are addressed within the respective sections below.

Continuation or Recurrence of Dumping

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act ("URAA"), specifically the Statement of Administrative Action ("the SAA"), H.R. Doc. No. 103-316, vol. 1 (1994), the House Report, H.R. Rep. No. 103-826, pt.1 (1994), and the Senate Report, S. Rep. No. 103-412 (1994), the Department issued its *Sunset Policy Bulletin* providing guidance on methodological and analytical issues, including the bases for likelihood determinations. In its *Sunset Policy Bulletin*, the Department indicated that determinations of likelihood will be made on an order-wide basis (see section II.A.2). In addition, the Department indicated that normally it will determine that revocation of an

antidumping order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly (see section II.A.3).

In addition to considering the guidance on likelihood cited above, section 751(c)(4)(B) of the Act provides that the Department shall determine that revocation of an order is likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In the instant review, the Department did not receive a response from any respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the *Sunset Regulations*, this constitutes a waiver of participation.

In its substantive response, the Committee argues that revocation of the antidumping duty order on carbon steel wire rope from Mexico would be likely to lead to continuation or recurrence of dumping (see February 3, 1999 Substantive Response of the Committee at 11). With respect to whether dumping continued at any level above *de minimis* after the issuance of the order, the Committee asserts that a deposit rate of 111.68 percent has been in effect on all imports of the subject merchandise since the issuance of the order. The Committee notes, however, that in the Department's final determination in the sole administrative review (dated September 2, 1998), the Department reduced the deposit rate for one Mexican manufacturer, Camesa, to zero (see February 3, 1999 Substantive Response of the Committee at 7).

With respect to whether imports of the subject merchandise ceased after the issuance of the order, the Committee asserts that, following the imposition of the order, imports of carbon steel wire rope from Mexico all but ceased (see February 3, 1999 Substantive Response of the Committee at 3). Citing U.S. Census Bureau trade statistics, the Committee asserts that imports of the subject merchandise decreased from 2,882 net tons in the year preceding the imposition of the order to 112 tons in the year of the order. The Committee asserts that import values have not risen above this level in any succeeding year.⁴

In summary, the Committee argues that the Department should determine that there is a likelihood that dumping would continue were the order revoked because (1) dumping margins above *de minimis* levels have been in place since the imposition of the order and (2) imports of the subject merchandise have been sporadic and extremely limited and do not reflect actual commercial conditions under which Mexican producers would operate in the absence of the order.

As discussed in Section II.A.3 of the *Sunset Policy Bulletin*, the SAA at 890, and the House Report at 63-64, if companies continue dumping with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. Dumping margins above *de minimis* levels have continued to exist for shipments of the subject merchandise from Camesa and all other Mexican producers/exporters throughout most of the life of the order.⁵

Consistent with section 752(c) of the Act, the Department also considered the volume of imports before and after issuance of the order. The Department, utilizing U.S. Census Bureau IM146 reports and information concerning imports of subject merchandise from our original investigation and subsequent administrative review, can confirm that imports of the subject merchandise decreased sharply following the imposition of the order and remain sporadic and limited. These facts strongly support a finding that dumping is likely to continue in the foreseeable future.

The Department notes that in the sole administrative review of this order we calculated a dumping margin of zero for Camesa, who the Department believes to be the sole producer/exporter of the subject merchandise. However, the Department does not find this zero dumping margin, in and of itself, to be indicative of the Camesa's behavior in the absence of the order for several reasons. First, a single *de minimis* dumping margin does not demonstrate that Camesa can continuously and consistently sell subject merchandise in the United States without dumping. This finding is also supported by the fact that imports of subject merchandise from Mexico decreased dramatically

Bureau has not issued any correction to its previously published import statistics for this product. If this report were to confirm the Committee's assertions, the import volumes of subject merchandise for 1995 and 1998 would be 0 and 39 tons per year, respectively.

⁵ See *Carbon Steel Wire Rope From Mexico; Final Results of Antidumping Duty Administrative Review*, 63 FR 46735, September 2, 1998.

³ See *Steel Wire Rope From Japan, Shop Towels From the People's Republic of China, Shop Towels From Bangladesh, Candles From the People's Republic of China, Steel Wire Rope From Mexico, Shop Towels From Pakistan, Steel Wire Rope From South Korea, Malleable Cast Iron Pipe Fittings From South Korea, Malleable Cast Iron Pipe Fittings From Taiwan, Malleable Cast Iron Pipe Fittings From Japan: Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 24573 (May 7, 1999).

⁴ The Committee asserts that imports of non-subject merchandise were misclassified as subject merchandise in both 1995 and 1998. It has requested verification of the import volumes of subject merchandise from the U.S. Census Bureau. As of the publication of this notice, the U.S. Census

following the issuance of the order and have remained limited and sporadic, including during the review period. Therefore, as set forth in the *Sunset Policy Bulletin* (section II.A.3), and consistent with the SAA at 889-90, and the House Report at 63, the Department finds that where dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly, we normally will determine that revocation of the antidumping duty order would be likely to lead to recurrence of dumping. As such, given that import volumes have fallen significantly since the imposition of the order and that respondent interested parties have waived their right to participate in this review before the Department, and, absent argument and evidence to the contrary, the Department determines that, consistent with Section II.A.3 of the *Sunset Policy Bulletin*, dumping is likely to continue or recur if the order were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it will normally provide to the Commission the margin that was determined in the final determination in the original investigation. Further, for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the "all others" rate from the investigation. (See section II.B.1 of the *Sunset Policy Bulletin*.) Exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determinations. (See sections II.B.2 and 3 of the *Sunset Policy Bulletin*.)

The Department, in the antidumping duty order on carbon steel wire rope from Mexico, established a deposit rate of 111.68 percent for Camesa. In addition, the Department established a rate of 111.68 percent on all other imports of the subject merchandise from Mexico (58 FR 16173, March 25, 1993). We note that, to date, the Department has not issued any duty absorption findings in this case.

In its substantive response, the Committee argues that the Department should report to the Commission the rate established in the original investigation because, as stated in the *Sunset Policy Bulletin*, it is the only calculated rate that reflects the behavior of exporters without the discipline of the order. The Committee states that the 111.68 percent rate has been in effect for all imports of the subject merchandise

and, only recently, was the deposit rate reduced to zero with respect to Camesa. Further, the Committee argues that this latest rate is based on an extremely limited and controlled shipment made by Camesa in order to establish the basis for an administrative review (see February 3, 1999 Substantive Response of the Committee at 6).

The Department agrees with the Committee. We find that the dumping margin calculated in the original investigation is the only calculated rate that reflects the behavior of exporters without the discipline of the order. Consistent with the *Sunset Policy Bulletin*, we determine that the margin calculated in the Department's original investigation is probative of the behavior of Mexican producers and exporters of carbon steel wire rope if the order were revoked. Therefore, we will report to the Commission the company-specific and "all others" rate from the original investigation contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the margin listed below:

Manufacturer/exporter	Margin (percent)
Camesa	111.68
All Other Mexican Manufacturers/Exporters	111.68

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 2, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-824]

Certain Corrosion-Resistant Carbon Steel Flat Products From Japan: Extension of Time Limits for Preliminary Results of Antidumping Administrative Review

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

ACTION: Notice of extension of time limits for preliminary results of antidumping administrative review.

EFFECTIVE DATE: August 6, 1999.

FOR FURTHER INFORMATION CONTACT: Doreen Chen, Brandon Farlander, or Rick Johnson, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone: (202) 482-0408, (202) 482-0182 or (202) 482-3818, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, codified at 19 CFR part 351, 62 FR 27295 (May 19, 1997).

Background

On July 19, 1993, the Department published in the **Federal Register** (58 FR 37154) the antidumping duty order on certain corrosion-resistant carbon steel flat products from Japan. On September 29, 1998, the Department published its initiation of this antidumping duty administrative review covering the period of August 1, 1997 through July 31, 1998 (63 FR 51893). On February 24, 1999, the Department published a notice of extension of the time limit for the preliminary results of this review to August 1, 1999. See *Corrosion-Resistant Carbon Steel Flat Products From Japan: Extension of Time Limit for Preliminary Results of the Antidumping Duty Administrative Review*, 64 FR 9127 (February 24, 1999).

Extension of Time Limits for Preliminary Results

Because of the complexities enumerated in the Memorandum from