

**Notification of Interest Parties.**

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 is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 30, 1999.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-20337 Filed 8-3-99; 8:45 am]

BILLING CODE 3510-DS-M

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-201-504]

**Porcelain-on-Steel Cookware From Mexico: Notice of Panel Decision and Amended Final Results of Antidumping Duty Administrative Review in Accordance With Decision Upon Remand**

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

**ACTION:** Notice of panel decision and amendment to final results of antidumping duty administrative review in accordance with decision upon remand.

**SUMMARY:** As a result of a remand from a Binational Panel, convened pursuant to the North American Free Trade Agreement, the Department of Commerce is amending its final results in the ninth antidumping duty administrative review of Porcelain-on-Steel Cookware from Mexico (December 1, 1994–November 30, 1995). The Department of Commerce has determined, in accordance with the instruction of the Binational Panel, the dumping margin for entries of porcelain-on-steel cookware from Mexico produced by Esmaltaciones de Norte America, S.A. de C.V. to be 16.97 percent. The margin for Cinsa, S.A. de C.V. is not affected by this remand.

**EFFECTIVE DATE:** August 6, 1999.

**FOR FURTHER INFORMATION CONTACT:** Katherine Johnson or David J.

Goldberger, Office 2, AD/CVD Enforcement Group I, Import Administration, Room B099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-4929, or 482-4136, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On August 7, 1997, the Department of Commerce (the Department) published in the **Federal Register** (62 FR 42496) the final results of antidumping duty administrative review for Porcelain-on-Steel Cookware from Mexico. Subsequent to the final results, Columbian Home Products (the petitioner), Cinsa, S.A. de C.V. (Cinsa) and Esmaltaciones de Norte America, S.A. de C.V. (ENASA) challenged the Department's findings and requested that the Binational Panel (the Panel) review the final results.

Thereafter, the Panel remanded the Department's final results with respect to one issue—whether the Department should utilize the indirect selling expense ratio submitted by Yamaka China (Yamaka) in determining Yamaka's indirect selling expenses on its sales of porcelain-on-steel cookware produced by ENASA. Specifically, the Panel directed the Department (1) to determine, after addressing both the petitioner's ministerial error letter and Cinsa's submission opposing the petitioner's letter, whether the Department did in fact make a ministerial error; (2) if it did, to correct the error, and (3) in making any correction, to consider comments from the parties on the proper calculation, specifically address those comments in its remand determination, and explain the basis for the correction in detail.<sup>1</sup>

We have determined that the use of an indirect selling expense ratio for affiliated importer Global Imports, Inc., rather than the indirect selling expense ratio for affiliated importer and reseller Yamaka in calculating the margin for Yamaka's sales of porcelain-on-steel cookware produced by ENASA, was in fact a ministerial error and have, therefore, corrected that error. The Department submitted its remand determination on June 4, 1999.

On July 20, 1999, the Panel affirmed the remand determination of the Department. (See Porcelain-on-Steel Cookware from Mexico (9th

<sup>1</sup> For a complete discussion of the Department's reasoning in the selection of an indirect selling expense ratio, see Redetermination on Remand: Certain Porcelain-on-Steel Cookware from Mexico: Final Results of Antidumping Duty Administrative Review (June 3, 1999).

Administrative Review), USA-97-1904-07 (Final Panel Order).) As a result, the margin for ENASA increased from 2.74 to 16.97 percent. The margin for Cinsa is not affected by this remand because the sales through Yamaka consisted solely of ENASA-produced merchandise. Because the Department has since concluded additional administrative reviews, the cash deposit rate for ENASA remains that established by the most recently completed administrative review. The Department will issue appraisal instructions directly to the Customs Service.

This amendment to the final results of antidumping duty administrative review notice is in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(1)), and 19 CFR 351.221.

Dated: July 30, 1999.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-20342 Filed 8-5-99; 8:45 am]

BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-825]

**Sebacic Acid From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review of Sebacic Acid from the People's Republic of China.

**SUMMARY:** The Department of Commerce is conducting an administrative review of the antidumping duty order on sebacic acid from the People's Republic of China in response to requests from the petitioner, Union Camp Corporation, and the following three respondents: Tianjin Chemicals Import and Export Corporation, Guangdong Chemicals Import and Export Corporation, and Sinochem International Chemicals Company, Ltd. In addition to these three respondents, the petitioner also requested a review of Sinochem Jiangsu Import and Export Corporation. This review covers four exporters of the subject merchandise. The period of review is July 1, 1997, through June 30, 1998.

We preliminarily determine that sales have been made below normal value. Interested parties are invited to

comment on these preliminary results. If these preliminary results are adopted in our final results of administrative review, we will instruct the Customs Service to assess antidumping duties on entries subject to this review.

**EFFECTIVE DATE:** August 6, 1999.

**FOR FURTHER INFORMATION CONTACT:** Sunkyu Kim or Christopher Priddy, Office 2, AD/CVD Enforcement Group I, Import Administration Room B099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2613 or (202) 482-1130, respectively.

**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 of Commerce's (the Department's) regulations are to the current regulations at 19 CFR part 351 (April 1998).

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 21, 1998, the Department published in the **Federal Register** at 63 FR 35909 a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order on sebacic acid from the People's Republic of China (PRC) covering the period July 1, 1997, through June 30, 1998.

On July 30, 1998, in accordance with 19 CFR 351.213(b), the petitioner requested that we conduct an administrative review of Tianjin Chemicals Import and Export Corporation (Tianjin), Guangdong Chemicals Import and Export Corporation (Guangdong), Sinochem International Chemicals Company, Ltd. (SICC) and Sinochem Jiangsu Import and Export Corporation (Jiangsu). On July 29, 1998, Tianjin, Guangdong, and SICC also requested that we conduct an administrative review. We published a notice of initiation of this antidumping duty administrative review on August 27, 1998, at 63 FR 45796. On September 1, 1998, we issued questionnaires to the four respondents. Tianjin, SICC, and Guangdong submitted responses to sections A, C, and D of the antidumping questionnaire on October 9, 1998, and November 2, 1998. The Department issued its supplemental questionnaires on January 8, 1999, and received responses to the questionnaires in February and March 1999. Jiangsu did

not respond to the Department's questionnaire.

On December 29, 1998, the Department invited interested parties to provide publicly available information (PAI) for valuing the factors of production and for surrogate country selection. We received responses from the interested parties on January 25, 1999, and February 18, 1999, and additional comments on March 1, 1999. On March 12, 1999, in accordance with section 751(a)(3)(A) of the Act, the Department postponed the deadline for issuing the preliminary results of this review. *See Sebacic Acid from the People's Republic of China: Postponement of Preliminary Results of Antidumping Duty Administrative Review*, 64 FR 13771 (March 22, 1999).

The Department is conducting this administrative review in accordance with section 751 of the Act.

**Scope of Review**

The products covered by this order are all grades of sebacic acid, a dicarboxylic acid with the formula  $(CH_2)_8(COOH)_2$ , which include but are not limited to CP Grade (500ppm maximum ash, 25 maximum APHA color), Purified Grade (1000ppm maximum ash, 50 maximum APHA color), and Nylon Grade (500ppm maximum ash, 70 maximum ICV color). The principal difference between the grades is the quantity of ash and color. Sebacic acid contains a minimum of 85 percent dibasic acids of which the predominant species is the C10 dibasic acid. Sebacic acid is sold generally as a free-flowing powder/flake.

Sebacic acid has numerous industrial uses, including the production of nylon 6/10 (a polymer used for paintbrush and toothbrush bristles and paper machine felts), plasticizers, esters, automotive coolants, polyamides, polyester castings and films, inks and adhesives, lubricants, and polyurethane castings and coatings.

Sebacic acid is currently classifiable under subheading 2917.13.00.30 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this proceeding remains dispositive.

**Separate Rates**

It is the Department's standard policy to assign all exporters of the merchandise subject to review in non-market-economy (NME) countries a single rate, unless an exporter can demonstrate an absence of government control, both in law and in fact, with respect to exports. To establish whether

an exporter is sufficiently independent of government control to be entitled to a separate rate, the Department analyzes the exporter in light of the criteria established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (*Sparklers*), and amplified in the *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (*Silicon Carbide*). Evidence supporting, though not requiring, a finding of *de jure* absence of government control over export activities includes: (1) An absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies. Evidence relevant to a *de facto* absence of government control with respect to exports is based on the four factors of whether the respondent: (1) Sets its own export prices independently from the government and other exporters; (2) can retain the proceeds from its export sales; (3) has the authority to negotiate and sign contracts; and (4) has autonomy from the government regarding the selection of management. *See Silicon Carbide at 22587 and Sparklers at 20589.*

With respect to SICC, Tianjin, and Guangdong, in our final results for the period of review (POR) covering July 1, 1996, through June 30, 1997, the Department determined there was both *de jure* and *de facto* absence of government control of each company's export activities and determined that each company warranted a company-specific dumping margin. *See Final Results of Antidumping Administrative Review: Sebacic Acid From the People's Republic of China*, 63 FR 43373 (August 13, 1998) (*Sebacic Acid Third Review*). For this review, SICC, Tianjin, and Guangdong have responded to the Department's request for information regarding separate rates. We have found that the evidence on the record is consistent with the final results in the previous administrative review and continues to demonstrate an absence of both *de jure* and *de facto* government control with respect to their exports in accordance with the criteria identified in *Sparklers* and *Silicon Carbide*.

With respect to Jiangsu, which did not respond to the questionnaire, we preliminarily determine that this company does not merit a separate rate. Because the Department assigns a single

rate to companies in an NME country unless an exporter can demonstrate absence of government control, we preliminarily determine that Jiangsu is subject to the country-wide rate for this case.

#### Export Price

For SICC, Tianjin, and Guangdong, we calculated export price (EP), in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to unaffiliated customers in the United States prior to importation and because constructed export price (CEP) methodology was not otherwise warranted based on the facts of record. We calculated EP based on packed CIF prices to the first unaffiliated purchaser in the United States. Where appropriate, we made deductions from the starting price for foreign inland freight, foreign brokerage and handling, ocean freight, and marine insurance. Because all reported movement services were provided by NME companies, we based the charges associated with these services on surrogate rates from India. See "Normal Value" section for further discussion.

#### Normal Value

Section 773(c)(1) of the Act provides that the Department shall determine the normal value (NV) using a factors-of-production methodology if: (1) The merchandise is exported from an NME country, and (2) the information does not permit the calculation of NV using home-market prices, third-country prices, or constructed value (CV) under section 773(a) of the Act.

The Department has treated the PRC as an NME country in all previous antidumping cases. Furthermore, available information does not permit the calculation of NV using home market prices, third country prices, or CV under section 773(a) of the Act. In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by the administering authority. None of the parties to this proceeding has contested such treatment in this review. Therefore, we treated the PRC as an NME country for purposes of this review and calculated NV by valuing the factors of production in a comparable market economy country which is a significant producer of comparable merchandise.

Section 773(c)(4) of the Act and 19 CFR 351.408 direct us to select a surrogate country that is economically comparable to the PRC. On the basis of per capita gross domestic product (GDP), the growth rate in per capita

GDP, and the national distribution of labor, we find that India is a comparable economy to the PRC. See

"Memorandum from Director, Office of Policy, to Office Director, AD/CVD Group I, Office 2," dated December 21, 1998.

Section 773(c)(4) of the Act also requires that, to the extent possible, the Department use a surrogate country that is a significant producer of merchandise comparable to sebacic acid. Although we do not have information about the quantity of sebacic acid produced in India, we found that information contained in the respondents' February 18, 1999, submission indicates that India was a producer of sebacic acid during the POR. In addition, we determined in prior reviews of this order that India was a significant producer of comparable merchandise (i.e., oxalic acid). See *Sebacic Acid Third Review*. We find that India fulfills both statutory requirements for use of a surrogate country and continue to use India as the surrogate country in this administrative review. We have used publicly available information relating to India, unless otherwise noted, to value the various factors of production.

For purposes of calculating NV, we valued PRC factors of production in accordance with section 773(c)(1) of the Act. Factors of production include, but are not limited to: (1) Hours of labor required; (2) quantities of raw materials employed; (3) amounts of energy and other utilities consumed; and (4) representative capital cost, including depreciation. In examining surrogate values, we selected, where possible, the publicly available value which was: (1) an average non-export value; (2) representative of a range of prices either within the POR or most contemporaneous with the POR; (3) product-specific; and (4) tax-exclusive. For a more detailed explanation of the methodology used in calculating the various surrogate values, see "Memorandum to the File from Case Analyst: Calculations for the Preliminary Results," dated August 2, 1999. In accordance with this methodology, we valued the factors of production as follows:

We valued castor oil and castor seed using 1998 price data from the Solvent Extractors Association of India provided by the petitioner in its January 25, 1999, submission. For the castor oil that Hengshui Dongfeng Chemical Factory purchased from a market economy and paid for in market economy currency, we used the actual price paid for the input to calculate the factors-based NV in accordance with 19 CFR 351.408(a)(1). Handan Fuyang Sebacic

Acid Factory (Handan) claimed it obtained castor oil from a market economy source and paid market economy prices for this factor, but Handan did not provide the necessary price data. Therefore, we have valued Handan's castor oil consumption based on the Indian surrogate value for castor oil.

For macropore resin, we used the value for activated carbon. Consistent with our methodology used in the third review of this proceeding, we valued activated carbon using export prices as quoted in the *Chemical Weekly*. For caustic soda, cresol, phenol, sulfuric acid, and zinc oxide, we used published market prices reported in the *Chemical Weekly*. For caustic soda and sulfuric acid, because price quotes reported in the *Chemical Weekly* are for chemicals with a 100 percent concentration level, we made chemical purity adjustments according to the particular concentration levels of caustic soda and sulfuric acid used by the respondents. For sodium chloride (also referred to as sodium chlorite or vacuum salt), we used Indian import values from the *Monthly Statistics of the Foreign Trade of India (Monthly Statistics)* for the period April 1996 through February 1997.

Where appropriate, we adjusted the values reported in the *Chemical Weekly* to exclude sales and excise taxes. For those values not contemporaneous with the POR, we adjusted for inflation using the wholesale price indices (WPI) published by the International Monetary Fund (IMF). We made further adjustments to account for freight costs between the suppliers' buildings and the respondents' sebacic acid manufacturing facilities.

In accordance with our practice, we added to CIF import values from India a surrogate freight cost using the shorter of the reported distances from either the closest PRC port to the factory or from the domestic supplier to the factory. See *Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate From the People's Republic of China*, 62 FR 61964, 61977 (November 20, 1997).

We valued labor based on a regression-based wage rate in accordance with 19 CFR 351.408(c)(3).

To value electricity, we used the average rate applicable to medium industrial users throughout India as obtained from the "Our India" website compiled by the Indian Industrial and Management Services. We adjusted the values to reflect inflation up to the POR using the WPI factors published by the IMF. We based the value of steam coal on April 1996 through February 1997

import values from the *Monthly Statistics*. We adjusted the steam coal values for inflation using the WPI factors published by the IMF.

We based our calculation of factory overhead, selling, general and administrative (SG&A) expenses, and profit on data contained in the April 1995 *Reserve Bank of India Bulletin* for the Indian metals and chemicals industries. To value factory overhead, we summed those components which pertain to overhead expenses and divided them by the sum of those components pertaining to the cost of manufacturing. We multiplied this factory overhead rate by the cost of manufacture divided by one minus the factory overhead rate. Using the same source, we also calculated the SG&A rate as a percentage of the cost of manufacturing. We calculated profit as a percentage of the cost of production (i.e., materials, energy, labor, factory overhead, and SG&A).

To value plastic and woven bags, we used import values from the *Monthly Statistics*. For jumbo bag valuation, we used a value from *Monthly Statistics* as found in the Department's Index of Factor Values for Use in Antidumping Duty Investigations Involving Products from the People's Republic of China (*Index of Factor Values*). We adjusted these three values to reflect inflation up to the POR using the WPI published by the IMF. Additionally, we adjusted these values to account for freight costs incurred between the suppliers and sebacic acid producers.

In valuing foreign inland trucking freight, the Department relied upon data from the *Times of India* as found in the Department's *Index of Factor Values*; for foreign inland rail rates the Department relied upon data from *Certain Helical Spring Lock Washers from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 64 FR 13401 (March 18, 1999). To value ocean freight, we used a price quote from Sealand Shipping, Inc., for merchandise comparable to sebacic acid (i.e., oxalic acid). For marine insurance and foreign brokerage and handling expenses, we used public information reported in the antidumping duty investigations of sulfur dyes and stainless steel bar from India, respectively. See *Final Determination of Sales at Less Than Fair Value: Sulfur Dyes, Including Vat Dyes from India*, 58 FR 11835 (March 1, 1993); *Final Determination of Sales at Less Than Fair Value: Stainless Steel Bar from India*, 59 FR 66915 (December 28, 1994).

Consistent with the methodology employed in the previous administrative review for sebacic acid,

we have determined that fatty acid, glycerine, and castor seed cake (when castor oil is self-produced) are by-products. Because they are by-products, we subtracted the sales revenue of fatty acid, glycerine, and, where applicable, castor seed cake, from the estimated production costs of sebacic acid. This treatment of by-products is also consistent with generally accepted accounting principles. See *Cost Accounting: A Managerial Emphasis* (1991) at pages 539-544. To value fatty acid and glycerine, we used prices published in *Chemical Weekly*. We valued castor seed cake using market prices quoted in *The Economic Times of India (Mumbai)* for certain months within the POR.

We also allocated a by-product credit for glycerine to the production cost for the co-product capryl alcohol. We deducted a by-product credit for glycerine from both sebacic acid and capryl alcohol based on the ratio of the value of sebacic acid to the total value of both sebacic acid and capryl alcohol.

Consistent with the methodology employed in the previous administrative review, we have determined that capryl alcohol is a co-product and have allocated the factor inputs based on the relative quantity of output of this product and sebacic acid. Additionally, we have used the production times necessary to complete each production stage of sebacic acid as a basis for allocating the amount of labor, energy usage, and factory overhead among the co-product(s). This treatment of co-products is consistent with generally accepted accounting principles. See *Cost Accounting: A Managerial Emphasis* (1991) at pages 528-533. To value capryl alcohol, consistent with our methodology from the previous administrative review, we used market prices reported in the *Chemical Weekly* for November 1997 and January 1998 and adjusted the prices for sales and excise taxes.

#### Preliminary Results of Review

We preliminarily determine that the following dumping margins exist for the period July 1, 1997, through June 30, 1998:

Manufacturer/Exporter	Margin (percent)
Tianjin Chemicals I/E Corp. ....	6.16
Sinochem International Chemicals Corp. ....	0.00
Guangdong Chemicals I/E Corp. ....	15.01
Country-Wide Rate .....	243.40

Interested parties may request a hearing within 30 days of the

publication of this notice. See 19 CFR 351.310(c). Any hearing, if requested, will be held 44 days after the date of the publication of this notice or the first workday thereafter. Interested parties may submit case briefs within 30 days of publication. Rebuttal briefs, limited to issues raised in the case briefs, may be filed no later than 35 days after the date of publication. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. Parties are also encouraged to provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited.

The Department will subsequently issue a notice of the final results of this administrative review which will include the results of its analysis of issues raised in any such written briefs no later than 120 days after the date of publication of this notice.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. We have calculated an importer-specific assessment rate based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of the examined sales. This rate will be assessed uniformly on all entries of that particular importer made during the POR. The Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(1) of the Act: (1) For the reviewed companies named above which have separate rates (SICC, Tianjin, and Guangdong), the cash deposit rates will be the rates for those firms established in the final results of this administrative review; (2) for companies previously found to be entitled to a separate rate and for which no review was requested, the cash deposit rates will be the rate established in the most recent review of that company; (3) for all other PRC exporters of subject merchandise, the cash deposit rates will be the PRC country-wide rate indicated above; and (4) the cash deposit rate for non-PRC exporters of subject merchandise from the PRC will be the rate applicable to the PRC supplier of that exporter. These deposit rates, when imposed, shall remain in effect until publication of the

final results of the next administrative review.

#### Notification of Interested Parties

This notice also 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 determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 30, 1999.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-20338 Filed 8-5-99; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-427-001]

#### Continuation of Antidumping Duty Order: Sorbitol From France

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

**ACTION:** Notice of continuation of antidumping duty order: Sorbitol from France.

**SUMMARY:** On February 4, 1999, the Department of Commerce ("the Department"), pursuant to sections 751(c) and 752 of the Tariff Act from 1930, as amended ("the Act"), determined that revocation of the antidumping duty order on sorbitol from France would be likely to lead to continuation or recurrence of dumping (64 FR 5636 (February 4, 1999)). On March 10, 1999, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty order on sorbitol from France would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (64 FR 11948 (March 10, 1999)). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty order on sorbitol from France.

**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 and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-6397 or (202) 482-1560, respectively.

*Effective Date:* March 17, 1999.

#### Background

On October 1, 1998, the Department initiated, and the Commission instituted, a sunset review (63 FR 52683 and 63 FR 52757, respectively) of the antidumping duty order on sorbitol from France pursuant to section 751(c) of the Act. As a result of this review, the Department found that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the order to be revoked (see *Final Results of Expedited Sunset Review: Sorbitol from France*, 64 FR 5636 (February 4, 1999)).

On March 10, 1999, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on sorbitol from France would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (see *Sorbitol from France*, (64 FR 11948 (March 10, 1999) and USITC Pub. 3165, Inv. No. 731-TA-44 (Review) (March 1999)).

#### Scope

The merchandise covered by this antidumping duty order is crystalline sorbitol from France, a polyol produced by the hydrogenation of sugars (glucose), used in the production of sugarless gum, candy, groceries, and pharmaceuticals and currently classifiable under HTS item number 2905.44.00. The HTS item number is provided for convenience and customs purposes. The written description remains dispositive.

#### Determination

As a result of the determinations by the Department and the Commission that revocation of this antidumping duty order would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on sorbitol from France. The Department will instruct the U.S. Customs Service to continue to collect antidumping duty

deposits at the rate in effect at the time of entry for all imports of subject merchandise. Pursuant to section 751(c)(6)(A)(iii) of the Act, any subsequent five-year review of this order will be initiated not later than the fifth anniversary of the effective date of continuation of this order.

Normally, the effective date of continuation of a finding, order, or suspension agreement will be the date of publication in the **Federal Register** of the Notice of Continuation. As provided in 19 CFR 351.218(f)(4), the Department normally will issue its determination to continue a finding, order, or suspended investigation not later than seven days after the date of publication in the **Federal Register** of the Commission's determination concluding the sunset review and immediately thereafter will publish its notice of continuation in the **Federal Register**. In the instant case, however, the Department's publication of the Notice of Continuation was delayed. The Department has explicitly indicated that the effective date of continuation of this order is March 17, 1999, seven days after the date of publication in the **Federal Register** of the Commission's determination. As a result, pursuant to sections 751(c)(2) and 751(c)(6)(A) of the Act, the Department intends to initiate the next five-year review of this order not later than February 2004.

Dated: August 2, 1999.

**Joseph Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-20334 Filed 8-5-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-833]

#### Stainless Steel Bar From Japan: Initiation and Preliminary Results of Changed-Circumstances Antidumping Duty Administrative Review, and Intent To Revoke Order in Part

**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 in part.

**SUMMARY:** In response to a request by Tohoku Steel Co., Ltd. (Tohoku), the Department of Commerce (the Department) is initiating a changed-circumstances antidumping duty