

protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing five-year ("sunset") reviews and notices in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 30, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Final Results of Expedited Sunset Reviews: Color Picture Tubes From Canada, Japan, the Republic of Korea, and Singapore

A-122-605, A-588-609, A-580-605, A-559-601]

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

ACTION: Notice of Final Results of Expedited Sunset Reviews: Color Picture Tubes from Canada, Japan, the Republic of Korea, and Singapore

SUMMARY: On March 1, 1999, the Department of Commerce ("the Department") initiated sunset reviews of the antidumping duty orders on color picture tubes ("CPTs") from Canada, Japan, the Republic of Korea, and Singapore (64 FR 9970) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of notices of intent to participate and adequate substantive comments filed on behalf of the domestic interested parties and inadequate response (in these cases, no response) from respondent interested parties, the Department determined to conduct expedited reviews. As a result of these reviews, the Department finds that revocation of the antidumping orders 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: Darla D. Brown 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, D.C. 20230; telephone: (202) 482-3207 or (202) 482-1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

These reviews were 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 these antidumping duty orders is color picture tubes from Canada, Japan, the Republic of Korea ("Korea"), and Singapore. The subject merchandise is defined as cathode ray tubes suitable for use in the manufacture of color television receivers or other color entertainment display devices intended for television viewing. Where a CPT is shipped and imported together with all parts necessary for assembly into a complete television receiver (i.e., as a "kit"), the CPT is excluded from the scope of these orders. In other words, a kit and a fully assembled television are a separate class or kind of merchandise from the CPT. Accordingly, the Department determined that, when CPTs are shipped together with other parts as television receiver kits, they are excluded from the scope of the order. With respect to CPTs which are imported for customs purposes as incomplete television assemblies, we determined that these entries are included within the scope of these investigations unless both of the following criteria are met: (1) the CPT is "physically integrated" with other television receiver components in such a manner as to constitute one inseparable amalgam and (2) the CPT does not constitute a significant portion of the cost or value of the items being imported.¹ Such merchandise was classifiable under Harmonized Tariff Schedule (HTS) item numbers 8540.11.00.10, 8540.11.00.20, 8540.11.00.30, 8540.11.00.40, 8540.11.00.50 and 8540.11.00.60. However, due to changes in the HTS,

¹ See *Antidumping Duty Order and Amendment to Final Determination of Sales at Less Than Fair Value: Color Picture Tubes From Japan*, 53 FR 430 (January 7, 1988).

the subject merchandise is currently classifiable under HTS items 8540.11.10, 8540.11.24, 8540.11.28, 8540.11.30, 8540.11.44, 8540.11.48, and 8540.11.50. The HTS item numbers are provided for convenience and customs purposes only. The written description remains dispositive.

These reviews cover imports from all manufacturers and exporters of CPTs from Canada, Japan, Korea, and Singapore.

History of the Orders

Canada

The Department published its final affirmative determination of sales at less than fair value ("LTFV") with respect to imports of CPTs from Canada on November 18, 1987 (52 FR 44161). In this determination, the Department published a weighted-average dumping margin for one company as well as an "all others" rate. These margins were subsequently amended when the Department issued its antidumping duty order on CPTs from Canada on January 7, 1998 (53 FR 429).² The Department has conducted no administrative reviews of this order since its imposition. The order remains in effect for all manufacturers and exporters of the subject merchandise from Canada.

Japan

On November 18, 1987, the Department issued its affirmative final determination of sales at LTFV regarding CPTs from Japan (52 FR 44171). In this determination, the Department published weighted-average dumping margins for four companies and an "all others" rate. Two of the company-specific margins as well as the "all others" margin were later amended when the antidumping order on CPTs from Japan was published in the **Federal Register** on January 7, 1988 (53 FR 430). Since the order was issued, the Department has conducted two administrative reviews with respect to CPTs from Japan.³ In both the first and second administrative reviews, the Department calculated one company-specific margin and an "all others" rate. The order remains in effect for all manufacturers and exporters of the subject merchandise from Japan.

Korea

The Department published its affirmative final determination of sales

² See *id.*

³ See *Color Picture Tubes from Japan; Final Results of Antidumping Duty Administrative Review*, 55 FR 37915 (September 14, 1990), and *Color Picture Tubes from Japan; Final Results of Antidumping Duty Administrative Review*, 62 FR 34201 (June 25, 1997).

at LTFV with regard to CPTs from Korea on November 18, 1987 (52 FR 44186). In this determination, the Department published weighted-average dumping margin for one company as well as an "all other" rate. The antidumping duty order was issued on January 7, 1988 (53 FR 431). The Department has since conducted one administrative review of the order with respect to CPTs from Korea.⁴ In this review, the Department calculated two company-specific margins, one of which was later amended, as well as an "all others" rate. The order remains in effect for all Korean manufacturers and exporters of the subject merchandise.

Singapore

On November 18, 1987, the Department issued its final affirmative determination of sales at LTFV with respect to imports of CPTs from Singapore (52 FR 44190). In this determination, the Department published a weighted-average dumping margin for one company as well as an "all others" rate. Since the imposition of the order, no administrative reviews of the antidumping order on CPTs Singapore have been conducted. The order remains in effect for all manufacturers and exporters of the subject merchandise from Singapore.

On March 7, 1991, the Department published a negative final determination of circumvention of the antidumping duty orders on CPTs from Canada, Japan, Korea, and Singapore (56 FR 9667).

Background

On March 1, 1999, the Department initiated sunset reviews of the antidumping duty orders on CPTs from Canada, Japan, Korea, and Singapore (64 FR 9970), pursuant to section 751(c) of the Act. The Department received Notices of Intent to Participate, in each of the four sunset reviews, on behalf of Philips Display Components Company, Thomson Americas Tube Operations, the International Brotherhood of Electrical Workers and the International Union of Electronic, Electrical, Salaried, Machine & Furniture Workers (AFL-CIO/CLC) (collectively, "domestic interested parties"), on March 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. Pursuant to sections 771(9)(C) and (D) of the Act, the domestic interested parties claimed

interested party status as U.S. manufacturers and unions whose workers are engaged in the production of domestic like products. Moreover, the domestic interested parties stated that both the International Brotherhood of Electrical Workers and the International Union of Electronic, Electrical, Salaried, Machine & Furniture Workers (AFL-CIO/CLC) were petitioners in the original investigation. The Department received complete substantive responses from the domestic interested parties on March 31, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). On March 22, 1999, the Department received an untimely notice of intent to participate on behalf of Sharp Electronics Corporation in the case involving CPTs from Japan. We did not receive a substantive response from any respondent interested party to these proceedings. On March 30, 1999, the Department received a waiver of participation on behalf of the Electronic Industries Association of Korea. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department determined to conduct expedited, 120-day reviews of these orders.

The Department determined that the sunset reviews of the antidumping duty orders on CPTs from Canada, Japan, Korea, and Singapore are extraordinarily complicated. In accordance with section 751(c)(5)(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). (See section 751(c)(6)(C) of the Act.) Therefore, on July 6, 1999, the Department extended the time limit for completion of the final results of these reviews until not later than August 30, 1999, in accordance with section 751(c)(5)(B) of the Act.⁵

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted these reviews to determine whether revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making these determinations, 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 margins of dumping likely to prevail if the orders were revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margins are discussed below. In addition, the domestic interested parties' comments with respect to continuation or recurrence of dumping and the magnitude of the margins 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 it normally will determine that revocation of an antidumping duty 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 the order would be likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In these instant reviews, the Department did not receive a substantive response from any respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the *Sunset Regulations*, this constitutes a waiver of

⁴ See *Color Picture Tubes from South Korea; Final Results of Antidumping Duty Administrative Review*, 56 FR 19084 (April 25, 1991), as amended by *Color Picture Tubes from South Korea; Amended Final Results of Antidumping Duty Administrative Review*, 56 FR 29215 (June 26, 1991).

⁵ See *Solid Urea From Armenia, Solid Urea From Belarus, Solid Urea From Estonia, Solid Urea From Lithuania, Solid Urea From Romania, Solid Urea From Russia, Solid Urea From Tajikistan, Solid Urea From Turkmenistan, Solid Urea From Ukraine, Solid Urea From Uzbekistan, Color Picture Tubes From Canada, Color Picture Tubes From Japan, Color Picture Tubes From Korea (South), Color Picture Tubes From Singapore: Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 36333 (July 6, 1999).

participation. Further, we received a waiver of participation from the Electronic Industries Association of Korea.

In their substantive responses, the domestic interested parties argue that the substantial decline in the volume of imports of CPTs from the subject countries following the issuance of the orders demonstrates the inability of the producers from subject countries to sell in the U.S. market in any significant volume without dumping. The domestic interested parties argue further that revocation of the antidumping duty orders would likely lead to a continuation or recurrence of dumping by Canadian, Japanese, Korean, and Singaporean producers/manufacturers. They support this argument with evidence in the form of tables showing that, since imposition of the orders, respondents have generally reduced their sales to the United States (see March 31, 1999, Substantive Response of the Domestic Interested Parties at Attachment 2). Therefore, they assert, were the antidumping orders revoked, it is likely that Canadian, Japanese, Korean, and Singaporean producers would need to dump in order to sell their subject color picture tubes in any significant quantities in the United States (see *id.* at 17).

Canada

With respect to subject merchandise from Canada, the domestic interested parties maintain that in the year the order was imposed, 1988, imports from Canada fell from approximately 219,000 units the year before to just over 80,000 units (see *id.* at 19 and Attachment 2). They also argue that, in the three years following the imposition of the order (1988–1990), average import volumes of the subject merchandise were almost 80 percent lower than in the three years preceding the final determination of sales at LTFV (1984–1986) (see *id.* at 18–19).

Moreover, the domestic interested parties point out that dumping margins above de minimis remain in place for one Canadian company.

Japan

According to the domestic interested parties, the imposition of the antidumping duty order had a dramatic effect on subject import volumes from Japan. They indicate that in the years following the imposition of the order, imports of the subject merchandise from Japan declined by almost 70 percent. Moreover, they assert, import volumes of the subject CPTs from Japan have remained low relative to the pre-order levels. The domestic interested parties

also argue that dumping margins remain in place for at least one Japanese producer of the subject merchandise. In sum, the domestic interested parties maintain, the dramatic decline in import volumes following the imposition of the order, in conjunction with the fact that only one Japanese respondent has ever requested an administrative review of the original dumping margins, provides clear evidence that the Japanese producers are incapable of selling at fair value in the U.S. market and that revocation of the current order would result in continued dumping and massive increases in Japanese import volumes (see *id.* at 20).

Korea

With respect to imports of the subject merchandise from Korea, the domestic interested parties assert that imports declined significantly after the imposition of the order. In fact, the domestic interested parties argue, post-order imports from Korea averaged just 2.9 percent of their pre-order levels (see *id.* at 21). Furthermore, the domestic interested parties argue, since 1988, imports of CPTs from Korea have been virtually non-existent and annual volumes have never risen to even five percent of their pre-order levels. Therefore, the domestic interested parties assert, the minimal volumes of imports of CPTs in the period since the order was imposed indicate that the Koreans are incapable of selling the subject merchandise in the United States at fair value (see *id.* at 21).

Singapore

The domestic interested parties state that imports of the subject CPTs from Singapore also declined significantly following the imposition of the order. In fact, the domestic interested parties argue, while U.S. imports from Singapore averaged approximately 139,000 units annually in the three years prior to the imposition of the order (1984–1986), in the three years following the imposition of the order (1988–1990) such imports averaged just 810 units annually (see *id.* at 21 and Attachment 2).

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 to dump with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. As discussed above, dumping margins above de minimis continue to exist for shipments of the subject merchandise from Canada, Japan, Korea, and Singapore.

Consistent with section 752(c) of the Act, the Department also considers the volume of imports before and after issuance of the order. As outlined in each respective section above, the domestic interested parties argue that a significant decline in the volume of imports of the subject merchandise from Canada, Japan, Korea, and Singapore since the imposition of the orders provides further evidence that dumping would continue if the orders were revoked. In their substantive responses, the domestic interested parties provided statistics demonstrating the decline in import volumes of CPTs from Canada, Japan, Korea, and Singapore (see March 31, 1999, Substantive Response of the Domestic Interested Parties at Attachment 2). Using the Department's statistics, including IM146 reports, on imports of the subject merchandise from these countries, we agree with the domestic interested parties' assertions that imports of the subject merchandise fell sharply after the orders were imposed and, in most cases, never regained pre-order volumes.

As noted above, in conducting its sunset reviews, the Department considers the weighted-average dumping margins and volume of imports when determining whether revocation of an antidumping duty order would lead to the continuation or recurrence of dumping. Based on this analysis, the Department finds that the existence of dumping margins above de minimis levels and a reduction in export volumes after the issuance of the orders is highly probative of the likelihood of continuation or recurrence of dumping. A deposit rate above a de minimis level continues in effect for exports of the subject merchandise by all known Canadian, Japanese, Korean, and Singaporean manufacturers/exporters. Therefore, given that dumping has continued over the life of the orders, import volumes declined significantly after the imposition of the orders, respondent parties waived participation, and absent argument and evidence to the contrary, the Department determines that dumping is likely to continue if the orders were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it normally will 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*.) We note that, to date, the Department has not issued any duty absorption findings in any of these four cases.

In their substantive responses, the domestic interested parties recommended that, consistent with the *Sunset Policy Bulletin*, the Department provide to the Commission the company-specific margins from the original investigations. Moreover, regarding companies not reviewed in the original investigation, the domestic interested parties suggested that the Department report the "all others" rates included in the original investigations.

The Department agrees with the domestic interested parties. The Department finds that the margins calculated in the original investigation are probative of the behavior of Canadian, Japanese, Korean, and Singaporean producers/exporters if the orders were revoked as they are the only margins which reflect their behavior absent the discipline of the order. Therefore, the Department will report to the Commission the company-specific and all others rates from the original investigations as contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping orders would likely lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/exporter	Margin (percent)
Canada	
Mitsubishi Electronics Industries Canada, Inc	0.63
All Others	0.63
Japan	
Hitachi, Ltd	22.29
Matsushita Electronics Corporation	27.46
Mitsubishi Electric Corporation	1.05
Toshiba Corporation	33.50
All Others	27.93
Korea	
Samsung Electron Devices Company, Ltd	1.91
All Others	1.91

Manufacturer/exporter	Margin (percent)
Singapore	
Hitachi Electronic Devices, Pte., Ltd	5.33
All Others	5.33

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.

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

Dated: August 30, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-831-801; A-822-801; A-447-801; A-451-801; A-821-801; A-823-801; A-842-801; A-843-801; A-844-801]

Final Results of Expedited Sunset Reviews: Solid Urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan

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

ACTION: Notice of final results of expedited sunset reviews: solid urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan.

SUMMARY: On March 1, 1999, the Department of Commerce ("the Department") initiated sunset reviews of the antidumping duty orders on solid urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan (64 FR 9970) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of the notices of intent to participate and adequate substantive comments filed on behalf of

domestic interested parties and inadequate responses from respondent interested parties, the Department determined to conduct expedited reviews. As a result of these reviews, the Department finds that revocation of the antidumping duty orders 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:

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, D.C. 20230; telephone: (202) 482-5050 or (202) 482-1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

These reviews were 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 these antidumping duty orders is solid urea. This merchandise was previously subject to an antidumping duty order on solid urea from the Union of Soviet Socialist Republics (U.S.S.R.). However, with the dissolution of the U.S.S.R., the order was subsequently transferred to all 15 republics (57 FR 28828, June 29, 1992). This merchandise is currently classifiable under the Harmonized Tariff Schedule ("HTS") of the United States, item number 3201.10.00. The HTS item number is provided for convenience and customs purposes only. The written description remains dispositive.

History of the Order

On May 26, 1987, the Department issued a final determination of sales at less than fair value with respect to