

DEPARTMENT OF COMMERCE**International Trade Administration****Extension of Time Limit for Final Results of Expedited Five-Year Reviews**

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

ACTION: Notice of extension of time limit for final results of expedited five-year ("sunset") reviews.

SUMMARY: The Department of Commerce ("the Department") is extending the time limit for the final results of 28 expedited sunset reviews initiated on September 1, 1999 (64 FR 47767) covering various antidumping and countervailing duty orders. Based on adequate responses from domestic interested parties and inadequate responses from respondent interested parties, the Department is conducting expedited sunset reviews to determine whether revocation of the antidumping and countervailing duty orders would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy. As a result of these extensions, the Department intends to issue its final results not later than March 29, 2000.

EFFECTIVE DATE: December 22, 1999.

FOR FURTHER INFORMATION CONTACT:

Mark D. Young or Melissa G. Skinner, 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.

Extension of Final Results:

In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a sunset review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). The reviews at issue concern transition orders within the meaning of section 751(c)(6)(C)(ii) of the Act. The Department has determined that the sunset reviews of the following antidumping and countervailing duty orders are extraordinarily complicated:

- A-583-080 Carbon Steel Plate from Taiwan
- C-401-401 Carbon Steel Products from Sweden
- C-423-806 Cut-to-Length Carbon Steel Plate from Belgium
- C-351-818 Cut-to-Length Carbon Steel Plate from Brazil
- C-427-810 Corrosion-Resistant Carbon Steel Flat Products from France

- C-580-818 Cold-Rolled Carbon Steel Flat Products from Korea
- C-580-818 Corrosion-Resistant Carbon Steel Flat Products from Korea
- C-201-810 Cut-to-Length Carbon Steel Plate from Mexico
- C-469-804 Cut-to-Length Carbon Steel Plate from Spain
- C-401-804 Cut-to-Length Carbon Steel Plate from Sweden
- C-412-815 Cut-to-Length Carbon Steel Plate from the United Kingdom
- A-602-803 Carbon Steel Flat Products from Australia
- A-423-805 Cut-to-Length Carbon Steel Plate from Belgium
- A-351-817 Cut-to-Length Carbon Steel Plate from Brazil
- A-122-822 Corrosion-Resistant Carbon Steel Flat Products from Canada
- A-122-823 Cut-to-Length Carbon Steel Plate from Canada
- A-405-802 Cut-to-Length Carbon Steel Plate from Finland
- A-427-808 Corrosion-Resistant Carbon Steel Flat Products from France
- A-428-815 Corrosion-Resistant Carbon Steel Flat Products from Germany
- A-428-814 Cold-Rolled Carbon Steel Flat Products from Germany
- A-428-816 Cut-to-Length Carbon Steel Plate from Germany
- A-580-816 Corrosion-Resistant Carbon Steel Flat Products from Korea
- A-580-815 Cold-Rolled Carbon Steel Flat Products from Korea
- A-201-809 Cut-to-Length Carbon Steel Plate from Mexico
- A-455-802 Cut-to-Length Carbon Steel Plate from Poland
- A-469-803 Cut-to-Length Carbon Steel Plate from Spain
- A-401-805 Cut-to-Length Carbon Steel Plate from Sweden
- A-412-814 Cut-to-Length Carbon Steel Plate from the United Kingdom

Therefore, the Department is extending the time limit for completion of the final results of these reviews until not later than March 29, 2000, in accordance with section 751(c)(5)(B) of the Act.

Dated: December 15, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-33222 Filed 12-21-99; 8:45 am]

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DEPARTMENT OF COMMERCE**International Trade Administration****Extension of Time Limit for Preliminary Results of Full Five-Year Reviews**

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

ACTION: Notice of extension of time limit for preliminary results of full five-year ("sunset") reviews.

SUMMARY: The Department of Commerce ("the Department") is extending the time limit for the preliminary results of six full sunset reviews initiated on September 1, 1999 (64 FR 47767) covering various antidumping and countervailing duty orders. Based on adequate responses from domestic and respondent interested parties, the Department is conducting full sunset reviews to determine whether revocation of the antidumping and countervailing duty orders would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy. As a result of these extensions, the Department intends to issue its preliminary results not later than March 20, 2000.

EFFECTIVE DATE: December 22, 1999.

FOR FURTHER INFORMATION CONTACT:

Mark D. Young or Melissa G. Skinner, 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.

Extension of Preliminary Results

In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a sunset review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). The reviews at issue concern transition orders within the meaning of section 751(c)(6)(C)(ii) of the Act. The Department has determined that the sunset reviews of the following antidumping and countervailing duty orders are extraordinarily complicated:

- C-428-817 Cut-To-Length Carbon Steel Flat Products from Germany
- C-428-817 Corrosion-Resistant Carbon Steel Flat Products from Germany
- C-428-817 Cold-Rolled Carbon Steel Flat Products from Germany
- A-588-826 Corrosion-Resistant Carbon Steel Flat Products from Japan
- A-421-804 Cold-Rolled Carbon Steel Flat Products from The Netherlands
- A-485-803 Cut-To-Length Carbon Steel Plate from Romania

Therefore, the Department is extending the time limit for completion of the preliminary results of these reviews until not later than March 20, 2000, in accordance with section 751(c)(5)(B) of the Act.

Dated: December 15, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-33221 Filed 12-21-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-001]

Sorbitol From France: 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.

SUMMARY: In response to a request from the petitioner, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on sorbitol from France. This review covers one manufacturer/exporter of the subject merchandise. The period of review (POR) is April 1, 1998 through March 31, 1999. The respondent failed to respond to our supplemental questionnaires. As a result, we are basing our preliminary results on adverse facts available. If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service to assess antidumping duties on entries during the POR.

We invite interested parties to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) A statement of the issue; and (2) a brief summary of the argument.

EFFECTIVE DATE: December 22, 1999.

FOR FURTHER INFORMATION CONTACT: Fred Baker or Robert James, AD/CVD Enforcement Group III—Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-2924 (Baker), (202) 482-0649 (James).

SUPPLEMENTARY INFORMATION:

Applicable Statute

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 references to the Department's regulations are to 19 CFR part 351 (1998).

Background

The Department published an antidumping duty order on sorbitol from France on April 9, 1982 (47 FR 15391). The Department published a notice of "Opportunity to Request an Administrative Review" of the antidumping duty order for the 1998/99 review period on April 15, 1999 (64 FR 18600). On April 30, 1999, SPI Polyols, Inc. (petitioner) requested that the Department conduct an administrative review of Roquette Freres (Roquette). We published a notice of initiation of the review on May 28, 1999 (64 FR 28973).

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

Scope of the Review

The merchandise under review is crystalline sorbitol. Crystalline sorbitol is a polyol produced by the catalytic hydrogenation of sugars (glucose). It is used in the production of sugarless gum, candy, groceries, and pharmaceuticals.

Crystalline sorbitol is currently classifiable under item 2905.440.00 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and Customs purposes, the written description of the merchandise under review is dispositive of whether or not the merchandise is covered by the review.

Use of Facts Available

Section 776(a)(2) of the Act provides that "if an interested party or any other person (A) withholds information that has been requested by the administering authority; (B) fails to provide such information by the deadlines for the submission of the information or in the form and manner requested, subject to subsections (c)(1) and (e) of section 782; (C) significantly impedes a proceeding under this title; or (D) provides such information but the information cannot be verified as provided in section 782(i), the administering authority and the Commission shall, subject to section 782(d), use the facts otherwise available in reaching the applicable determination under this title."

On May 28, 1999 the Department issued its standard antidumping questionnaire to Roquette. Roquette submitted its response to section A of the questionnaire on July 7, 1999, and

its response to sections B and C of the questionnaire on July 30, 1999. On September 23, 1999 and September 29, 1999 the Department issued supplemental questionnaires to Roquette. In an October 6, 1999, submission, Roquette informed the Department that it would not provide the Department with the information requested in the two supplemental questionnaires. The information in these questionnaires related to fundamental problems in Roquette's initial section B and C responses; absent this supplemental information the initial section B and C responses are unusable for purposes of our analysis. Therefore, we determine that the use of facts available is warranted pursuant to section 776(a)(2)(A) of the Act because Roquette withheld information requested by the Department.

Section 776(b) of the Act provides that, if the Department finds that an interested party "has failed to cooperate by not acting to the best of its ability to comply with a request for information," the Department may use information that is adverse to the interests of the party as facts otherwise available. Adverse inferences are appropriate "to ensure that the party does not obtain a more favorable result by failing to cooperate than if it had cooperated fully." See Statement of Administrative Action (SAA) accompanying the URAA, H.R. Doc. No. 316, 103d Cong., 2d Session at 870 (1994). Furthermore, "an affirmative finding of bad faith on the part of the respondent is not required before the Department may make an adverse inference." Antidumping Duties; Countervailing Duties; Final Rule, 62 FR 27296, 27340 (May 19, 1997), (Final Rule).

The Department finds that in not responding to the supplemental questionnaires, Roquette failed to cooperate by not acting to the best of its ability to comply with requests for information. Therefore, pursuant to section 776(b) of the Act, we may, in making our determination, use an adverse inference in selecting from the facts otherwise available. This adverse inference may include reliance on data derived from the petition, a previous determination in an investigation or review, or any other information placed on the record. For this review we have determined to assign 12.07 percent as the facts available rate to Roquette. This rate represents the highest rate for any respondent in any prior segment of this proceeding. See *Sorbitol from France; Final Results of Antidumping Duty Administrative Review*, 52 FR 20444 (June 1, 1987).