March 3, 1999, deadline (*see* section 351.218(d)(1)(i) of *Procedures for Conducting Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13520 (March 20, 1998) (''*Sunset Regulations*'')).

On August 30, 1999, we received notice from the FTC and its Committees withdrawing in full their participation in the five-year (sunset) reviews of these antidumping and countervailing duty orders on flowers. The FTC and its Committees further expressed that they no longer have an interest in maintaining the antidumping and countervailing duty orders discussed above. As a result, the Department determined that no domestic party intends to participate in the sunset reviews and, on August 30, 1999, we notified the International Trade Commission that we intended to issue final determinations revoking these antidumping and countervailing duty orders.

Determination To Revoke

Pursuant to section 751(c)(3)(A) of the Act and section 351.218(d)(1)(iii)(B)(*3*) of the *Sunset Regulations*, if no domestic interested party responds to the notice of initiation, the Department shall issue a final determination, within 90 days after the initiation of the review, revoking the finding or order or terminating the suspended investigation. Because the FTC and its Committees withdrew both their notices of intent to participate and their complete substantive responses from the review process, and no other domestic interested party filed a substantive response in any of these reviews (*see* sections 351.218(d)(1)(i) and 351.218(d)(3) of the *Sunset Regulations*), we are revoking these antidumping and countervailing duty orders.

Effective Date of Revocation and Termination

Pursuant to section 751(c)(6)(A)(iv) of the Act, the Department will instruct the United States Customs Service to terminate the suspension of liquidation of the merchandise subject to these orders entered, or withdrawn from warehouse, on or after January 1, 2000. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and antidumping or countervailing duty deposit requirements. The Department will complete any pending administrative reviews of these orders and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

These five-year (''sunset'') reviews and this notice 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.

[FR Doc. 99–23037 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–601]

Final Results of Expedited Sunset Review: Brass Sheet and Strip From Italy

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

ACTION: Notice of Final Results of Expedited Sunset Review: Brass Sheet and Strip from Italy.

SUMMARY: On February 1, 1999, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping order on brass sheet and strip from Italy (64 FR 4840) 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 response 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 duty order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the ''Final Result of Review'' section of this notice.

FOR FURTHER INFORMATION CONTACT: Eun W. Cho 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) 482–1698 or (202) 482–1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

This review was conducted pursuant to sections 751(c) and 752(c) 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

This order covers shipments of brass sheet and strip, other than leaded and tinned, from Italy. The chemical composition of the covered products is currently defined in the Copper Development Association (''C.D.A.'') 200 Series or the Unified Numbering System (''U.N.S.'') C2000. This review does not cover products with chemical compositions that are defined by anything other than either the C.D.A. or U.N.S. series. In physical dimensions, the products covered by this review have a solid rectangular cross section over .0006 inches (.15 millimeters) through .1888 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coiled, wound-on-reels (traverse wound), and cut-to-length products are included. The merchandise is currently classified under Harmonized Tariff Schedule (''HTS'') item numbers 7409.21.00.50, 7409.21.00.75, 7409.21.00.90, 7409.29.00.50, 7409.29.00.75, and 7409.29.0090. The HTS numbers are provided for convenience and U.S. Customs purposes. The written description remains dispositive.

History of the Order

The antidumping duty order on brass sheet and strip from Italy was published in the **Federal Register** on March 6, 1987 (52 FR 6997). In that order, the Department estimated that the weighted-average dumping margins for all entries of brass sheet and strip from Italy was 12.08 percent.[1] While amending the order, on April 8, 1987 (52 FR 11299), the Department lowered the weighted-average margin for La Metalli Industries, SpA (''LMI'') and ''all-others'' to 9.74 percent.[2] In another

[1] In the original determination, the only subject of the investigation was La Metalli Industriale SpA (''LMI'') because, according to the Department, LMI represented ''virtually all exports'' of the subject merchandise to the United States, *see Final Determination of Sales at Less Than Fair Value: Brass Sheet and Strip From Italy*, 52 FR 816 (January 9, 1987).

[2] *See Amendment to Final Determination of Sales at Less Than Fair Value: Brass Sheet and Strip*

amendment, on May 21, 1991 (56 FR 23272), the Department further lowered the weighted-average margin to 5.44 percent.[3] Since that time, the Department has completed three administrative reviews.[4] The order remains in effect for all manufacturers and exporters of the subject merchandise.

Background

On February 1, 1999, the Department initiated a sunset review of the antidumping order on brass sheet and strip from Italy (64 FR 4840), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate on behalf of Heyco Metals, Inc. (''Heyco''), Hussey Copper Ltd. (''Hussey''), Olin Corporation-Brass Group (''Olin''), Outokumpu American Brass (''OAB''), PMX Industries, Inc. (''PMX''), Revere Copper Products, Inc. (''Revere''), the International Association of Machinists and Aerospace Workers, the United Auto Workers (Local 2367), and the United Steelworkers of America (AFL/CIO) (collectively the ''domestic interested parties'') on February 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. The domestic interested parties claimed interested party status under sections 771(9)(C) and 771(9)(D) of the Act as U.S. brass mills, rerollers, and unions whose workers are engaged in the production of subject brass sheet and strip in the United States.

In their Notice of Intent to Participate, while indicating that Heyco, Hussey, Olin, and Revere are not related to a foreign producer or a foreign exporter under section 771(4)(B) of the Act, the domestic interested parties acknowledge that OAB is related to Outokumpu Copper Strip BV and Outokumpu Copper Rolled Products AB (''OBV''), a Dutch and Swedish producer/exporter of the subject merchandise, respectively; PMX is related to Poongsan Corp., a Korean producer of the domestic like products; and Wieland is related to Wieland Werke Metallwerke AG, a German producer and exporter of the domestic like products. Moreover, American Brass, PMX, and Wieland stipulate that they have had experience of importing the subject merchandise and/or the domestic like products.

We received a complete substantive response from the domestic interested parties on March 3, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). In their substantive response, the domestic interested parties indicate that most of their members were parties to the original investigation with a few exceptions: Heyco did not participate in the original investigation but fully supports the instant review, and PMX was established after the original petitions were filed. The domestic parties also note that OAB was formerly known as American Brass Company.

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.[5]

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—an order which was in effect on January 1, 1995, *see* section 751(c)(6)(C) of the Act. The Department determined that the sunset review of the antidumping duty order on brass sheet and strip from Italy is extraordinarily complicated. Therefore, on June 7, 1999, the Department extended the time limit for completion of the preliminary results of this review until not later than August 30, 1999, in accordance with section 751(c)(5)(B) of the Act.[6]

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, domestic interested parties' 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

From Italy and Amendment to Antidumping Duty Order, 52 FR 11299 (April 8, 1987). This downward adjustment was due to ministerial errors.

[3] *See Amendment to Final Determination of Sales at Less Than Fair Value and Amendment of Antidumping Duty Order in Accordance with Decision Upon Remand: Brass Sheet and Strip from Italy*, 56 FR 23272 (May 21, 1991). This amendment reflects a decision by the United States Court of Appeals for the Federal Circuit.

[4] *See, Certain Brass Sheet and Strip From Italy; Final Results of Antidumping Duty Administrative Review*, 57 FR 9325 (March 17, 1992); and *Brass Sheet and Strip From Italy; Final Results of Antidumping Duty Administrative Review*, November 23, 1992 (57 FR 54969).

[5] The domestic interested parties filed comments, pertaining to the Department's decision to conduct an expedited (120-day) sunset review for the present review, in which the domestic parties concurred with the Department's decision, *see* May 12, 1999 the domestic interested parties' comments on the Adequacy of Responses and the Appropriateness of Expedited Sunset Review at 2.

[6] *See Porcelain-on-Steel Cooking Ware From the People's Republic of China, Porcelain-on-Steel Cooking Ware From Taiwan, Top-of-the-Stove Stainless Steel Cooking Ware From Korea (South) (AD & CVD), Top-of-the-Stove Stainless Steel Cooking Ware From Taiwan (AD & CVD), Standard Carnations From Chile (AD & CVD), Fresh Cut Flowers From Mexico, Fresh Cut Flowers From Ecuador, Brass Sheet and Strip From Brazil (AD & CVD), Brass Sheet and Strip From Korea (South), Brass Sheet and Strip From France (AD & CVD), Brass Sheet and Strip From Germany, Brass Sheet and Strip From Italy, Brass Sheet and Strip From Sweden, Brass Sheet and Strip From Japan, Pompon Chrysanthemums From Peru: Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 30305 (June 7, 1999).

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 their substantive response, the domestic interested parties contend that revocation of the order will likely lead to continuation or recurrence of dumping of brass sheet and strip from Italy (*see* March 3, 1999 Substantive Response of the domestic interested parties at 31). In support of their argument, the domestic interested parties point out, first, that import volumes of the subject merchandise have declined dramatically since the issuance of the order, and that dumping of the subject merchandise has continued and is presently persisting above the *de minimis* level, *id*. 39–40. As a result, the domestic interested parties conclude, dumping will continue were the order revoked.

Next, with respect to import volumes of the subject merchandise, the domestic interested parties compare a three-year (1983–1985) average import volume prior to the issuance of the order with a three-year (1987–1989) average import volume subsequent to the order: 7.6 million pounds verses 1.4 million pounds—an 81.5 percent decline. In addition, the domestic interested parties emphasize that since 1988, imports of the subject merchandise have never exceeded 810,000 pounds annually, *id*.

In conclusion, the domestic interested parties urge that the Department should find dumping would be likely to continue if the order is revoked because dumping margins have existed significantly above the *de minimis* level over the life of the order for all producers/exporters of the subject merchandise, and because imports of the subject merchandise have declined dramatically since the imposition of the order. The aforementioned two circumstances, according to the domestic interested parties, provide a strong indication that the Italian producers/exporters are unable to sell in the United States without dumping; namely, Italian producers/exporters are likely to dump were the order revoked.

As indicated in section II.A.3 of the *Sunset Policy Bulletin*, the SAA at 890, and House Report at 63–64, the Department considered whether dumping continued at any level above *de minimis* after the issuance of the order. If companies continue dumping with the discipline of an order in place, the Department may reasonably infer that dumping would continue were the discipline removed. After examining the published findings with respect to weighted-average dumping margins in previous administrative reviews, the Department agrees with the domestic interested parties that weighted-average dumping margins at a level above *de minimis* have persisted over the life of the order and currently remain in place for all Italian producers and exporters of brass sheet and strip.[7]

With respect to the import volumes of the subject merchandise, the data supplied by the domestic interested parties and those of the United States Census Bureau IM146s and the United Stated International Trade Commission indicate that, since the imposition of the order, the import volumes of the subject merchandise have declined substantially: the import volume in 1987 was just over 3 million pounds, down from over 7 million pounds in 1986. In 1988, the import volume of the subject merchandise fell even further, to slightly over 800,000 pounds. Moreover, for the period (1994–1998), although imports of the subject merchandise fluctuated, the import volumes have never risen in any substantial amount and continue to remain relatively low. Therefore, the Department determines that the import volumes of the subject merchandise decreased significantly after the issuance of the order.

Given that dumping has continued over the life of the order; that the import volumes of the subject merchandise decreased significantly after the issuance of the order; that respondent interested parties have waived their right to participate in this review; and that there are no arguments and/or evidence to the contrary, the Department agrees with the domestic interested parties' contention that Italian producers/exporters are incapable of selling a substantial quantity of the subject merchandise in the United States at fair value. Consequently, the Department determines that dumping is likely to continue if the order is 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 its final determination of sales at less than fair value, published a weighted-average dumping margin for all entries of brass sheet and strip from Italy: 12.08 percent, 52 FR 816 (January 9, 1987). This rate was amended twice: first to 9.74 percent and then amended once again to 5.44 percent.[8] There have also been three administrative reviews.[9] We note that, to date, the Department has not issued any duty absorption findings in this case.

While citing section II.B.2 of *Sunset Policy Bulletin*, which allows the Department to choose a more recently calculated margin if a particular company increases its dumping in order to maintain or increase market share, the domestic interested parties urge the Department to supply the Commission the margins from the most recent administrative review: 9.49 percent for both LMI and all-others.

The Department disagrees with the domestic interested parties' suggestion that the Department should select a more recently calculated margin from the most recent administrative review. The continuous and rather consistent decline of the import volumes of the subject merchandise, since the issuance of the order, evinces that Italian producers/exporters have not really attempted to enhance their market share in the United States by increasing dumping. Furthermore, the fluctuations that have occurred in import volumes since the imposition of the order simply manifest a downward trend rather than illustrate a concerted attempt by Italian producers/exporters to expand market share by increasing dumping. Therefore, the Department sees no reason to deviate from its normal pattern of selecting the rate from the original

[7] *See* footnote 4, supra, for the list of final determinations of administrative reviews in which the Department found above *de minimis* weighted-average margins for Italian producers/exporters in all periods of investigation. Also, *see* domestic interest parties substantive response at 39–40.

[8] *See Amendment to Final Determination of Sales at Less Than Fair Value: Brass Sheet and Strip From Italy and Amendment to Antidumping Duty Order*, 52 FR 11299 (April 8, 1987); and *Amendment to Final Determination of Sales at Less Than Fair Value and Amendment to Antidumping Duty Order in Accordance with Decision Upon Remand: Brass Sheet and Strip From Italy*, 56 FR 23272 (May 21, 1991).

[9] See footnote 4, supra.

investigation and, consequently, determines that the rate from the original investigation, as amended, is the proper one to report to the Commission as the rate that is likely to prevail if the order is revoked. Therefore, the Department will report to the Commission the company-specific and all-others rates 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 order would likely lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/exporter	Margin (percent)
La Metalli Industriale SpA	5.44
All Others	5.44

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 30, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–23042 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–351–603; A–427–602; A–580–603]

Final Results of Expedited Sunset Reviews: Brass Sheet and Strip From Brazil, France and Korea

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

ACTION: Notice of final results of expedited sunset reviews: brass sheet and strip from Brazil, France and Korea.

SUMMARY: On February 1, 1999, the Department of Commerce (''the Department'') initiated sunset reviews of the antidumping duty orders on brass sheet and strip from Brazil, France and Korea (64 FR 4840) 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 responses filed on behalf of domestic interested parties and inadequate responses (in these cases, no 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: Kathryn B. McCormick 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

These orders cover shipments of coiled, wound-on-reels (traverse wound), and cut-to-length brass sheet and strip (not leaded or tinned) from Brazil, France and Korea. The subject merchandise has, regardless of width, a solid rectangular cross section over 0.0006 inches (0.15 millimeters) through 0.1888 inches (4.8 millimeters) in finished thickness or gauge. The chemical composition of the covered products is defined in the Copper Development Association (''C.D.A.'') 200 Series or the Unified Numbering System (''U.N.S.'') C2000; these reviews do not cover products with chemical compositions that are defined by anything other than C.D.A. or U.N.S. series. The merchandise is currently classified under Harmonized Tariff Schedule (''HTS'') item numbers 7409.21.00 and 7409.29.00. The HTS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

These reviews cover all producers and exporters of brass sheet and strip from Brazil, France and Korea.

History of the Orders

In the original investigations, covering the period October 1, 1985, through March 31, 1986, the Department determined the average margin for Eluma Corporation, the Brazilian company investigated, to be 40.62 percent *ad valorem* (52 FR 1214; January 12, 1987). On March 6, 1987, the Department determined the weighted-average margin for Trefimetaux S.A., the French company investigated, to be 42.24 percent *ad valorem* (52 FR 6995). There was one scope ruling (59 FR 54888; November 2, 1994) in which the Department determined that brass circles from Brazil that were imported for use in the production of vent valves for air ventilation in boiler systems were outside the scope of the order (*id.*). There have been no administrative reviews of the Brazilian and French orders.

On January 12, 1987, the Department determined the weighted-average margin for Poongsan Metal Corporation (''Poongsan''), the Korean company investigated, to be 7.17 percent *ad valorem* (52 FR 1215). In the only administrative review of this order, covering the period August 22, 1986, through December 31, 1987,[1] the Department determined that a margin of 7.34 percent exists for Poongsan.

The orders cited above remain in effect for all Brazilian, French and Korean producers and exporters, respectively, of the subject merchandise.

Background

On February 1, 1999, the Department initiated sunset reviews of the antidumping duty orders on brass sheet and strip from Brazil, France and Korea (64 FR 4840), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate in each of these reviews on behalf of Heyco Metals, Inc. (''Heyco''), Hussey Copper Ltd. (''Hussey''), Olin Corporation-Brass Group (''Olin''), Outokumpu American Brass (''Outokumpu''), PMX Industries,

[1] *See Brass Sheet and Strip from the Republic of Korea; Final Results of Antidumping Duty Administrative Review*, 54 FR 33257 (August 14, 1989).