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).

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–CLC) (hereinafter, collectively ''domestic interested parties'') on February 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*.[2] In their substantive responses, the domestic interested parties claimed interested-party status under sections 771(9)(C) and (D) of the Act as domestic brass mills, rerollers, and unions engaged in the production of brass sheet and strip. Further, with the exception of Heyco and PMX, all of the aforementioned parties were the original petitioners in these cases.

We received complete substantive responses from domestic interested parties for each of these reviews on March 3, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i); we did not receive a substantive response from any government or respondent interested party in these proceedings. 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 brass sheet and strip from Brazil, France and Korea are extraordinarily complicated. In accordance with 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 June 7, 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.[3]

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted these reviews to determine whether revocation of the antidumping 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 investigations 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 duty orders, and it shall provide to the International Trade Commission (''the Commission'') the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, the 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 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 an order is likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In these instant reviews, 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 responses, the domestic interested parties argue that revocation of the orders will likely lead to continuation or recurrence of dumping of brass sheet and strip from Brazil, France and Korea (*see* March 3, 1999 Substantive Response of domestic interested parties for Brazil, France and Korea at 34, 37–38 and 41–42, respectively). With respect to whether dumping of subject merchandise continued at any level above *de minimis,* the domestic interested parties do not comment. However, they note that the Department has not conducted any administrative reviews of the orders covering subject merchandise from Brazil and France.

With respect to whether imports of subject merchandise ceased after the issuance of the orders, the domestic interested parties assert that, although imports of Brazilian and French brass sheet and strip dropped significantly, they have not been eliminated since the imposition of dumping duties under their orders in 1988 and 1987, respectively, and continue to remain at a very low levels (*see* March 3, 1999, Substantive Response of domestic interested parties for Brazil, France and Korea at 34, 37–38 and 41–42, respectively). Korean imports have been almost non-existent since the 1986 order, and annual volumes have never risen to a level even close to one percent of their pre-petition average (*id.*).

With respect to whether dumping was eliminated after the issuance of the orders and import volumes declined significantly, the domestic interested parties, citing Commerce IM146 reports, assert that, for each of these countries, the imposition of the order was followed by a significant decrease in the average volume of imports. In the three years following the petitioners' filings, the volume of Brazilian imports was 97 percent lower than that of the pre-petition period (*see* March 3, 1999, Substantive Response of domestic interested parties at 34); for France, the

[2] PMX Industries, Inc., is a wholly owned subsidiary of Poongsan Metal Corporation, the respondent covered by the Korean antidumping order. PMX indicated that it does not support the continuation of the antidumping duty order against Korea. *See* Substantive Response of the domestic interested parties, March 3, 1999, at 3 (footnote 2) and 6.

[3] *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).

volume fell by 99.4 percent (*id.* at 37–38); and Korean post-order imports decreased by 83 percent of their pre-petition levels (*id.* at 41–42).

In conclusion, the domestic interested parties argue that the Department should determine that there is a likelihood of continuation or recurrence of dumping in each of these cases if the orders were revoked because dumping margins have existed over the lives of the orders and continue to exist at above *de minimis* levels for all producers and exporters of the subject merchandise, and because imports of the subject merchandise have declined dramatically since the imposition of the orders,

As discussed in section II.A.3 of the *Sunset Policy Bulletin,* the SAA at 890, and the House Report at 63–64, if companies continue dumping with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. Dumping margins presently remain in place for producers and exporters in each of these cases and, therefore, dumping margins above *de minimis* levels continue to exist for shipments of the subject merchandise from all Brazilian, French and Korean producers and exporters of the subject merchandise.

Consistent with section 752(c) of the Act, the Department also considered the import volumes before and after issuance of the orders. The import statistics provided by the domestic industry in each of these cases demonstrate that import volumes of the subject merchandise declined dramatically immediately following the imposition of the orders and continue to remain at very low levels.

Based on this analysis, the Department finds that the existence of dumping margins after the issuance of these orders is highly probative of the likelihood of continuation or recurrence of dumping. Deposit rates above a *de minimis* level continue in effect for exports of the subject merchandise for all producers and exporters. Therefore, given that dumping has continued over the life of the orders, imports declined significantly, respondent interested parties have waived their right to participate in these reviews before the Department, and absent argument and evidence to the contrary, the Department determines that dumping is likely to continue if these orders were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin,* the Department states 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*).

In its November 10, 1986, final determination of sales at less than fair value, the Department published a weighted-average dumping margin for one Brazilian producer/exporter of the subject merchandise, Eluma Corporation, of 40.62 percent (51 FR 40831). The Department also published an ''all others'' rate of 40.62 percent. Similarly, the Department published a dumping margin for one French producer/exporter of the subject merchandise, Trefimetaux S.A., of 42.24 percent (52 FR 812, January 9, 1987), and an ''all others'' rate, also 42.24 percent. In its final determination of sales at less than fair value, the Department published a weighted-average dumping margin for one Korean producer/exporter of the subject merchandise, Poongsan Metal Corporation, of 7.17 percent (51 FR 40833, November 10, 1986), and an ''all others'' rate, also 7.17 percent. In the only administrative review of this case, the margin was revised upward to 7.34 percent for Poongsan (54 FR 33257, August 14, 1989). To date, the Department has not issued any duty-absorption findings in these cases.

With respect to the orders on Brazil and France, the domestic interested parties argue that the Department, consistent with the SAA and the *Sunset Policy Bulletin* should provide to the Commission the weighted-average margin from the original investigations as the magnitude of dumping margin likely to prevail if the order were revoked (*see* March 3, 1999, Substantive Response of domestic interested parties at 46). Moreover, the domestic interested parties, citing the SAA at 890 and the *Sunset Policy Bulletin,* note that the Department normally will provide the Commission with the dumping margins ''from the investigation, because that is the only calculated rate that reflects the behavior of exporters * * * without the discipline of the order * * * in place.''

The Department agrees with the domestic interested parties' arguments concerning the choice of the margin rates to report to the Commission. Since there have been no administrative reviews of the orders on Brazil and France and considering that dumping has continued over the life of the orders, the rates from the original investigations are the only ones available to the Department.

With respect to Korean exporters and producers, the Department disagrees with the domestic interested parties' argument that, since Poongsan has continued to dump at the slightly higher margin of 7.34 percent, the more recent margin is the appropriate rate to present to the Commission. The *Sunset Policy Bulletin* states that a company may choose to increase dumping in order to maintain or increase market share. As a result, increasing margins may be more representative of a company's behavior in the absence of an order.[4] In this case, Korean imports have been declining since the imposition of the order. Additionally, the domestic interested parties do not argue that Poongsan is attempting to increase its market share or that the company's declining imports indicate its attempt to increase market share.

Therefore, we determine that the margins determined in the original investigations are probative of the behavior of Brazilian, French and Korean producers and exporters of brass sheet and strip if the orders were revoked.

Final Results of Reviews

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

Manufacturer/exporter	Margin (percent)
Brazil:	
Eluma Corporation	40.62
All Others	40.62
France:	
Trefimetaux, S.A.	42.24
All Others	42.24
Korea:	
Poongsan Metal Corporation	7.17
All Others	7.17

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

[4] *See Sunset Policy Bulletin* at section II.B.2

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. LaRuss,

Assistant Secretary for Import Administration.

[FR Doc. 99–23046 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

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 televison 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, 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

[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).

[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).