Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it normally will provide to the Commission the company-specific margin from the investigation for each company. 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 determination. (*See* section II.B.2 and 3 of the *Sunset Policy Bulletin*.)

With respect to the magnitude of the margin likely to prevail if the antidumping duty orders were revoked, the domestic parties argue that the Department should report to the Commission the margin from the original investigation of 68.26 percent. This rate is the weighted-average dumping margin found in the investigation for the Soviet exporter, and it subsequently became the uniform cash deposit rate transferred to the fifteen independent states. The domestic parties assert that the 68.26 percent rate continues to reflect the behavior of exporters without the discipline of the antidumping duty orders.

The Department agrees with the domestic parties as to the magnitude of the margin likely to prevail should the antidumping duty orders on solid urea be revoked. While dumping margins from the original investigation were determined by the Department, prior to the U.S.S.R.'s disbanding, the dumping rate was officially transferred. This rate continues to be applied to each of the independent states.

Therefore, consistent with the Department's *Sunset Policy Bulletin*, we determine that the 68.26 percent rate that we calculated in the investigation, and subsequently transferred after the U.S.S.R ceased to exist, best reflects the behavior of urea producers and exporters without the discipline of the order in place with the exception of imports from Phillipp Brothers, Ltd., and Phillipp Brothers, Inc., the Department finds that the dumping margin of 53.23 percent, assigned in the original investigation, is the rate likely to prevail if the order were revoked.

The Department will report to the Commission the rates at the level indicated 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 order would be likely to lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/Exporter/Importer	Margin (percent)
Soyuzpromexport (SPE)	68.26
Phillipp Brothers, Ltd. & Phillipp Brothers, Inc.	53.23
Country-wide rate	*68.26

*This rate is the new rate that applies to all former Soviet Union countries subject to these orders.

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.

We are issuing and publishing this five-year (''sunset'') review and notice 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. 99–23049 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–485–601]

Final Result of Expedited Sunset Review: Solid Urea from Romania

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

ACTION: Notice of Final Result of Expedited Sunset Review on Solid Urea from Romania.

SUMMARY: On March 1, 1999, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping duty order on solid urea from Romania 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 comments filed on behalf of the domestic interested parties and inadequate response (in this case, no response) from respondent interested parties, the Department determined to conduct an expedited sunset 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 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 St. & Constitution Ave., NW, Washington, D.C. 20230; telephone (202) 482–5050 or (202) 482–1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

This review was conducted pursuant to section 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 the antidumping duty order is solid urea from Romania. Solid urea is a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. During the original investigation the merchandise was classified under item number 480.3000 of the Tariff Schedule of the United States Annotated (''TSUSA''). This merchandise is currently classifiable under item number 3102.10.00 of the Harmonized Tariff Schedule (''HTS''). The HTS item number is provided for convenience and customs purposes. The written description of the scope remains dispositive.

History of the Order

On May 26, 1987, the Department issued its final determination that solid urea from Romania was being sold in the United States at less-than-fair-value. The weighted-average dumping margin

was 90.71 percent.[1] On July 14, 1987, the Department's antidumping duty order was published.[2]

The Department has conducted one administrative review since the issuance of this order, covering the period January 1987 through June 1988, and found no shipments.[3] The order remains in effect for all Romanian producers and exporters of the subject merchandise. We note that, to date, the Department has not issued any duty absorption findings in this case.

Background

On March 1, 1999, the Department initiated a sunset review of the antidumping order on solid urea from Romania pursuant to section 751(c) of the Act. On March 16, 1999, the Department received a Notice of Intent to Participate on behalf of Agrium US, Inc. (''Agrium'') and from the members of the Ad Hoc Committee of Domestic Nitrogen Producers[4] (the ''Committee''), collectively the (''domestic parties''), within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations.* We received complete substantive responses from the domestic parties, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). The domestic parties claimed interested party status under section 771(9)(C) of the Act as United States producers, manufacturers, or wholesalers of the domestic like product. The Department did not receive a response from any respondent interested party. As a result, pursuant to section 751(c)(3)(B) of the Act, and our regulations (19 C.F.R. 351.218(e)(1)(ii)(C)(*2*)), we are conducting an expedited sunset review on this order.

On July 6, 1999, the Department determined that the sunset review of the antidumping duty order on solid urea from Romania is 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. As a result of this determination, the Department extended the time limit for completion of the final results of this review 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 this review to determine whether revocation of the antidumping order would likely 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 duty order, 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 magnitude of the margin are discussed below. In addition, the domestic interested parties' comments with respect to the 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 basis for likelihood determinations. The Department indicated that determinations of likelihood will be made on an order-wide basis (*see* section II.A.2 of the *Sunset Policy Bulletin*). In addition, the Department normally 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 of the *Sunset Policy Bulletin*).

In addition to considering the guidance on likelihood cited above, section751(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 it participation in the sunset review. In the instant review, the Department did not receive a response from any respondent interest 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 parties assert that revocation of the antidumping duty order of solid urea from Romania would likely result in the continuation or resumption of dumping. The domestic parties argue that imports of the subject merchandise ceased after the issuance of the order and provide import statistics to support their claim.

The domestic parties maintain that the Department should conclude that because imports of Romanian urea into the United States ceased after the issuance of the order, Romanian producers and exporters cannot sell solid urea in the U.S. markets without dumping.

In addition, the domestic parties argue that the dumping margin of 90.71 percent has remained unchanged since the investigation. The domestic parties assert that no Romanian urea producer or exporter has ever sought a review to obtain a reduced margin. Therefore, the domestic parties assert, the magnitude and longevity of the original antidumping margin indicates that Romania urea cannot be sold in the U.S. market at non-dumped prices.

For the reasons stated above, the domestic parties conclude that if the order on solid urea from Romania be revoked, there is likelihood of continuation and recurrence of dumping.

As discussed in Section II.A.3 of the *Sunset Policy Bulletin*, the SAA at 890, and the House Report at 63–64, existence of dumping margins after the order is highly probative of the likelihood of continuation or recurrence of dumping. Further, if imports ceased after the order is issued, it is reasonable to assume that the exporters could not sell in the United States without

[1] *See Urea From the Socialist Republic of Romania; Final Determination of Sales at Less-Than-Fair-Value,* 52 FR 19557 (May 26, 1987).

[2] *See Antidumping Duty Order; Urea From the Socialist Republic of Romania,* 52 FR 26367 (July 14, 1987).

[3] *See Final Results of Antidumping Duty Administrative Review; Solid Urea From Romania,* 54 FR 39558 (September 27, 1989).

[4] The Committee maintains that it is comprised of a coalition of U.S. producers of nitrogen fertilizers and identifies its current members : CF Industries, Inc., Costal Chemical, Inc., Mississippi Chemical Corp., PCS Nitrogen, Inc., and Terra Industries, Inc. The Committee notes that J.R. Simplot Co. is a Committee member, but not producer of solid urea. *See* Substantive Response of the Committee, March 30, 1999, at 1 and 2.

[5] *See Extension of Time Limit for Final Results of Five-Year Reviews,* 54 FR 36333 (July 6, 1999).

dumping and that to reenter the U.S. market, they would have to resume dumping. In this case we find that imports ceased after the issuance of the order and dumping margins continued to exist. Therefore, given that imports ceased, dumping margins continue to exist, respondent interested parties waived their right to participate in this review, and absent argument and evidence to the contrary, the Department determines that dumping of solid urea from Romania is likely to continue or recur if the order were 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 country-wide rate from the investigation. (*See* section II.B.1 of the *Sunset Policy Bulletin*.) Exceptions to this policy permit the use of a more recently calculated margin, when appropriate, and consideration of duty absorption determinations. (*See* sections II.B.2 and 3 of the *Sunset Policy Bulletin*.)

With respect to the magnitude of the margin likely to prevail if the antidumping duty orders were revoked, the domestic parties argue that the Department should provide the Commission the dumping margin from the final results of the original investigation, 90.71 percent. The domestic parties assert that this margin is the only rate that has been calculated by the Department and it is the only rate that reflects the behavior of Romanian producers and exporters of urea without the discipline of the order.

The Department agrees with the domestic parties concerning the choice of the dumping margin to report to the Commission. In our final determination of sales at less-than-fair-value, we reported a weighted-average dumping margin of 90.71 percent for I.C.E. Chimica (the only company investigated) and for all others. Therefore, consistent with the Department's *Sunset Policy Bulletin* we determine that the original margin, is probative of the behavior of the Romanian producers and exporters of solid urea if the order were revoked. We will report to the Commission the rate from the original investigation 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 be likely to lead to continuation or recurrence of dumping at the margins listed below:

Manufacturers/ Exporters	Margin (percent)
I.C.E. Chimica	90.71
All Others	90.71

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 published 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. 99–23048 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–085]

Final Results of Full Sunset Review: Sugar and Syrups From Canada

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

ACTION: Notice of Final Results of Full Sunset Review: Sugar and Syrups from Canada.

SUMMARY: On April 26, 1999, the Department of Commerce (''the Department'') published a notice of preliminary results of the full sunset review of the antidumping duty order on sugar and syrups from Canada (64 FR 20253) pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). We provided interested parties an opportunity to comment on our preliminary results. We received comments from both domestic and respondent interested parties. As a result of this review, the Department finds that revocation of this order 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: Scott E. Smith 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) 482–6397 or (202) 482–1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

This review was 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 the antidumping duty order is sugar and syrups from Canada produced from sugar cane and sugar beets. The sugar is refined into granulated or powdered sugar, icing, or liquid sugar.[1] The subject merchandise is currently classified under Harmonized Tariff Schedule of the United States (''HTSUS'') item numbers 1701.99.0500, 1701.99.1000, 1701.99.5000, 1702.90.1000, and 1702.90.2000. Although the subheadings are provided for convenience and customs purposes, the written description remains dispositive.

On March 24, 1987, the Department revoked the order, in part, with respect to Redpath Sugar Ltd. (''Redpath'') (52 FR 9322). On January 7, 1988, the Department revoked the order, in part, with respect to Lantic Sugar, Ltd. (''Lantic'') (53 FR 434). In 1996, the Department determined that Rogers Sugar, Ltd. (''Rogers''), was the successor in interest to British Columbia Sugar Refining Company, Ltd. (''BC

[1] This order excludes icing sugar decorations as determined in the U.S. Customs Classification of January 31, 1983 (CLA–2 CO:R:CV:G).