subject merchandise before and after the issuance of the order. The data supplied by Hercules and those of the United States Census Bureau IM146s and the United States International Trade Commission indicate that, since the imposition of the order, import volumes of the subject merchandise have declined substantially.[6] Moreover, for the period 1994–1998, although Census Bureau IM 146 data do not reflect any annual imports of the subject merchandise, the United States International Trade Commission Data show rather insignificant imports of the subject merchandise during the period.[7] Therefore, the Department determines that the import volumes of the subject merchandise decreased significantly after the issuance of the order.

Given that the import volumes of the subject merchandise decreased significantly after the issuance of the order and that respondent interested parties have waived their right to participate in this review, the Department agrees with Hercules' contention 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 CNIGC and all-others: 78.40 percent.[8] We note that, to date, the Department has not issued any duty absorption findings in this case.

In its substantive response, citing the SAA at 890 and the Sunset Policy Bulletin at 18873, Hercules states that the Department normally will provide the Commission with the dumping margins from the investigation unless the import volumes increase while at the same time dumping margins decrease after the issuance of the order. (*See* the July 1, 1999 Substantive Response of the Hercules at 6–7.) Hercules points out that, in the instant case, however, the reduced weighted-average dumping margin for Chinese producers/exporters coincides with a greatly declined import volume of the subject merchandise. *Id*. In other words, Hercules states that Chinese producers/exporters are incapable of reducing weighted-average dumping margins while at the same time increasing exports of the subject merchandise to the United States. *Id*. Therefore, Hercules urges, the Department should abide by its practice, as set forth in the Sunset Policy Bulletin, and report to the Commission the margin set forth in the original investigation.

The Department agrees with Hercules' suggestion pertaining to the margin that is likely to prevail if the order were revoked. Because the margins from the original investigation reflect the behavior of Chinese producers and exporters without the discipline of an order in place, the Department will provide to the Commission the margin found in the original investigation. Absent argument and evidence to the contrary, the Department sees no reason to change its usual practice of selecting the rate from the original investigation. We will report to the Commission the PRC-wide rate 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)
PRC-wide	78.40

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: October 21, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–28068 Filed 10–26–99; 8:45 am]

BILLING CODE 3510–DS–P

[6] See id. The numbers supplied by Hercules exactly correspond with those of the U.S. International Trade Commission Data.

[7] See id. During 1994–1998, the average import volume of the subject merchandise was 7.2 metric tons, which is a mere 1.93 percent of 1989 and 1990 pre-order import levels.

[8] See Final Determination of Sales at Less Than Fair Value: Industrial Nitrocellulose From the People's Republic of China, 55 FR 21051 (May 22, 1999).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–427–009]

Final Results of Expedited Sunset Review: Industrial Nitrocellulose From France

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

ACTION: Notice of Final Results of Expedited Sunset Review: Industrial Nitrocellulose from France.

SUMMARY: On June 1, 1999, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping duty order on industrial nitrocellulose from France (64 FR 29261) 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 a domestic interested party 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 Results 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, DC 20230; telephone: (202) 482–1698 or (202) 482–1560, respectively.

EFFECTIVE DATE: October 27, 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''), and 19 CFR Part 351 (1998) in general. 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 product covered by this order is industrial nitrocellulose (''nitrocellulose'') from France. Industrial nitrocellulose is a dry, white, amorphous synthetic chemical with a nitrogen content between 10.8 and 12.2 percent and is produced from the reaction of cellulose with nitric acid. Industrial nitrocellulose is used as a film-former in coatings, lacquers, furniture finishes, and printing inks. The scope of this order does not include explosive grade nitrocellulose, which has a nitrogen content greater than 12.2 percent. Industrial nitrocellulose is currently classifiable under Harmonized Tariff Schedule (''HTS'') item number 3912.20.00. The HTS item number is provided for convenience and customs purposes only. The written description remains dispositive.

History of the Order

The antidumping duty order on nitrocellulose from France was published in the **Federal Register** on August 10, 1983 (48 FR 36303).[1] In that order, the Department determined that the weighted-average dumping margin for all entries of the subject merchandise was 1.38 percent.[2] Since that time, the Department has completed several administrative reviews.[3] To date, the Department has not issued any duty absorption findings in this case. The order remains in effect for all manufacturers and exporters of the subject merchandise.

Background

On June 1, 1999, the Department initiated a sunset review of the antidumping duty order on nitrocellulose from France (64 FR 29261), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate on behalf of Hercules Incorporated (''Hercules'') on June 9, 1999, within the deadline specified in section 351.218(d)(1)(i) of the Sunset Regulations. Hercules asserts that it is not related to a foreign producer, foreign exporter, or domestic importer of the subject merchandise and that it is not an importer of the subject merchandise except on an occasional spot basis. (See Hercules' June 9, 1999, Intent to Participate at 2.)

We received a complete substantive response from Hercules on July 1, 1999, within the 30-day deadline specified in the Sunset Regulations under section 351.218(d)(3)(i). Hercules claims interested party status under section 771(9)(C) of the Act as a U.S. manufacturer, producer, and wholesaler of the subject merchandise. In its substantive response, Hercules indicates that it is the sole remaining U.S. producer of nitrocellulose, was the petitioner in the original investigation, and has participated in all review proceedings. (See Hercules' July 1, 1999, Substantive Response at 1–2.)

We did not receive a substantive response from any respondent interested party to this proceeding. Consequently, pursuant to section 351.218(e)(1)(ii)(C) of the Sunset Regulations, the Department determined to conduct an expedited, 120-day, review of this order.

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 industrial nitrocellulose from France is extraordinarily complicated. Therefore, on October 12, 1999, the Department extended the time limit for completion of the preliminary results of this review until not later than December 28, 1999, in accordance with section 751(c)(5)(B) of the Act.[4]

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping duty 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 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 the magnitude of the margins are discussed below. In addition, Hercules' 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 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

[1] *See Industrial Nitrocellulose from France; Antidumping Duty Order,* 48 FR 36303 (August 10, 1983).

[2] However, the underlying investigation and subsequent administrative reviews dealt with only one French company, Societe Nationale des Poudres et Explosifs (''SNPE'') except in the most recent administrative review in which Bergerac, N.C. (''Bergerac''), a successor company with respect to production of the subject merchandise and a subsidiary of SNPE, became the subject of the review.

[3] *See Industrial Nitrocellulose From France: Final Results of Antidumping Duty Administrative Review,* 51 FR 43227 (December 1, 1986); *Industrial Nitrocellulose From France: Final Results of Antidumping Duty Administrative Review,* 53 FR 15262 (April 28, 1988); *Industrial Nitrocellulose From France: Final Results of Antidumping Duty Administrative Review,* 53 FR 27185 (July 19, 1988); *Industrial Nitrocellulose From France: Final Results of Antidumping Duty Administrative Review,* 63 FR 49085 (September 14, 1998).

[4] *See Extension of Time Limit for Final Results of Five-Year Reviews,* 64 FR 55233 (October 12, 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 its substantive response, Hercules asserts that the likelihood of continuation or recurrence of dumping is high if the order is revoked. (See July 1, 1999, substantive response of Hercules at 3–6.) To support its assertion, Hercules points out that, during the 1990s, Bergerac continued to increase its extent of dumping of the subject merchandise. Hercules notes that, after finding Bergerac was dumping at the rate of 4.39 percent for the period of 1986–1987, in the next and the most recent administrative review covering 1996–1997, the Department determined that the dumping margin for Bergerac was 13.35 percent. Id. Hercules argues that Bergerac has demonstrated over the past decade that it has to dump in order to export the subject merchandise to the United States.

Consistent with section 752(c) of the Act, the Department considered the import volumes of the subject merchandise before and after the issuance of the order. The data supplied by Hercules and those of the United States Census Bureau IM146s and the Commission indicate that, during 1990s, the import volumes of the subject merchandise have shown an increasing trend.[5] Specifically, between 1994 and 1998, the Commission's data show a rather substantial increase in the import volumes of the subject merchandise *vis a vis* pre-order volumes.[6] Therefore, the Department determines that the import volumes of the subject merchandise increased or showed an increasing trend after the issuance of the order.

As indicated in section II.A.3 of the Sunset Policy Bulletin, the SAA at 890, and House Report at 63–64, the Department also considers whether dumping continued at any level above *de minimis* after the issuance of the order. If companies continue to dump 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 the original investigation and from the previous administrative reviews,[7] the Department determines that, since the issuance of the order, except for the period between May 1983 and July 1986, the weighted-average dumping margins for the subject merchandise have continued at above the *de minimis* level.

Given that dumping of the subject merchandise continued above the *de minimis* level after the issuance of the order and that respondent interested parties have waived their right to participate in this review, the Department agrees with Hercules' contention 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 SNPE and all-others of 1.38 percent.[8] To date, the Department has not issued any duty absorption findings in this case.

In its substantive response, while acknowledging that the Department normally will provide the Commission with the dumping margins from the original investigation, Hercules argues that, in the instant review, the Department should report to the Commission a more recently calculated margin because Bergerac increased its dumping in order to increase its market share in the United States. (See the July 1, 1999, Substantive Response of Hercules at 6–7.) In addition to supplying data which indicate clearly that Bergerac's market share in the United States increased during the 1990s,[9] Hercules also claims that Bergerac's market behavior of not raising its export prices,[10] after a higher dumping margin was imposed in the most recent administrative review,[11] suggests that Bergerac intends to continue dumping at the recent, higher margins to hold onto or to increase its market share. *Id.* Therefore, Hercules urges the Department to provide to the Commission the more recent, higher margin because that margin is a better indicator of Bergerac's likely behavior in the event the order is revoked.

The Department agrees with the Hercules' argument pertaining to the margin that is likely to prevail were the order revoked. In the Sunset Policy Bulletin, the Department indicated that, when a company chooses to increase dumping in order to maintain or increase its market share, the Department may report a more recently calculated margin to the Commission if dumping margins increased after the issuance of the order. (See section II.B.2 of the Sunset Policy Bulletin.) Absent argument and evidence to the contrary, the Department sees no reason to change its practice as articulated in the Sunset Policy Bulletin of selecting a more recently calculated rate when increased weighted-average dumping margins for a company coincide with its increased market share of the subject merchandise. We will report to the

[5] The import volumes of the subject merchandise during the 1990s are as follows (the order was issued in August 1983; numbers are in metric tons): 1990—188; 1991—306; 1992—788; 1993—1,633; 1994—2,564; 1995—2,338; 1996—2,760; 1997—4,377; 1998—3,883. These numbers correspond exactly with the Commission data.

[6] See footnote 5, supra. During 1994—1998, the average import volume of the subject merchandise was 3,184.4 metric tons, which denotes a 36.58 percent increase over the average of 1982 and 1983 pre-order import levels (2,331.5 metric tons).

[7] See footnote 3, supra. Although the weighted-average dumping margins of the subject merchandise decreased to zero or *de minimis* levels in each of the first three administrative reviews (from the original investigation margin of 1.38 percent to 0.17 percent in the first review, 0 percent in the second review, and 0.07 percent in the third review), in the fourth review, the margin increased to 4.39 percent, and in the most recent, fifth, review, the dumping margin increased to 13.35 percent.

[8] See Final Determination of Sales at Less Than Fair Value: Industrial Nitrocellulose from France, 48 FR 21615 (May 13, 1983).

[9] In particular, during and after the period covered by the latest administrative review, in which the Department found substantially increased dumping of the subject merchandise, Bergerac's market share increased rather significantly as well (inasmuch as the U.S. demand for the domestic like product has remained stable during the relevant period, Bergerac's increase in the volume of exports of the subject merchandise is directly translated to the increase in Bergerac's market share). Also, in general, during the 1990's, Bergerac's market share showed an increasing trend; this trend started after the Department's fourth administrative review in which the Department found that Bergerac was dumping at 4.39 percent rather than at the zero or de minimis levels, which the Department found during the first three administrative reviews.

[10] To support this, Hercules submitted its business manager's sworn affidavit, in which the business manager indicated that Bergerac had not offered any price increase in its offers to customers since Bergerac's antidumping margin increased from 4.39 percent to 13.35 percent in September 1998. (See the July 1, 1999 Substantive Response of Hercules, attachment 4.)

[11] *See* footnote 6, supra.

Commission the company-specific and all-others rate 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 duty order would likely lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/exporter	Margin (percent)
Bergerac, N.C.	13.35
All Others	1.38

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 October 21, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–28069 Filed 10–26–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–810]

Mechanical Transfer Presses From Japan: Extension of Time Limits for Preliminary Results of Antidumping Administrative Review

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

ACTION: Notice of extension of time limits for preliminary results of administrative review.

EFFECTIVE DATE: October 27, 1999.

FOR FURTHER INFORMATION CONTACT: Michael Strollo or Maureen Flannery, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone: (202) 482–5255 or (202) 482–3020, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act. In addition, unless otherwise indicated, all citations to the Departments's regulations are to the current regulations, codified at 19 CFR part 351 (1999).

Background

On February 26, 1999, the Department of Commerce (the Department) received a request from Verson Division of Allied Products Corporation for an administrative review of the antidumping duty order on mechanical transfer presses from Japan. On March 19, 1999, the Department initiated this administrative review covering the period of February 1, 1998 through January 31, 1999 (64 FR 14860, published March 29, 1999).

Extension of Time Limits for Preliminary Results

Because of the complexities enumerated in the Memorandum from Joseph A. Spetrini to Robert S. LaRussa, *Extension of Time Limit for the Administrative Review of Mechanical Transfer Presses from Japan*, dated October 19, 1999, it is not practical to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limits for the preliminary results to February 28, 2000. The final results continue to be due 120 days after the publication of the preliminary results.

Dated: October 20,1999.

Richard O. Weible,

Acting Deputy Assistant Secretary for AD/CVD Enforcement III.

[FR Doc. 99–28059 Filed 10–26–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–580–807]

Polyethylene Terephthalate Film, Sheet and Strip From Korea: Final Results of Antidumping Duty New Shipper Review

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

ACTION: Notice of final results of antidumping duty new shipper review.

SUMMARY: On July 30, 1999, the Department of Commerce (the Department) published the preliminary results of the new shipper review of the antidumping duty order on polyethylene terephthalate film, sheet, and strip (PET film) from the Republic of Korea (64 FR 41380). The review covers one manufacturer/exporter of the subject merchandise to the United States and the period July 1, 1998 through December 31, 1998. We gave interested parties an opportunity to comment on the preliminary results. We received no comments.

We have determined that Hyosung Corporation (Hyosung) made no U.S. sales below normal value, and we will instruct the U.S. Customs Service to assess no antidumping duties for Hyosung for the period covered by this new shipper review.

EFFECTIVE DATE: October 27, 1999.

FOR FURTHER INFORMATION CONTACT: Michael J. Heaney or Robert James, AD/CVD Enforcement Group III, Office 8, Import Administration, International Trade Administration, US Department Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482–4475 or (202) 482–5222.

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. In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR Part 351 (1998).

SUPPLEMENTARY INFORMATION:

Background

On December 28, 1998, the Department received a request from Hyosung for a new shipper review pursuant to section 751(a)(2) of the Act and Section 351.214(b) of the Department's regulations. On February 2, 1999, we published the notice of initiation for this new shipper review (64 FR 5030). On July 30, 1999, the Department published in the **Federal Register** the preliminary results of its new shipper review of the antidumping duty order on PET film from Korea. We received no comments on our preliminary results. The final results of this review are unchanged from those presented in our preliminary results.