EFFECTIVE DATE: December 3, 1999.

FOR FURTHER INFORMATION CONTACT: Sarah Ellerman or Maureen Flannery, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–4106 and (202) 482–3020, respectively.

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act) are 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 19 CFR part 351 (1998).

Background

The Department of Commerce (the Department) received requests to conduct an administrative review and new shipper reviews of the antidumping duty order on freshwater crawfish tail meat from the People's Republic of China. On October 29, 1998, the Department initiated the antidumping administrative review covering the period March 26, 1997 through August 31, 1998 (*see Initiation of Antidumping and Countervailing Duty Administrative Reviews, Requests for Revocation in Part and Deferral of Administrative Reviews,* 63 FR 58009). On November 5, 1998, the Department initiated new-shipper reviews covering the period March 26, 1997 through August 31, 1998 (*see Freshwater Crawfish Tail Meat From the People's Republic of China: Initiation of New-Shipper Antidumping Administrative Reviews*, 63 FR 59762).

On September 30, 1999, the Department issued preliminary results of review for both the administrative review and the new-shipper reviews (*see Preliminary Results of Antidumping Duty Administrative Review and New Shipper Reviews, Partial Rescission of the Antidumping Duty Administrative Review, and Rescission of the New Shipper Review for Yancheng Baolong Biochemical Products, Co. Ltd.: Freshwater Crawfish Tail Meat From the People's Republic of China*, October 12, 1999, 64 FR 55236).

The Department has determined that because of certain complex issues, it is not practicable to complete this review within the normal time limits mandated by section 751(a)(3)(A) of the Act and 19 CFR 351.213 (h)(2) of the Department's regulations (*see* Memorandum from Joseph A. Spetrini to Robert S. LaRussa, *Extension of Time Limit for the Final Results of the Antidumping Administrative Review and New Shipper Reviews of Freshwater Crawfish Tail Meat from the People's Republic of China,* dated November 19, 1999). Therefore, in accordance with these sections, the Department is extending the time limits for the final results to April 9, 2000.

This extension of time limits is in accordance with section 751(a)(3)(A) of the Act, and 19 CFR 351.213(h)(2) of the Department's regulations.

Dated: November 19, 1999.

Joseph A. Spetrini,

Deputy Assistant Secretary for AD/CVD Enforcement III.

[FR Doc. 99–31414 Filed 12–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–475–703, A–588–707]

Final Results of Expedited Sunset Reviews: Granular Polytetrafluoroethylene Resin From Italy and Japan

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

ACTION: Notice of final results of expedited sunset reviews: Granular polytetrafluoroethylene resin from Italy and Japan.

SUMMARY: On May 3, 1999, the Department of Commerce (''the Department'') initiated sunset reviews of the antidumping duty orders on granular polytetrafluoroethylene resin (''PTFE'') from Italy and Japan (64 FR 23596) 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 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 duty orders would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Reviews 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, DC 20230; telephone: (202) 482–3207 or (202) 482–1560, respectively.

EFFECTIVE DATE: December 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*'') and 19 CFR Part 351 (1999) 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 merchandise subject to these antidumping duty orders is PTFE from Italy and Japan. The subject merchandise is defined as granular PTFE resin, filled or unfilled. The order explicitly excludes PTFE dispersions in water and PTFE fine powders. Such merchandise is currently classifiable under the Harmonized Tariff Schedule (HTS) item number 3904.61.00. This HTS item number is provided for convenience and customs purposes only. The written description remains dispositive.

There has been one scope ruling with respect to the order on PTFE from Japan in which reprocessed PTFE powder was determined to be outside the scope of the order (57 FR 57420; December 4, 1992). The Department issued a circumvention determination in which it determined that PTFE wet raw polymer exported from Italy to the United States falls within the scope of the order on PTFE from Italy (58 FR 26100; April 30, 1993).

These reviews cover imports from all manufacturers and exporters of PTFE from Italy and Japan.

History of the Orders

Italy

The Department published its final affirmative determination of sales at less than fair value (''LTFV'') with respect to imports of PTFE from Italy on July 11, 1988 (53 FR 26096). 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 affirmed when the Department published its antidumping duty order on PTFE from Italy on August 30, 1988 (53 FR 33163). The Department has conducted several administrative reviews of this order since its imposition.[1] The order remains in effect for all manufacturers and exporters of the subject merchandise from Italy.

Japan

On July 5, 1988, the Department issued its affirmative final determination of sales at LTFV regarding PTFE from Japan (53 FR 25191). In this determination, the Department published weighted-average dumping margins for two companies as well as an ''all others'' rate. These margins were upheld when the antidumping duty order on PTFE from Japan was published on August 24, 1988 (53 FR 32267). Since the order was published, the Department has conducted three administrative reviews with respect to PTFE from Japan.[2] The order remains in effect for all manufacturers and exporters of the subject merchandise from Japan.

The Department has not issued any duty-absorption findings in either of these cases.

[1] *See Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 55 FR 50854 (December 11, 1990); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 56 FR 58031 (November 15, 1991); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 60 FR 19884 (April 21, 1995); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 60 FR 53737 (October 17, 1995); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 61 FR 25195 (May 20, 1996); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 62 FR 5590 (February 6, 1997); as amended, *Granular Polytetrafluoroethylene Resin from Italy; Amended Final Results of Antidumping Duty Administrative Review,* 62 FR 23219 (April 29, 1997); *Granular Polytetrafluoroethylene Resin from Italy; Final Results of Antidumping Duty Administrative Review,* 62 FR 48592 (September 16, 1997); *Notice of Final Results of Antidumping Duty Administrative Review: Granular Polytetrafluoroethylene Resin from Italy,* 63 FR 49080 (September 14, 1998).

[2] *See Granular Polytetrafluoroethylene Resin from Japan; Final Results of Antidumping Duty Administrative Review,* 58 FR 50343 (September 27, 1993); *Granular Polytetrafluoroethylene Resin from Japan; Final Results of Antidumping Duty Administrative Review,* 60 FR 33188 (June 27, 1995); *Granular Polytetrafluoroethylene Resin from Japan; Final Results of Antidumping Duty Administrative Review,* 61 FR 2489 (January 26, 1996).

Background

On May 3, 1999, the Department initiated sunset reviews of the antidumping duty orders on PTFE from Italy and Japan (64 FR 23596), pursuant to section 751(c) of the Act. For both of the reviews, the Department received a notice of intent to participate on behalf of E.I. DuPont de Nemours & Company (''DuPont''), on May 18, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations.* Pursuant to section 771(9)(C) of the Act, DuPont claimed interested party status as a domestic producer of the subject merchandise. The Department received complete substantive responses from DuPont on May 28, 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 respondent interested party to 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.

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). On September 7, 1999, the Department determined that the sunset reviews of the antidumping duty orders on PTFE from Italy and Japan are extraordinarily complicated and extended the time limit for completion of the final results of these reviews until not later than November 29, 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 duty 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 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 shall provide to the International Trade Commission (''the Commission'') the magnitude of the margins of dumping likely to prevail if the orders were revoked.

[3] *See Extension of Time Limit for Final Results of Five-Year Reviews,* 64 FR 48579 (September 7, 1999).

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margins are discussed below. In addition, DuPont's 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 it normally 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 conclude that revocation of the order would be likely to lead to continuation or recurrence of dumping where an interested party waives its participation in the sunset review. In these instant reviews, the Department did not receive a substantive response from any respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the of the *Sunset Regulations,* this constitutes a waiver of participation.

Italy

In its substantive response, DuPont argues that revocation would likely lead to continuation or recurrence of dumping because dumping has continued over the life of the order at levels well above *de minimis* and that import volumes declined significantly after the issuance of the order. DuPont points out that, in the most recent

administrative review, the dumping margin for Ausimont S.p.A., an Italian manufacturer/exporter of the subject merchandise, was calculated to be 45.72 percent, a significant increase from the margin of 5.95 percent determined in the preceeding administrative review (*see* May 28, 1999, substantive response of DuPont at 6). Moreover, DuPont argues that the post-order decline in import volumes provides further strong support for a determination that dumping is likely to continue or recur should the order be revoked. To support its argument DuPont pointed out that imports of PTFE from Italy declined by over 43 percent between 1987, the year preceding the order, and 1990, the second year following the order (*see id.* at 6–7).

Japan

DuPont makes similar arguments regarding the likely effect of revocation of the Japanese order. Indeed, DuPont again argues that because dumping has continued over the life of the order at levels well above *de minimis* and import volumes declined significantly after the issuance of the order, the Department should determine that revocation of the order would likely lead to continuation or recurrence of dumping. DuPont points out that dumping margins at levels significantly above *de minimis* have been found in the three administrative reviews conducted by the Department. DuPont also maintains that PTFE imports from Japan decreased by over 78 percent between 1987, the year preceding the issuance of the order, and 1990, the second year following the order (*see* May 28, 1999, substantive response of DuPont at 5–6).

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 to dump with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. As pointed out above, dumping margins above *de minimis* continue to exist for shipments of the subject merchandise from Italy and Japan.

Consistent with section 752(c) of the Act, the Department also considers the volume of imports before and after issuance of the order. As demonstrated in each respective section above, DuPont argues that a significant decline in the volume of imports of the subject merchandise from Italy and Japan since the imposition of the orders provides further evidence that dumping would continue if the orders were revoked. Moreover, as mentioned above, in its substantive responses, DuPont provides statistics demonstrating the decline in import volumes of PTFE from Italy and Japan.

Using the Department's statistics, including IM146 reports, on imports of the subject merchandise from these countries, we agree with the domestic interested parties' assertions that imports of the subject merchandise declined after the orders were imposed and have not regained pre-order volumes.

As noted above, in conducting its sunset reviews, pursuant to section 752(c) of the Act, the Department considers the weighted-average dumping margins and volume of imports before and after the imposition of the order when determining whether revocation of an antidumping duty order would lead to the continuation or recurrence of dumping. Based on this analysis, the Department finds that the existence of dumping margins above *de minimis* levels and a reduction in import volumes after the issuance of the orders is highly probative of the likelihood of continuation or recurrence of dumping. A deposit rate above a *de minimis* level continues in effect for imports of the subject merchandise from at least one Italian and one Japanese manufacturer/exporter. Therefore, given that dumping has continued over the life of the orders, import volumes declined significantly after the imposition of the orders, respondent parties waived participation, and absent argument and evidence to the contrary, the Department determines that dumping is likely to continue if the orders were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it normally will 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*.) To date, the Department has not issued any duty-absorption findings in either of these cases.

In their substantive responses, DuPont recommends that, consistent with the *Sunset Policy Bulletin,* Department provide to the Commission the company-specific margins from the original investigations. Moreover, regarding companies not reviewed in the original investigation, DuPont suggested that the Department report the ''all others'' rates included in the original investigations.

The Department agrees with DuPont. The Department finds that the margins calculated in the original investigation are probative of the behavior of Italian and Japanese producers and/or exporters if the orders were revoked as they are the only margins which reflect their behavior without the discipline of the order in place. Therefore, the Department will report to the Commission the company-specific and ''all others'' rates from the original investigations as contained in the Final Results of Reviews section of this notice.

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)
Italy	
Montefluos S.p.A./Ausimont U.S.A.	46.46
All Others	46.46
Japan	
Daikin Industries, Inc.	103.00
Asahi Fluoropolymers Co., Ltd.	51.45
All Others	91.74

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.

These five-year (''sunset'') reviews and notices are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: November 24, 1999.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–31430 Filed 12–2–99; 8:45 am]

BILLING CODE 3510–DS–P