

revoking the finding or order or terminating the suspended investigation. Because no domestic interested party responded to the notice of initiation by the applicable deadlines, March 16, 1999, or April 16, 1999, we are revoking this antidumping duty order and terminating the suspended antidumping duty investigation.

Effective Date of Revocation

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States Customs Service to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after January 1, 2000.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

Dated: May 19, 1999.

Richard W. Moreland,
Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-301-602]

February 1999 Sunset Review: Final Results and Revocation

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

ACTION: Notice of Final Results of Sunset Reviews and Revocation of Antidumping Duty Order: Fresh Cut Flowers from Colombia.

SUMMARY: On February 1, 1999, the Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on fresh cut flowers from Colombia. Because the domestic interested parties have withdrawn, in full, their participation in the ongoing sunset review, the Department is revoking this order.

EFFECTIVE DATE: January 1, 2000.

FOR FURTHER INFORMATION CONTACT: Jason M. Appelbaum or Melissa G.

Skinner, Office of Policy, 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.

SUPPLEMENTARY INFORMATION:

Background

The Department issued an antidumping duty order on fresh cut flowers from Colombia (52 FR 8492, March 18, 1987). Pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department initiated a sunset review of this order by publishing notice of the initiation in the **Federal Register** (64 FR 4840, February 1, 1999). In addition, as a courtesy to interested parties, the Department sent letters, via certified and registered mail, to each party listed on the Department's most current service list for this proceeding to inform them of the automatic initiation of a sunset review on this order.

In the sunset review of the antidumping duty order on fresh cut flowers from Colombia, we received a notice of intent to participate from Mr. Timothy Haley, President of Pikes Peak Greenhouses, the Floral Trade Council ("FTC") in its entirety, the FTC's Committee on Miniature Carnations, Committee on Standard Carnations, Committee on Standard Chrysanthemums, and Committee on Pompom Chrysanthemums (collectively, "the FTC and its Committees") by the February 16, 1999, deadline. We also received a complete substantive response from the FTC and its Committees by the March 3, 1999, deadline (see section 351.218(d)(1)(i) of *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13520 (March 20, 1998) ("Sunset Regulations")).

On May 21, 1999, we received a notice from the FTC and its Committees withdrawing in full their participation in the five-year (sunset) review of the antidumping duty order on fresh cut flowers from Colombia. The FTC and its Committees further expressed that they no longer have an interest in maintaining the antidumping duty order. As a result, the Department determined that no domestic party intends to participate in the sunset review and, on May 24, 1999, we notified the International Trade Commission that we intended to issue a final determination revoking this antidumping duty order.

Determination to Revoke

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

Effective Date of Revocation and Termination

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

Dated: May 21, 1999.

Richard W. Moreland,
Acting Assistant Secretary for Import Administration.

[FR Doc. 99-13685 Filed 5-27-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-357-007]

Preliminary Results of Full Sunset Review: Carbon Steel Wire Rod From Argentina

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

ACTION: Notice of preliminary results of full sunset review: carbon steel wire rod from Argentina.

SUMMARY: On November 2, 1998, the Department of Commerce ("the

Department") initiated a sunset review of the antidumping order on carbon steel wire rod from Argentina (63 FR 58709) 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 filed on behalf of the domestic industry and adequate substantive comments filed on behalf of the domestic industry and a respondent interested party, the Department is conducting a full review. As a result of this review, the Department preliminarily finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the *Preliminary 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, DC 20230; telephone: (202) 482-6397 or (202) 482-1560, respectively.

EFFECTIVE DATE: May 28, 1999.

Statute and Regulations

This review is being 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 this antidumping duty order is carbon steel wire rod from Argentina. This merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7213.20.00, 7213.31.30, 7213.39.00, 7213.41.30, 7213.49.00, and 7213.50.00. Although the item numbers are provided for convenience and U.S. Customs purposes, the written description remains dispositive.

Background

On November 2, 1998, the Department initiated a sunset review of the antidumping order on carbon steel wire

rod from Argentina (63 FR 58709), pursuant to section 751(c) of the Act. On November 16, 1998, the Department received a Notice of Intent to Participate on behalf of North Star Steel, Co-Steel Raritan (formerly Raritan River Steel), and GS Industries, Inc. (collectively "Domestic Parties") within the applicable deadline (November 16, 1998) specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. Each of the Domestic Parties claimed interested party status under section 771(9)(C) of the Act. We received complete substantive responses to the notice of initiation on December 2, 1998, on behalf of the Domestic Parties and Acindar Industria Argentina de Aceros S.A. ("Acindar"). In its substantive response, Acindar claimed interested party status under section 771(9)(A) of the Act, as an Argentine producer of carbon steel wire rod.

In its substantive response, Acindar provided the volume and value of its exports to the United States for the years 1993 through 1997. Acindar explained that because statutory record-keeping requirements in Argentina and internal record-keeping policies within Argentina do not provide for the keeping of records dating back to 1982, the year preceding the investigation of this case, it no longer had information relating to exports dating back to 1982. As a substitute, Acindar relied on import volumes reported by the Commission for this year.¹ Further, Acindar stated that, as far as it is aware, it accounted for 100 percent of the total exports of Argentine subject merchandise to the United States during each of the five calendar years preceding the year of publication of the notice of initiation. Based on the volume of exports information submitted by Acindar, the volume of imports as reported by the U.S. Department of Commerce, Bureau of the Census and Trade Info, and Acindar's claim that it accounted for 100 percent of exports, we find that Acindar accounted for significantly more than 50 percent of the value of total exports of the subject merchandise over the five calendar years preceding the initiation of the sunset review. Therefore, respondent interested parties provided an adequate response to the notice of initiation and the Department is conducting a full sunset review in accordance with section 351.218(e)(2)(i) of the *Sunset Regulations*.

¹ For information concerning the import volumes of the subject merchandise for 1981, 1982 and 1983, Acindar cited to the U.S. International Trade Commission Pub. 1598, Carbon Steel Wire Rod from Argentina and Spain (Nov. 1984), at A-30, Table 18.

The Department determined that the sunset review of the antidumping duty order on carbon steel wire rod from Argentina 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.) Therefore, on January 15, 1999, the Department extended the time limit for completion of the preliminary results of this review until not later than May 23, 1999, in accordance with section 751(c)(5)(B) of the Act.²

Determination

In accordance with section 751(c)(1) of the Act, the Department is conducting this review to determine whether revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making this determination, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping order, and shall provide to the International Trade Commission ("the Commission") the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, 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

Parties' Comments

In their substantive response, the Domestic Parties argued that dumping is likely to recur if the order is revoked since imports from Argentina declined significantly from 1983 to 1997 (see Substantive Response of the Domestic Parties, at 3, December 2, 1998). Import statistics presented by the Domestic Parties show that imports declined from the 1983 high of 68,335 net tons down to 2,756 net tons in 1997.³ Additionally, there were no imports from 1986–1988.

² See *Carbon Steel Wire Rod from Argentina: Extension of Time Limit for Preliminary Results of Five-Year Reviews* 64 FR 9475 (February 26, 1999).

³ See Substantive Response of the Domestic Parties, at 3 and Attachment 1 (December 2, 1998).

As a result, the Domestic Parties argued that, consistent with the *Sunset Policy Bulletin*, it is reasonable to assume that the Argentine exporters could not sell in the United States without dumping. Further, to reenter the U.S. market, Argentine exporters would have to resume dumping.

In its substantive response, Acindar argued that dumping would not be likely to continue or resume in the absence of the order. Acindar based this argument on the fact that, the only time the Department made a determination using actual company data, the Department found that no dumping margin existed. Acindar argued that since the margin likely to prevail if the order is revoked is zero, no dumping would occur if the order were revoked.

In their rebuttal comments, the Domestic Parties argued that the fact that the Department calculated a zero margin for the 1988–1989 administrative review, does not require the Department to reach a negative determination with respect to the likelihood of continuation or recurrence of dumping. Rather, referring to section 752(c)(4)(A) of the Act, the Domestic Parties asserted that the present absence of dumping is not necessarily indicative of how exporters would behave in the absence of the order.

Department's Determination

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act ("URAA"), specifically the Statement of Administrative Action ("the SAA"), H.R. Doc. No. 103–316, vol. 1 (1994), the House Report, H.R. Rep. No. 103–826, pt. 1 (1994), and the Senate Report, S. Rep. No. 103–412 (1994), the Department issued its *Sunset Policy Bulletin* providing guidance on methodological and analytical issues, including the bases for likelihood determinations. In its *Sunset Policy Bulletin*, the Department indicated that determinations of likelihood will be made on an order-wide basis (see section II.A.2). In addition, the Department indicated that normally it will determine that revocation of an antidumping order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly (see section II.A.3).

The antidumping duty order on carbon steel wire rod from Argentina

was published in the **Federal Register** on November 23, 1984 (49 FR 46180). Since that time, the Department has conducted three administrative reviews.⁴ The order remains in effect for all manufacturers and exporters of the subject merchandise.

Consistent with section 752(c) of the Act, the Department considered whether dumping continued at any level above *de minimis* after the issuance of the order. In the administrative review covering the period November 1, 1988 through October 31, 1989, the Department determined that no dumping margin existed for Acindar (56 FR 47064, September 17, 1991). In addition, Acindar, as well as all other Argentine producers/exporters of the subject merchandise, received a cash deposit rate of zero at this time. In the next administrative review, based on the absence of shipments, the deposit rate remained unchanged. There have been no subsequent administrative reviews, therefore, this deposit rate has remained in effect. Further, according to the statistics provided by both the Domestic Parties and Acindar, shipments of the subject merchandise have continued. Therefore, we preliminarily determine that dumping did not continue at any level above *de minimis* after the issuance of the order.

In addition, consistent with section 752(c) of the Act, the Department also considered whether imports ceased after the issuance of the order. The Department, using U.S. Census Bureau IM146 Reports, determined that imports of the subject merchandise decreased sharply following the imposition of the order, and although non-existent in some years, imports have, nonetheless, continued. Because imports of subject merchandise from Argentina continued after the issuance of the order, we preliminarily determine that imports did not cease after the issuance of the order.⁵

⁴ See *Carbon steel wire rod from Argentina; Final Results of Antidumping Duty Administrative Review*, 54 FR 49322 (November 30, 1989); *Carbon steel wire rod from Argentina; Final Results of Antidumping Duty Administrative Review*, 56 FR 47064 (September 17, 1991); and *Carbon steel wire rod from Argentina; Final Results of Antidumping Duty Administrative Review*, 56 FR 49455 (September 30, 1991). There is a pending administrative review of this order; the proposed date for the completion of the preliminary results of this review is September 30, 1999 (see *Carbon Steel Wire Rod from Argentina; Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review*, 64 FR 23053 (April 29, 1999)).

⁵ The Department bases this determination on information submitted by Acindar in its December 2, 1998 submission, as well as U.S. IM146 Reports, U.S. Department of Commerce statistics, U.S. Department of Treasury statistics, and information

The Department also considered whether dumping was eliminated after the issuance of the order and whether import volumes of the subject merchandise declined significantly. As noted above, the Department has preliminarily determined that dumping was eliminated following the issuance of the order. However, U.S. Census Bureau IM146 Reports indicate that, while dumping may have been eliminated, import volumes of the subject merchandise fell dramatically following the imposition of the order and have not resumed their pre-order levels. The U.S. Census Bureau information indicates that imports of the subject merchandise decreased by more than 97 percent in the year following the issuance of the order. Further, imports have consistently remained at less than 10 percent of their pre-order levels, excluding 1996.⁶ Therefore, the Department preliminarily determines that although dumping was eliminated by Acindar, its export volumes have declined significantly since the issuance of the order.

As set forth in the *Sunset Policy Bulletin* (section II.A.3), and consistent with the SAA at 889–90, and the House Report at 63, where dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly, the Department normally will determine that revocation of the antidumping duty order would be likely to lead to recurrence of dumping. Therefore, although dumping has been eliminated, shipments of the subject merchandise have declined dramatically. Therefore, we preliminarily determine that, consistent with Section II.A.3 of the *Sunset Policy Bulletin*, dumping is likely to recur if the order were revoked.

Magnitude of the Margin

Parties' Comments

In their substantive response, the Domestic Parties argue that the dumping margin likely to prevail is the margin calculated in the original investigation—119.11 percent. The Domestic Parties state that selection of this margin would be consistent with the SAA and Policy Bulletin, which provide that the Department generally will select a margin from the original investigation because that is the only calculated rate that reflects the behavior of exporters without the discipline of

supplied by the U.S. International Trade Commission.

⁶ U.S. Census Bureau IM146 Reports indicate that for 1996, import volumes were approximately 20 percent of their pre-order level.

the order in place. Arguing that since the volume of imported wire rod from Argentina has declined to extremely low levels since the imposition of the order, the use of a more recently calculated margin is not appropriate in this case. Specifically, the Domestic Parties argued that the zero rate calculated in the 1988–1989 administrative review was based on sales of approximately 543.78 metric tons of wire rod, which is not a commercial quantity and, therefore, not representative of Acindar's behavior in the absence of the order.

As noted above, Acindar states that the antidumping rate in the original investigation was based on so-called "best information available," the dumping margins alleged by the petitioners, rather than Acindar's own information. Further, Acindar argues that the dumping margin calculated by the Department in the only administrative review in which the Department based its determination on actual company data, is the most reliable gauge of the antidumping duty margin likely to prevail when the order is revoked.

Department's Determination

The Department agrees with the Domestic Parties. We find that the consistently low level of imports of the subject merchandise that have existed since the imposition of the order is not indicative of the behavior of Argentine producers/exporters in the absence of the order. Furthermore, the Department finds the establishment of a zero deposit rate coupled with a dramatic decrease in import volumes suggests that Argentine producers/exporters find it difficult to sell subject merchandise in the United States without dumping. The Department finds reason to believe that the consistently low level of exports can be attributed to Argentine producers'/exporters' difficulty in selling subject merchandise in the United States at a fair market value. Because of this, the Department finds the margin from the original investigation is the only calculated rate that reflects the behavior of exporters without the discipline of the order. Therefore, consistent with the *Sunset Policy Bulletin*, we preliminarily determine that the margin from the Department's original investigation is probative of the behavior of Argentine producers and exporters of carbon steel wire rod if the order were revoked. We will report to the Commission the company-specific and "all others" rates from the original investigation contained in the *Preliminary Results of Review* section of this notice.

Preliminary Results of Review

As a result of this review, the Department preliminarily finds that revocation of the order is likely to lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/exporter	Margin (percent)
Acindar	119.11
All Others	119.11

Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Any hearing, if requested, will be held on July 19, 1999. Interested parties may submit case briefs no later than July 12, 1999, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than July 15, 1999. The Department will issue a notice of final results of this sunset review, which will include the results of its analysis of issues raised in any such comments, no later than September 28, 1999.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: May 21, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-13686 Filed 5-27-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-357-004]

Preliminary Results of Full Sunset Review: Carbon Steel Wire Rod From Argentina

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

ACTION: Notice of preliminary results of full sunset review: Carbon steel wire rod from Argentina.

SUMMARY: On November 2, 1998, the Department of Commerce ("the Department") initiated a sunset review of the suspended countervailing duty investigation on carbon steel wire rod from Argentina (63 FR 58709) 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 filed on behalf of the domestic industry and substantive comments filed on behalf of the domestic industry and respondent interested parties, the

Department is conducting a full review. As a result of this review, the Department preliminarily finds that termination of the suspended countervailing duty investigation would be likely to lead to continuation or recurrence of a countervailable subsidy. The net countervailable subsidy and the nature of the subsidy are identified in the "Preliminary 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 & Constitution, Washington, D.C. 20230; telephone: (202) 482-6397 or (202) 482-1560, respectively.

EFFECTIVE DATE: May 28, 1999.

Statute and Regulations

This review is being 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 in 19 C.F.R. 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 merchandise subject to this suspended countervailing duty investigation is carbon steel wire rod, both high carbon and low carbon, manufactured in Argentina and exported, directly or indirectly from Argentina to the United States. The term "carbon steel wire rod" covers a coiled, semi-finished, hot-rolled carbon steel product of approximately round solid cross section, not under 0.02 inches nor over 0.74 inches in diameter, not tempered, not treated, and not partly manufactured, and valued at over 4 cents per pound. As of the publication of the last administrative review,¹ the merchandise subject to this order was classifiable under item numbers 7213.20.00, 7213.31.30, 7213.39.00, 7213.41.30, 7213.49.00, and 7213.50.00

¹ See Carbon Steel Wire Rod from Argentina; Final Results of Countervailing Duty Administrative Review, 56 FR 40309 (August 14, 1991).