

Dated: August 24, 1999.

Neil Stressman,

Acting Deputy Regional Director.

[FR Doc. 99-22717 Filed 8-31-99; 8:45 am]

BILLING CODE 4310-94-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-420]

Certain Beer Products; Notice of a Commission Determination Not To Review an Initial Determination Terminating One Respondent on the Basis of a Consent Order; Issuance of Consent Order

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") granting the joint motion of complainant Anheuser-Busch, Inc. ("Anheuser-Busch") and respondent Argen-Wine Imports, Ltd. ("Argen") to terminate Argen from the above-referenced investigation on the basis of a consent order.

FOR FURTHER INFORMATION: Andrea C. Casson, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone (202) 205-3105. Copies of the ALJ's ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION: On May 27, 1999, the Commission instituted this investigation based on a complaint filed by Anheuser-Busch, alleging a violation of section 337 in the importation and sale of certain beer products by reason of infringement of U.S. Trademark Registration Nos. 922,481, 952,277, or

666,637. 64 FR 30058. Two firms were named as respondents: Argen and Budejovicky Budvar, N.P.

On July 2, 1999, complainant Anheuser and respondent Argen filed a joint motion to terminate the investigation as to Argen on the basis of a consent order stipulation and proposed consent order. The remaining respondent, Budvar, opposed the motion. The Commission investigative attorney supported the motion.

On July 26, 1999, the ALJ issued an ID (Order No. 6) terminating the investigation as to Argen based on the joint stipulation and proposed consent order. No party petitioned for review of the ID pursuant to 19 CFR 210.43(a), and the Commission found no basis for ordering a review on its own initiative pursuant to 19 CFR 210.44. The ID thus became the determination of the Commission pursuant to 19 CFR 210.42(h)(3).

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and Commission rule 210.42, 19 CFR 210.42.

By order of the Commission.

Issued: August 26, 1999.

Donna R. Koehnke,

Secretary.

[FR Doc. 99-22797 Filed 8-31-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. AA1921-197 (Review); 701-TA-231, 319-320, 322, 325-328, 340, 342, and 348-350 (Review); and 731-TA-573-576, 578, 582-587, 604, 607-608, 612, and 614-618 (Review)]

Certain Carbon Steel Products From Australia, Belgium, Brazil, Canada, Finland, France, Germany, Japan, Korea, Mexico, Netherlands, Poland, Romania, Spain, Sweden, Taiwan, and United Kingdom

AGENCY: United States International Trade Commission.

ACTION: Institution of five-year reviews concerning the countervailing duty and antidumping duty orders on certain carbon steel products from Australia, Belgium, Brazil, Canada, Finland, France, Germany, Japan, Korea, Mexico, Netherlands, Poland, Romania, Spain, Sweden, Taiwan, and United Kingdom.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the countervailing duty and antidumping duty orders on certain carbon steel products from Australia, Belgium, Brazil, Canada, Finland, France, Germany, Japan, Korea, Mexico, Netherlands, Poland, Romania, Spain, Sweden, Taiwan, and United Kingdom would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; ¹ to be assured of consideration, the deadline for responses is October 21, 1999. Comments on the adequacy of responses may be filed with the Commission by November 12, 1999.

For further information concerning the conduct of these reviews and rules of general application, consult the Commission's rules of practice and procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207). Recent amendments to the Rules of Practice and Procedure pertinent to five-year reviews, including the text of subpart F of part 207, are published at 63 FR 30599, June 5, 1998, and may be downloaded from the Commission's World Wide Web site at <http://www.usitc.gov/rules.htm>.

EFFECTIVE DATE: September 1, 1999.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202-205-3193), Elizabeth Haines (202-205-3200), or Vera Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION:

Background.

On the dates listed below, countervailing duty and antidumping

¹ No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 99-5-034.

Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S.

International Trade Commission, 500 E Street, SW, Washington, DC 20436.

duty orders on the subject imports were issued:

Order date and product/Country	Inv. No.	F.R. cite
6/13/79 Carbon steel plate/Taiwan	AA1921-197	44 F.R. 33877
8/17/93 Cut-to-length carbon steel plate/Belgium	701-TA-319	58 F.R. 43749
8/17/93 Cut-to-length carbon steel plate/Brazil	701-TA-320	58 F.R. 43751
8/17/93 Cut-to-length carbon steel plate/Germany	701-TA-322	58 F.R. 43756
8/17/93 Cut-to-length carbon steel plate/Mexico	701-TA-325	58 F.R. 43755
8/17/93 Cut-to-length carbon steel plate/Spain	701-TA-326	58 F.R. 43761
8/17/93 Cut-to-length carbon steel plate/Sweden	701-TA-327	58 F.R. 43758
8/17/93 Cut-to-length carbon steel plate/United Kingdom	701-TA-328	58 F.R. 43748
8/19/93 Cut-to-length carbon steel plate/Belgium	731-TA-573	58 F.R. 44164
8/19/93 Cut-to-length carbon steel plate/Brazil	731-TA-574	58 F.R. 44164
8/19/93 Cut-to-length carbon steel plate/Canada	731-TA-575	58 F.R. 44162
8/19/93 Cut-to-length carbon steel plate/Finland	731-TA-576	58 F.R. 44165
8/19/93 Cut-to-length carbon steel plate/Germany	731-TA-578	58 F.R. 44170
8/19/93 Cut-to-length carbon steel plate/Mexico	731-TA-582	58 F.R. 44165
8/19/93 Cut-to-length carbon steel plate/Poland	731-TA-583	58 F.R. 44166
8/19/93 Cut-to-length carbon steel plate/Romania	731-TA-584	58 F.R. 44167
8/19/93 Cut-to-length carbon steel plate/Spain	731-TA-585	58 F.R. 44167
8/19/93 Cut-to-length carbon steel plate/Sweden	731-TA-586	58 F.R. 44168
8/19/93 Cut-to-length carbon steel plate/United Kingdom	731-TA-587	58 F.R. 44168
10/11/85 Cold-rolled carbon steel flat products/Sweden	701-TA-231	50 F.R. 41547
8/17/93 Cold-rolled carbon steel flat products/Germany	701-TA-340	58 F.R. 43756
8/17/93 Cold-rolled carbon steel flat products/Korea	701-TA-342	58 F.R. 43752
8/19/93 Cold-rolled carbon steel flat products/Germany	731-TA-604	58 F.R. 44170
8/19/93 Cold-rolled carbon steel flat products/Korea	731-TA-607	58 F.R. 44159
8/19/93 Cold-rolled carbon steel flat products/Netherlands	731-TA-608	58 F.R. 44172
8/17/93 Corrosion-resistant carbon steel flat products/France	701-TA-348	58 F.R. 43759
8/17/93 Corrosion-resistant carbon steel flat products/Germany	701-TA-349	58 F.R. 43756
8/17/93 Corrosion-resistant carbon steel flat products/Korea	701-TA-350	58 F.R. 43752
8/19/93 Corrosion-resistant carbon steel flat products/Australia	731-TA-612	58 F.R. 44161
8/19/93 Corrosion-resistant carbon steel flat products/Canada	731-TA-614	58 F.R. 44162
8/19/93 Corrosion-resistant carbon steel flat products/France	731-TA-615	58 F.R. 44169
8/19/93 Corrosion-resistant carbon steel flat products/Germany	731-TA-616	58 F.R. 44170
8/19/93 Corrosion-resistant carbon steel flat products/Japan	731-TA-617	58 F.R. 44163
8/19/93 Corrosion-resistant carbon steel flat products/Korea	731-TA-618	58 F.R. 44159

The Commission is conducting reviews to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full reviews or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions

The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by the Department of Commerce.

(2) The *Subject Countries* in these reviews are Australia, Belgium, Brazil, Canada, Finland, France, Germany, Japan, Korea, Mexico, Netherlands, Poland, Romania, Spain, Sweden, Taiwan, and United Kingdom.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the Subject Merchandise. In its original 1979 antidumping determination concerning carbon steel plate from Taiwan, the Commission found one Domestic Like Product: Carbon steel plate. In its original 1985 countervailing duty determination concerning cold-rolled carbon steel flat products from Sweden, the Commission found one Domestic Like Product: cold-rolled carbon steel sheet. In its original 1993 determinations, the Commission found in the affirmative for four Domestic Like Products: (1) Cut-to-length plate, (2) cold-rolled carbon steel flat products, (3) corrosion-resistant carbon steel flat products other than clad plate, and (4) corrosion-resistant clad plate. One Commissioner defined the Domestic Like Product differently. For purposes of this notice, you should report information separately on each of the following Domestic Like Products: (1) Carbon steel plate, (2) cut-to-length plate, (3) cold-rolled carbon steel flat

products, (4) corrosion-resistant carbon steel flat products other than clad plate, and (5) corrosion-resistant clad plate.

(4) The *Domestic Industry* is the U.S. producers as a whole of the Domestic Like Product, or those producers whose collective output of the Domestic Like Product constitutes a major proportion of the total domestic production of the product. In its original 1979 antidumping determination concerning carbon steel plate from Taiwan, the Commission found one regional Domestic Industry: producers of carbon steel plate located in the west coast States of California, Washington, and Oregon. Certain Commissioners defined the Domestic Industry differently. In its original 1985 countervailing duty determination concerning cold-rolled carbon steel flat products from Sweden, the Commission found one Domestic Industry: producers of cold-rolled carbon steel sheet. In its original 1993 determinations, the Commission found in the affirmative for four Domestic Industries: (1) Producers of cut-to-length plate, (2) Producers of cold-rolled carbon steel flat products, (3) producers of corrosion-resistant carbon steel flat

products other than clad plate, and (4) producers of corrosion-resistant clad plate. One Commissioner defined the Domestic Industry differently. For purposes of this notice, you should report information separately on each of the following Domestic Industries: (1) Producers of carbon steel plate located in California, Washington, and Oregon, (2) producers of cut-to-length plate, (3) producers of cold-rolled carbon steel flat products, (4) producers of corrosion-resistant carbon steel flat products other than clad plate, and (5) producers of corrosion-resistant clad plate.

(5) The *Order Dates* are the dates that the countervailing duty and antidumping duty orders under review became effective. In these reviews, the Order Dates are as shown in the preceding tabulation.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the Subject Merchandise into the United States from a foreign manufacturer or through its selling agent.

Participation in the Reviews and Public Service List

Persons, including industrial users of the Subject Merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and APO Service List

Pursuant to § 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the reviews. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification

Pursuant to § 207.3 of the Commission's rules, any person submitting information to the Commission in connection with these reviews must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written Submissions

Pursuant to § 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is October 21, 1999. Pursuant to § 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is November 12, 1999. All written submissions must conform with the provisions of §§ 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of §§ 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means. Also, in accordance with §§ 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the reviews you do not need to serve your response).

Inability to Provide Requested Information

Pursuant to § 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation

of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determinations in the reviews.

Information To Be Provided in Response to This Notice of Institution

Please provide the requested information separately for each Domestic Like Product, as defined above, and for each of the products identified by Commerce as Subject Merchandise. If you are a domestic producer, union/worker group, or trade/business association; import/export Subject Merchandise from more than one Subject Country; or produce Subject Merchandise in more than one Subject Country, you may file a single response. If you do so, please ensure that your response to each question includes the information requested for each pertinent Subject Country. As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the Domestic Like Product to which your response pertains, a U.S. union or worker group, a U.S. importer of the Subject Merchandise, a foreign producer or exporter of the Subject Merchandise, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in these reviews by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the countervailing duty and antidumping duty orders on each Domestic Industry for which you are filing a response in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in § 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely

impact of imports of Subject Merchandise on the Domestic Industry.

(5) A list of all known and currently operating U.S. producers of each Domestic Like Product for which you are filing a response. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the Subject Merchandise and producers of the Subject Merchandise in the Subject Countries that currently export or have exported Subject Merchandise to the United States or other countries since the year the petitions were filed. The Subject Merchandise, the Subject Countries, and the years the petitions were filed are listed below:

Subject Merchandise/Subject Country(ies)	Years
Carbon steel plate/Taiwan	1978
Cold-rolled carbon steel flat products/ Sweden	1984
Cut-to-length carbon steel plate/Bel- gium, Brazil, Canada, Finland, Ger- many, Mexico, Poland, Romania, Spain, Sweden, and United King- dom	1992
Cold-rolled carbon steel flat products/ Germany, Korea, and Netherlands	1992
Corrosion-resistant carbon steel flat products/Australia, Canada, France, Germany, Japan, and Korea	1992

(7) If you are a U.S. producer of the Domestic Like Product, provide the following information separately on your firm's operations on each product during calendar year 1998 (report quantity data in short tons and value data in thousands of U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of each Domestic Like Product accounted for by your firm's(s') production;

(b) The quantity and value of U.S. commercial shipments of each Domestic Like Product produced in your U.S. plant(s); and

(c) The quantity and value of U.S. internal consumption/company transfers of the Domestic Like Product produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the Subject Merchandise from the Subject Countries, provide the following information on your firm's(s')

operations on that product during calendar year 1998 (report quantity data in short tons and value data in thousands of U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from the Subject Countries accounted for by your firm's(s') imports;

(b) The quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of Subject Merchandise imported from the Subject Countries; and

(c) The quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from the Subject Countries.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Countries, provide the following information on your firm's(s') operations on that product during calendar year 1998 (report quantity data in short tons and value data in thousands of U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in the Subject Countries accounted for by your firm's(s') production; and

(b) The quantity and value of your firm's(s') exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from the Subject Countries accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for each Domestic Like Product that have occurred in the United States or in the market for the Subject Merchandise in the Subject Countries since the Order Dates, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase

production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Product produced in the United States, Subject Merchandise produced in the Subject Countries, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the Domestic Like Product and Domestic Industry; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to § 207.61 of the Commission's rules.

By order of the Commission.

Issued: August 26, 1999.

Donna R. Koehnke,
Secretary.

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 303-TA-23, 731-TA-566-570, and 731-TA-641 (Reconsideration) and Investigations Nos. 751-TA-21-27]

Ferrosilicon From Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela

Determinations

On the basis of the record¹ developed in these investigations, the United States International Trade Commission determines, upon reconsideration, that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela of ferrosilicon, provided for in subheadings 7202.21.10, 7202.21.50, 7202.21.75, 7202.21.90, and 7202.29.00 of the Harmonized Tariff Schedule of the United States, that have been found

¹ The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).