

**DEPARTMENT OF COMMERCE****International Trade Administration****[A-588-810]****Final Results of Full Sunset Review: Mechanical Transfer Presses From Japan**

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

**ACTION:** Notice of final results of full sunset review: Mechanical transfer presses from Japan.

**SUMMARY:** On January 6, 2000, the Department of Commerce ("the Department") published in the **Federal Register** (65 FR 753) the preliminary results of the full sunset review of the antidumping duty order on mechanical transfer presses from Japan ("MTP") pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). We provided interested parties an opportunity to comment on our preliminary results and received comments filed on behalf of domestic and respondent interested parties. 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.

**EFFECTIVE DATE:** May 3, 2000.

**FOR FURTHER INFORMATION CONTACT:** Martha V. Douthit or Carole A. Showers, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th St. & Constitution, NW, Washington, D.C. 20230; telephone: (202) 482-5050 or (202) 482-3217, respectively.

**Statute and Regulations**

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) ("Sunset Regulations") and in 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").

**Background**

On January 6, 2000, the Department published in the **Federal Register** the Preliminary Results of Full Sunset Review: Mechanical Transfer Presses from Japan (65 FR 753). In our preliminary results, we found that revocation of the antidumping duty order on MTPs from Japan would be likely to lead to continuation or recurrence of dumping pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act").

On February 15, 2000 we received case briefs on behalf of the domestic interested parties, Verson Division of Allied Products, Inc. ("Verson"), and the respondent interested parties, Komatsu Ltd, and Komatsu American Industries LLC ("Komatsu"), and Hitachi Zosen Corporation and Hitachi Zosen Fukui Corporation ("HZFukui") (collectively "the respondents"), within the deadline specified in 19 CFR 351.309(c)(1)(i). On February 22, 2000, within the deadline specified in 19 CFR 351.309(d)(1), the Department received rebuttal comments from the domestic and the respondent interested parties. The Department did not receive request for a public hearing. We have addressed the comments below.

**Scope**

The merchandise covered by this order is MTPs from Japan. The term "mechanical transfer press" refers to automatic metal-forming machine tools with multiple die stations in which the workpiece is moved from station to station by a transfer mechanism designed as an integral part of the press and synchronized with the press action, whether imported as machines or parts suitable for use solely or principally with these machines. These presses may be assembled or unassembled.

The Department published in the **Federal Register** several Notices of Scope Rulings with respect to MTPs from Japan and determined that, (1) spare and replacement parts are outside the scope of the order (*see* Notice of Scope Rulings, 57 FR 19602 (May 7, 1992)), (2) a destack sheet feeder designed to be used with a mechanical transfer press is an accessory and, therefore, is not within the scope of the order (*see* Notice of Scope Rulings, 57 FR 32973 (July 24, 1992)), (3) the FMX cold forging press is within the scope of the order (*see* Notice of Scope Rulings, 59 FR 8910 (February 24, 1994)), and (5) certain mechanical transfer press parts exported from Japan are outside the scope of the order (*see* Notice of Scope Rulings, 62 FR 9176 (February 28, 1997)). This merchandise is currently

classifiable under Harmonized Tariff Schedule of the United States ("HTSUS") item numbers 8462.99.0035 and 8466.94.5040. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description remains dispositive.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to this sunset review are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Troy H. Cribb, Acting Assistant Secretary for Import Administration, dated April 26, 2000, which is hereby adopted by this notice. The issues discussed in the attached Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the order revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099, of the main Commerce Building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at [www.ita.doc.gov/import-admin/records/frn](http://www.ita.doc.gov/import-admin/records/frn). The paper copy and electronic version of the Decision Memo are identical in content.

**Final Results of 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. As such, the Department will report to the Commission the company-specific and "all other" rates from the original investigation listed below.

Manufacturer/exporter	Margin (percent)
Komatsu .....	15.16
Aida Engineering, Ltd .....	Revoked
All Others .....	14.51

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 or destruction of APO material or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance

with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: April 26, 2000.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-856]

#### **Synthetic Indigo From the People's Republic of China; Notice of Final Determination of Sales at Less Than Fair Value**

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

**ACTION:** Notice of final determination of sales at less than fair value.

**SUMMARY:** On December 14, 1999, the Department of Commerce published its preliminary determination of sales at less than fair value of synthetic indigo from the People's Republic of China. The period of investigation is October 1, 1998, through March 31, 1999.

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final determination differs from the preliminary determination. The final weighted-average dumping margins for the investigated companies are listed below in the section entitled "Final Determination of Investigation."

**EFFECTIVE DATE:** May 3, 2000.

**FOR FURTHER INFORMATION CONTACT:**

David J. Goldberger or Dinah McDougall, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-4136 or (202) 482-3773, respectively.

**SUPPLEMENTARY INFORMATION:**

#### **The Applicable Statute and Regulations**

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 ("URAA"). In addition, unless otherwise indicated, all citations to the Department of Commerce's ("the Department's") regulations refer to 19 CFR Part 351 (April 1999).

## Background

On December 14, 1999, the Department published the Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Synthetic Indigo from the People's Republic of China ("PRC") (64 FR 69723) ("Preliminary Determination"). The period of investigation is October 1, 1998 through March 31, 1999. We invited parties to comment on our preliminary determination of the investigation. The Department has conducted this investigation in accordance with section 731 of the Act.

Verification of the responses to the Department's sales and factors of production questionnaires took place in January 2000 (see the "Verification" section below).

The petitioners, Buffalo Color Corporation and the United Steelworkers of America, AFL-CIO/CLC, and the respondents, the China Chamber of Commerce of Metals, Minerals and Chemicals, and its respondent member firms, filed case and rebuttal briefs on March 23 and 28, 2000, respectively.

## Scope of Investigation

The products subject to this investigation are the deep blue synthetic vat dye known as synthetic indigo and those of its derivatives designated commercially as "Vat Blue 1." Included are Vat Blue 1 (synthetic indigo), Color Index No. 73000, and its derivatives, pre-reduced indigo or indigo white (Color Index No. 73001) and solubilized indigo (Color Index No. 73002). The subject merchandise may be sold in any form (e.g., powder, granular, paste, liquid, or solution) and in any strength. Synthetic indigo and its derivatives subject to this investigation are currently classifiable under subheadings 3204.15.10.00, 3204.15.40.00 or 3204.15.80.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under investigation is dispositive.

## Verification

As provided in section 782(i)(1) of the Act, we verified the information submitted by the respondents for use in our final determination. We used standard verification procedures, including examination of relevant accounting and production records, as well as original source documents provided by the respondents.

## Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this investigation are addressed in the "Issues and Decision Memorandum" ("Decision Memorandum") from Richard W. Moreland, Deputy Assistant Secretary, Import Administration, to Troy H. Cribb, Acting Assistant Secretary for Import Administration, dated April 27, 2000, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this investigation and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the Department. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at: [www.ita.doc.gov/import\\_admin/records/frn/](http://www.ita.doc.gov/import_admin/records/frn/). The paper copy and electronic version of the Decision Memorandum are identical in content.

## Separate Rates

All responding exporting entities have requested separate, company-specific antidumping duty rates. In the Preliminary Determination we determined that, based on the information contained in the questionnaire responses, the mandatory respondents, Wonderful Chemical Industrial Ltd. ("Wonderful") and its affiliate Jiangsu Taifeng Chemical Industry Co. ("Jiangsu Taifeng"), and Tianjin Hongfa Group Co. ("Tianjin Hongfa"), had met the de jure and de facto criteria for the application of separate antidumping rates. See Preliminary Determination, 64 FR at 69725-6. However, during the course of verification, the Department was unable to completely verify the reported separate rates information for Tianjin Hongfa, and therefore, has determined that Tianjin Hongfa is not eligible to receive a separate rate. Accordingly, we have assigned Tianjin Hongfa the PRC-wide rate, as discussed in the "PRC-Wide Rate" section below. For a discussion of our determination with respect to separate rates and the application of the PRC-wide rate, see the "Separate Rates" section of the Decision Memorandum, which is available in B-099 and on the Web at [www.ita.doc.gov/import\\_admin/records/frn/](http://www.ita.doc.gov/import_admin/records/frn/).