

recurrence of dumping at the rates listed below:

PRC wide	Margin (percent)
Bars/Wedges	31.76
Hammers/Sledges	45.42

This notice also serves as the only reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely written notification of the return or destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

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

Dated: May 26, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-846]

Brake Rotors From the People's Republic of China: Initiation of New Shipper Antidumping Duty Reviews

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

SUMMARY: The Department of Commerce has received requests to conduct new shipper reviews of the antidumping duty order on brake rotors from the People's Republic of China. In accordance with 19 CFR 351.214(d), we are initiating reviews for Hongfa Machinery (Dalian) Co., Ltd. and Luoyang Haoxiang Brake Disc Factory. We are not initiating a review of Shenyang Jinde Machinery Co., Ltd.

EFFECTIVE DATE: June 2, 2000.

FOR FURTHER INFORMATION CONTACT: Terre Keaton or Brian Smith, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone (202) 482-1280 or 482-1766, respectively.

Applicable Statute and Regulations

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 of Commerce ("the Department") regulations are to 19 CFR Part 351 (April 2000).

SUPPLEMENTARY INFORMATION:

Background

The Department has received timely requests from Neotek Corporation ("Neotek"), Hongfa Machinery (Dalian) Co., Ltd. ("Hongfa"), and Luoyang Haoxiang Brake Disc Factory ("Luoyang"), in accordance with 19 CFR 351.214(c), for new shipper reviews of the antidumping duty order on brake rotors from the People's Republic of China ("PRC"), which has an April anniversary date. Neotek originally claimed that it was an exporter, as well as an importer. However, on May 17, 2000, Neotek clarified that it was not the PRC exporter/producer of the subject merchandise. Therefore, Neotek sought to amend its request by filing on behalf of its affiliated PRC producer/exporter of the subject merchandise, Shenyang Jinde Machinery Co., Ltd. ("Shenyang Jinde").

As required by 19 CFR 351.214(b)(2)(i) and (iii)(A), each of the three companies identified above has certified that it did not export brake rotors to the United States during the period of investigation ("POI"), and that it has never been affiliated with any exporter or producer which did export brake rotors during the POI. Each company has further certified that its export activities are not controlled by the central government of the PRC, satisfying the requirements of 19 CFR 351.214(b)(2)(iii)(B). Pursuant to the Department's regulations at 19 CFR 351.214(b)(2)(iv), Hongfa, Luoyang and Shenyang Jinde each submitted documentation establishing the date on which it first shipped the subject merchandise to the United States, the volume of that first shipment, and the date of the first sale to an unaffiliated customer in the United States.

We are not initiating a review with respect to Shenyang Jinde for two reasons. First, no request was made during the relevant anniversary month for review of entries exported by Shenyang Jinde (*i.e.*, because Shenyang Jinde's request was untimely). Second, the date on which Shenyang Jinde reportedly first sold and shipped subject

merchandise to the United States was after the end of the period for which brake rotor can be reviewed at this time (*i.e.*, the period April 1, 1999, through March 31, 2000).

In accordance with section 751(a)(2)(B) of the Act, as amended, and 19 CFR 351.214(b), and based on information on the record, we are initiating the new shipper reviews for Hongfa and Luoyang.

It is the Department's usual practice in cases involving non-market economies to require that a company seeking to establish eligibility for an antidumping duty rate separate from the country-wide rate provide *de jure* and *de facto* evidence of an absence of government control over the company's export activities. Accordingly we will issue a questionnaire to Hongfa and Luoyang (including a complete separate rates section), allowing approximately 37 days for response. If the response from each respondent provides sufficient indication that it is not subject to either *de jure* or *de facto* government control with respect to its exports of brake rotors, each review will proceed. If, on the other hand, a respondent does not demonstrate its eligibility for a separate rate, then it will be deemed to be affiliated with other companies that exported during the POI and that it did not establish entitlement to a separate rate, and the review of that respondent will be rescinded.

Initiation of Review

In accordance with section 751(a)(2)(B)(ii) of the Act and 19 CFR 351.214(d)(1), we are initiating new shipper reviews of the antidumping duty order on brake rotors from the PRC. Therefore, we intend to issue the preliminary results of these reviews not later than 180 days after the date on which the reviews are initiated.

Antidumping duty proceeding	Period to be reviewed
PRC: Brake Rotors, A-570-846: Hongfa Machinery (Dalian) Co., Ltd., Luoyang Haoxiang Brake Disc Factory	04/01/99-03/31/00

We will instruct the Customs Service to allow, at the option of the importer, the posting, until the completion of the review, a bond or security in lieu of a cash deposit for each entry of the merchandise exported by the above-listed companies. This action is in accordance with 19 CFR 351.214(e).

Interested parties that need access to proprietary information in these new shipper reviews should submit

applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305 and 351.306.

This initiation and notice are in accordance with section 751(a) of the Act (19 U.S.C. 1675(a)) and 19 CFR 351.214(d).

Dated: May 26, 2000.

Richard W. Moreland,

Deputy Assistant Secretary, Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-588-703]

Continuation of Antidumping Duty Order: Internal Combustion Forklift Trucks From Japan

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

ACTION: Notice of Continuation of Antidumping Duty Order: Internal Combustion Forklift Trucks from Japan.

SUMMARY: On August 5, 1999, the Department of Commerce ("the Department"), pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended ("the Act"), determined that revocation of the antidumping duty order on internal combustion forklift trucks from Japan is likely to lead to continuation or recurrence of dumping (64 FR 42662). On April 10, 2000, the International Trade Commission ("the Commission"), pursuant to section 751(c) of the Act, determined that revocation of the antidumping duty order on internal combustion forklift trucks from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (65 FR 19022). Therefore, pursuant to 19 CFR 351.218(f)(4), the Department is publishing notice of the continuation of the antidumping duty order on internal combustion forklift trucks from Japan.

EFFECTIVE DATE: April 17, 2000.

FOR FURTHER INFORMATION CONTACT:

Kathryn B. McCormick or James Maeder, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, DC 20230; telephone: (202) 482-1930 or (202) 482-3330, respectively.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 1999, the Department initiated, and the Commission instituted, a sunset review (64 FR 15727 and 64 FR 15786, respectively) of the antidumping duty order on internal combustion forklift trucks from Japan, pursuant to section 751(c) of the Act. As a result of its review, the Department found that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping and notified the Commission of the magnitude of the margin likely to prevail were the order to be revoked (*see Final Results of Expedited Sunset Review: Internal Combustion Forklift Trucks from Japan*, August 5, 1999 (65 FR 42662)).

On April 10, 2000, the Commission determined, pursuant to section 751(c) of the Act, that revocation of the antidumping duty order on internal combustion forklift trucks from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time (*see Final Results of Expedited Sunset Review: Internal Combustion Forklift Trucks from Japan*, 65 FR 19022 (April 10, 2000) and USITC Publication 3287, Investigation No. 731-TA-377 (Review) (April 2000)).

Scope

The merchandise subject to this antidumping duty order is internal combustion industrial forklift trucks, with lifting capacity of 2,000 to 5,000 pounds, from Japan. The products covered are described as follows: assembled, not assembled, and less than complete, finished and not finished, operator-riding forklift trucks powered by gasoline, propane, or diesel fuel internal-combustion engines of off-the-highway types used in factories, warehouses, or transportation terminals for short-distance transport, towing, or handling of articles (*see Certain Internal Combustion Industrial Forklift Trucks from Japan; Final Results of Antidumping Duty Administrative Review*, 62 FR 5592 (February 6, 1997)). Less than complete forklift trucks are defined as imports which include a frame by itself or a frame assembled with one or more component parts. Component parts of the subject forklift trucks which are not assembled with a frame are not covered by this order. Imports of these products were previously classified under items numbers 692.4025, 692.4030 and 692.4070 of the Tariff Schedules of the United States Annotated; currently, they classifiable under Harmonized Tariff

Schedule of the United States ("HTSUS") item numbers 8427.20.00, 8427.90.00, and 8431.20.00. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description remains dispositive.

Determination

As a result of the determination by the Department and the Commission that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act, the Department hereby orders the continuation of the antidumping duty order on internal combustion forklift trucks from Japan. The Department will instruct the U.S. Customs Service to continue to collect antidumping duty deposits at the rates in effect at the time of entry for all imports of subject merchandise.

Normally, the effective date of continuation of a finding, order, or suspension agreement will be the date of publication in the **Federal Register** of the Notice of Continuation. As provided in 19 CFR 351.218(f)(4), the Department normally will issue its determination to continue a finding, order, or suspended investigation not later than seven days after the date of publication in the **Federal Register** of the Commission's determination concluding the sunset review and, immediately thereafter, will publish its notice of continuation in the **Federal Register**. In the instant case, however, the Department's publication of the Notice of Continuation was delayed. Therefore, the Department has explicitly indicated that the effective date of continuation of this order is April 17, 2000, seven days after the date of publication in the **Federal Register** of the Commission's determination. As a result, pursuant to sections 751(c)(2) and 751(c)(6) of the Act, the Department intends to initiate the next five-year review of this order not later than March 2005.

Dated: May 26, 2000.

Troy H. Cribb,

Acting Assistant Secretary for Import Administration.

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