FOR FURTHER INFORMATION CONTACT: LaVonne Jackson and James Kemp, Office V, DAS Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW, Washington, DC 20230; telephone (202) 482–3003 or (202) 482–1276, respectively.

Postponement of Preliminary Determinations

The Department of Commerce (''the Department'') is postponing the preliminary determinations in the antidumping duty investigations of cold-rolled flat-rolled carbon-quality steel products from Indonesia, the People's Republic of China, Taiwan and Turkey. The deadline for issuing the preliminary determinations in these investigations is now December 8, 1999.

On June 21, 1999, the Department initiated antidumping investigations of cold-rolled flat-rolled carbon-quality steel products from Indonesia, the People's Republic of China, Taiwan and Turkey. *See Initiation of Antidumping Duty Investigations: Certain Cold-Rolled Flat-Rolled Carbon-Quality Steel Products from Argentina, Brazil, the People's Republic of China, Indonesia, Japan, the Russian Federation, Slovakia, South Africa, Taiwan, Thailand, Turkey, and Venezuela*, 64 FR 34194. The notice stated that the Department would issue its preliminary determinations no later than 140 days after the date of initiation (*i.e.*, November 8, 1999). On October 19, 1999, the Department postponed the date of the preliminary determination in the case involving Slovakia. *See Notice of Postponement of Preliminary Antidumping Duty Determination: Certain Cold-Rolled Flat-Rolled Carbon-Quality Steel Products from Slovakia*, 64 FR 57842 (October 27, 1999). The Department issued preliminary determinations in the cases involving Argentina, Brazil, Japan, the Russian Federation, South Africa, Thailand and Venezuela on November 1, 1999.

The Department has now concluded, consistent with section 733(c)(1)(B) of the Act, that the four cases at issue here are extraordinarily complicated, and that additional time is necessary to issue the preliminary determinations, due to (a) the complexity of the issues raised in these cases, requiring the issuance of multiple supplemental questionnaires, (b) the inherent difficulty of coordinating the analysis of cross-cutting issues for several related antidumping investigations, (c) the need to allow additional time for respondents in Taiwan and Turkey to respond to our questionnaires resulting from the recent natural disasters in those countries, and (d) an electrical fire at the Department's main building and technical problems, which rendered the Import Administration computer network inoperative for one week. Therefore, in light of the fact that parties to this proceeding have been cooperating, pursuant to section 733(c)(1) of the Act, the Department is postponing the deadline for issuing these determinations until December 8, 1999.

This extension is in accordance with section 733(c) of the Act and 19 CFR 351.205(b)(2).

Dated: November 5, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–29750 Filed 11–12–99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A–307–815

Notice of Preliminary Determination of Sales at Less Than Fair Value: Certain Cold-Rolled Flat-Rolled Carbon-Quality Steel Products From Venezuela

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

EFFECTIVE DATE: November 15, 1999.

FOR FURTHER INFORMATION CONTACT: Maureen McPhillips or Linda Ludwig, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC, 20230; telephone: (202) 482–0193 or (202) 482–3833, respectively.

The Applicable Statute

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

Preliminary Determination

We preliminarily determine that cold-rolled flat-rolled carbon-quality steel products (cold-rolled steel products) from Venezuela are being, or are likely to be, sold in the United States at less than fair value (LTFV), as provided in section 733 of the Act. The estimated margin of sales at LTFV is shown in the ''Suspension of Liquidation'' section of this notice.

Case History

On June 21, 1999, the Department initiated antidumping duty investigations of imports of certain cold-rolled flat-rolled carbon-quality steel products from Argentina, Brazil, the People's Republic of China, Indonesia, Japan, the Russian Federation, Slovakia, South Africa, Taiwan, Thailand, Turkey, and Venezuela. *See Notice of Initiation of Antidumping Duty Investigations: Certain Cold-Rolled Flat-Rolled Carbon-Quality Steel Products*, 64 FR 34194 (June 25, 1999) (*Initiation Notice*). Since the initiation of this investigation, the following events have occurred:

On June 21, 1999, the Department invited interested parties to submit comments on the proposed model match criteria. On June 28, 1999, Bethlehem Steel Corporation, Gulf States Steel, Inc., Ispat Inland, Inc., LTV Steel Company, Inc., National Steel Corporation, Steel Dynamics, Inc., U.S. Steel Group, a unit of USX Corporation, Weirton Steel Corporation, and United Steelworkers of America (collectively, ''petitioners'') stated that we should revise the category ''annealing'' to account more precisely for important differences in processing, pricing, functions, and customer expectations. In addition, petitioners recommended that the Department include an additional category under ''QUALITY,'' for motor lamination steels. On June 22, 1999, the Department issued Section A of the antidumping duty questionnaire to Sidor, the only known exporter of subject merchandise in Venezuela. On July 9, 1999, the Department issued Sections B through E to Sidor. On July 16, 1999, the United States International Trade Commission (ITC) notified the Department of its affirmative preliminary injury determination in this case. The Department received Sidor's response to Section A of the questionnaire on July 20, 1999. Petitioners filed comments on Sidor's response to Section A on August 3, 1999. The Department issued a supplemental questionnaire for Section A on August 24, 1999 in order to clarify and/or correct the information and data submitted in the original questionnaire. Sidor failed to respond to Sections B through D of the questionnaire and the Department's supplemental questionnaire for Section A.

The Department set aside a period for all interested parties to raise issues regarding product coverage. From July through October 1999, the Department

received responses from a number of parties including importers, respondents, consumers, and petitioners, aimed at clarifying the scope of the investigation. *See* Memorandum to Joseph A. Spetrini, November 1, 1999 (Scope Memorandum) for a list of all persons submitting comments and a discussion of all scope comments. There are several scope exclusion requests for products which are currently covered by the scope of this investigation that are still under consideration by the Department. These items are considered to be within the scope for this preliminary determination; however, these requests will be reconsidered for the final determination. See Scope Memorandum.

Scope of Investigation

For purposes of this investigation, the products covered are certain cold-rolled (cold-reduced) flat-rolled carbon-quality steel products, neither clad, plated, nor coated with metal, but whether or not annealed, painted, varnished, or coated with plastics or other non-metallic substances, both in coils, 0.5 inch wide or wider, (whether or not in successively superimposed layers and/or otherwise coiled, such as spirally oscillated coils), and also in straight lengths, which, if less than 4.75 mm in thickness having a width that is 0.5 inch or greater and that measures at least 10 times the thickness; or, if of a thickness of 4.75 mm or more, having a width exceeding 150 mm and measuring at least twice the thickness. The products described above may be rectangular, square, circular or other shape and include products of either rectangular or non-rectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been ''worked after rolling'')—for example, products which have been beveled or rounded at the edges.

Specifically included in this scope are vacuum degassed, fully stabilized (commonly referred to as interstitial-free (''IF'')) steels, high strength low alloy (''HSLA'') steels, and motor lamination steels. IF steels are recognized as low carbon steels with micro-alloying levels of elements such as titanium and/or niobium added to stabilize carbon and nitrogen elements. HSLA steels are recognized as steels with micro-alloying levels of elements such as chromium, copper, niobium, titanium, vanadium, and molybdenum. Motor lamination steels contain micro-alloying levels of elements such as silicon and aluminum.

Steel products included in the scope of this investigation, regardless of definitions in the Harmonized Tariff Schedules of the United States (''HTSUS''), are products in which: (1) Iron predominates, by weight, over each of the other contained elements; (2) the carbon content is 2 percent or less, by weight, and; (3) none of the elements listed below exceeds the quantity, by weight, respectively indicated:

1.80 percent of manganese, or
2.25 percent of silicon, or
1.00 percent of copper, or
0.50 percent of aluminum, or
1.25 percent of chromium, or
0.30 percent of cobalt, or
0.40 percent of lead, or
1.25 percent of nickel, or
0.30 percent of tungsten, or
0.10 percent of molybdenum, or
0.10 percent of niobium (also called columbium), or
0.15 percent of vanadium, or
0.15 percent of zirconium

All products that meet the written physical description, and in which the chemistry quantities do not exceed any one of the noted element levels listed above, are within the scope of this investigation unless specifically excluded. The following products, by way of example, are outside and/or specifically excluded from the scope of this investigation:

- SAE grades (formerly also called AISI grades) above 2300;
- Ball bearing steels, as defined in the HTSUS;
- Tool steels, as defined in the HTSUS;
- Silico-manganese steel, as defined in the HTSUS;
- Silicon-electrical steels, as defined in the HTSUS, that are grain-oriented;
- Silicon-electrical steels, as defined in the HTSUS, that are not grain-oriented and that have a silicon level exceeding 2.25 percent;
- All products (proprietary or otherwise) based on an alloy ASTM specification (sample specifications: ASTM A506, A507);
- Silicon-electrical steels, as defined in the HTSUS, that are not grain-oriented and that have a silicon level less than 2.25 percent, and

(a) fully-processed, with a core loss of less than 0.14 watts/pound per mil (.001 inches), or

(b) semi-processed, with core loss of less than 0.085 watts/pound per mil (.001 inches);

- Certain shadow mask steel, which is aluminum killed cold-rolled steel coil that is open coil annealed, has an ultra-flat, isotropic surface, and which meets the following characteristics:

Thickness: 0.001 to 0.010 inches
Width: 15 to 32 inches

CHEMICAL COMPOSITION:

Element	C
Weight %	< 0.002%

- Certain flapper valve steel, which is hardened and tempered, surface polished, and which meets the following characteristics:

Thickness: ≤1.0 mm

Width: ≤152.4 mm

CHEMICAL COMPOSITION

Element	C	Si	Mn	P	S
Weight %	0.90–1.05	0.15–0.35	0.30–0.50	≤ 0.03	≤ 0.006

MECHANICAL PROPERTIES

Tensile Strength	≥ 162 Kgf/mm^2.
Hardness	≥ 475 Vickers hardness number.

PHYSICAL PROPERTIES

Flatness	< 0.2% of nominal strip width.

Microstructure: Completely free from decarburization. Carbides are spheroidal and fine within 1% to 4% (area percentage) and are undissolved in the uniform tempered martensite.

NON-METALLIC INCLUSION

	Area percentage
Sulfide Inclusion	≤ 0.04
Oxide Inclusion	≤ 0.05

Compressive Stress: 10 to 40 Kgf/mm ^{2}

SURFACE ROUGHNESS

Thickness (mm)	Roughness (μm)
t ≤ 0.209	Rz ≤ 0.5
0.209 < t ≤ 0.310	Rz ≤ 0.6
0.310 < t ≤ 0.440	Rz ≤ 0.7
0.440 < t ≤ 0.560	Rz ≤ 0.8
0.560 < t	Rz ≤ 1.0

• Certain ultra thin gauge steel strip, which meets the following characteristics:
Thickness: ≤ 0.100 mm +/−7%.
Width: 100 to 600 mm.

CHEMICAL COMPOSITION

Element	C	Mn	P	S	Al	Fe
Weight %	≤ 0.07	0.2-0.5	≤ 0.05	≤ 0.05	≤ 0.07	Balance

MECHANICAL PROPERTIES

Hardness	Full Hard (Hv 180 minimum).
Total Elongation	< 3%
Tensile Strength	600 to 850 N/mm ^{2}

PHYSICAL PROPERTIES

Surface Finish	≤ 0.3 micron.
Camber (in 2.0 m)	< 3.0 mm.
Flatness (in 2.0 m)	≤ 0.5 mm.
Edge Burr	< 0.01 mm greater than thickness.
Coil Set (in 1.0 m)	< 75.0 mm.

• Certain silicon steel, which meets the following characteristics:
Thickness: 0.024 inches +/−.0015 inches.
Width: 33 to 45.5 inches.

CHEMICAL COMPOSITION

Element	C	Mn	P	S	Si	Al
Min. Weight%					0.65	
Max. Weight %	0.004	0.4	0.09	0.009		0.4.

MECHANICAL PROPERTIES

Hardness	B 60–75 (AIM 65).

PHYSICAL PROPERTIES

Finish	Smooth (30—60 microinches).
Gamma Crown (in 5 inches)	0.0005 inches, start measuring ¼ inch from slit edge.

PHYSICAL PROPERTIES—Continued

Flatness	20 I–UNIT max.
Coating	C3A–.08A max. (A2 coating acceptable).
Camber (in any 10 feet)	1/16 inch.
Coil Size I.D	20 inches.

MAGNETIC PROPERTIES

Core Loss (1.5T/60 Hz) NAAS	3.8 Watts/Pound max.
Permeability (1.5T/60 Hz) NAAS	1700 gauss/oersted typical 1500 minimum.

• Certain aperture mask steel, which has an ultra-flat surface flatness and which meets the following characteristics:
Thickness: 0.025 to 0.245 mm.
Width: 381—1000 mm.

CHEMICAL COMPOSITION

Element	C	N	Al
Weight %	< 0.01	0.004 to 0.007	< 0.007

• Certain tin mill black plate, annealed and temper-rolled, continuously cast, which meets the following characteristics:

CHEMICAL COMPOSITION

Element	C	Mn	P	S	Si	Al	As	Cu	B	N
Min. Weight %	0.02	0.20				0.03			.....	0.003
Max. Weight %	0.06	0.40	0.02	0.023 (Aiming 0.018 Max.)	0.03	0.08 (Aiming 0.05)	0.02	0.08	.....	0.008 (Aiming 0.005)

Non-metallic Inclusions: Examination with the S.E.M. shall not reveal individual oxides > 1 micron (0.000039 inches) and inclusion groups or clusters shall not exceed 5 microns (0.000197 inches) in length.

Surface Treatment as follows: The surface finish shall be free of defects (digs, scratches, pits, gouges, slivers, etc.) and suitable for nickel plating.

SURFACE FINISH

	Roughness, RA Microinches (Micrometers)		
	Aim	Min.	Max.
Extra Bright	5(0.1)	0(0)	7(0.2)

• Certain full hard tin mill black plate, continuously cast, which meets the following characteristics:

CHEMICAL COMPOSITION

Element	C	Mn	P	S	Si	Al	As	Cu	B	N
Min. Weight %	0.02	0.20				0.03			.....	0.003
Max. Weight %	0.06	0.40	0.02	0.023 (Aiming 0.018 Max.)	0.03	0.08 (Aiming 0.05)	0.02	0.08	.....	0.008 (Aiming 0.005)

Non-metallic Inclusions: Examination with the S.E.M. shall not reveal individual oxides > 1 micron (0.000039 inches) and inclusion groups or clusters shall not exceed 5 microns (0.000197 inches) in length.

Surface Treatment as follows: The surface finish shall be free of defects (digs, scratches, pits, gouges, slivers, etc.) and suitable for nickel plating.

SURFACE FINISH

	Roughness, RA Microinches (Micrometers)		
	Aim	Min.	Max.
Stone Finish	16(0.4)	8(0.2)	24(0.6)

• Certain ''blued steel'' coil (also know as ''steamed blue steel'' or ''blue oxide'') with a thickness and size of 0.38 mm x 940 mm x coil, and with a bright finish;

• Certain cold-rolled steel sheet, which meets the following characteristics:

Thickness (nominal): ≤ 0.019 inches
Width: 35 to 60 inches

CHEMICAL COMPOSITION

Element	C	O	B
Max. Weight %	0.004		
Min. Weight %		0.010	0.012

• Certain band saw steel, which meets the following characteristics: Thickness: ≤ 1.31 mm. Width: ≤ 80 mm.

CHEMICAL COMPOSITION

Element	C	Si	Mn	P	S	Cr	Ni
Weight %	1.2 to 1.3	0.15 to 0.35	0.20 to 0.35	≤ 0.03	≤ 0.007	0.3 to 0.5	≤ 0.25

Other properties:

Carbide: fully spheroidized having > 80% of carbides, which are ≤ 0.003 mm and uniformly dispersed.

Surface finish: bright finish free from pits, scratches, rust, cracks, or seams.

Smooth edges:

Edge camber (in each 300 mm of length): ≤ 7 mm arc height.

Cross bow (per inch of width): 0.015 mm max.

The merchandise subject to this investigation is typically classified in the HTSUS at subheadings: 7209.15.0000, 7209.16.0030, 7209.16.0060, 7209.16.0090, 7209.17.0030, 7209.17.0060, 7209.17.0090, 7209.18.1530, 7209.18.1560, 7209.18.2550, 7209.18.6000. 7209.25.0000, 7209.26.0000, 7209.27.0000, 7209.28.0000, 7209.90.0000, 7210.70.3000, 7210.90.9000, 7211.23.1500, 7211.23.2000, 7211.23.3000, 7211.23.4500, 7211.23.6030, 7211.23.6060, 7211.23.6085, 7211.29.2030, 7211.29.2090, 7211.29.4500, 7211.29.6030, 7211.29.6080, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.19.0000, 7225.50.6000, 7225.50.7000, 7225.50.8010, 7225.50.8085, 7225.99.0090, 7226.19.1000, 7226.19.9000, 7226.92.5000, 7226.92.7050, 7226.92.8050, and 7226.99.0000.

Although the HTSUS subheadings are provided for convenience and U.S. Customs Service (''U.S. Customs'') purposes, the written description of the merchandise under investigation is dispositive.

Period of Investigation

The period of this investigation (POI) is April 1, 1998 through March 31, 1999.

Facts Available

Section 776(a)(2) of the Act provides that if an interested party withholds information that has been requested by the Department, fails to provide such information in a timely manner, or in the form requested, significantly impedes a proceeding under the antidumping statute, or provides information that cannot be verified, the Department shall, subject to subsections 782(c)(1) and (e) of the Act, use facts otherwise available in reaching the applicable determination. Because Sidor failed to provide Section B (home market sales), Section C (U.S. sales), and Section D (cost of production) information, we must base its margin entirely on the facts otherwise available.

Sidor submitted a response to Section A of the Department's questionnaire, but did not respond to Section B through D of the questionnaire in a timely manner. We note that although Sidor requested additional time to respond to these sections of our questionnaire, this request was denied because it was made after the deadline for response had already passed. *See* ''Letter to the Secretary of Commerce from Counsel for Sidor'', August 31, 1999 and ''Letter to Counsel for Sidor from the Department of Commerce'', September 3, 1999. In addition, Sidor failed to respond to the Department's supplemental Section A questionnaire of August 24, 1999. Because Sidor failed to respond to the required sections of the antidumping duty questionnaire, the Department finds the company has significantly impeded this investigation. Consequently, under sections 776(a)(2)(B) and (C) of the Act, the Department must use facts otherwise available in making its determination.

In selecting from among the facts otherwise available, section 776(b) of the Act authorizes the Department to use an adverse inference if the Department finds that a party has failed to cooperate by not acting to the best of its ability to comply with requests for information. *See also Statement of Administrative Action* (SAA) accompanying the URAA, H.R. Rep. No. 316, 103d Cong, 2d Sess. at 870 (1994). Such adverse inference may include reliance on information derived from the petition. To determine whether the respondent ''cooperated'' by ''acting to the best of its ability'' under section 776(b), the Department considers, among other facts, the accuracy and completeness of submitted information and whether the respondent has hindered the calculation of accurate dumping margins. *See, e.g., Certain Welded Carbon Steel Pipes and Tubes from Thailand; Final Results of Antidumping Duty Administrative Review,* 62 FR 53808, 53819–53820, (October 16, 1997); *Brass Sheet and Strip from Germany; Final Results of Antidumping Duty Administrative Review,* 63 FR 42823–42824 (August 11, 1998).

Sidor's complete refusal to reply to the Department's requests for home market and U.S. sales information and cost of production information demonstrates that Sidor has failed to act to the best of its ability in this investigation. Thus, the Department has determined that, in selecting among the facts otherwise available, an adverse inference is warranted with regard to Sidor. Consistent with Department practice in cases in which a respondent fails to cooperate to the best of its ability by refusing to respond to entire sections of the questionnaire, and pursuant to section 776(b)(1) of the Act, as facts available we have applied a margin based on the highest margin alleged in the petition. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value: Certain Steel Concrete Reinforcing Bars From Turkey,* 62 FR 9737–9738 (March 4, 1997).

Section 776(c) of the Act requires the Department to corroborate, to the extent practicable, secondary information used as facts available. Secondary

information is described in the SAA (at 870) as ''[i]nformation derived from the petition that gave rise to the investigation or review, the final determination concerning the subject merchandise, or any previous review under section 751 concerning the subject merchandise.''

The SAA further provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information to be used has probative value. *See* SAA at 870. Thus, to corroborate secondary information, to the extent practicable, the Department will examine the reliability and relevance of the information used.

During the Department's pre-initiation analysis of the petition, we reviewed the adequacy and accuracy of the information in the petition, to the extent appropriate information was available for this purpose (*e.g.*, import statistics, foreign market research reports, and data from U.S. producers). *See Notice of Initiation* and ''Import Administration AD Investigation Initiation Checklist,'' (June 21, 1999). The estimated dumping margins of the petitioners were based on two price quotes from trading companies for sales to unaffiliated U.S. purchasers and import values declared to the U.S. Customs compared to two high and low ex-factory prices obtained from market research consultants. The Department determined the adequacy and accuracy of the information from which the petition margin was calculated by reviewing all of the data presented and by requesting clarification and confirmation from petitioners and their sources as needed. *See* Attachment B to the Initiation Checklist and *Memorandum to the File: Telephone Conversation with Market Research Firm Regarding the Petition for the Imposition of Antidumping Duties* (June 21, 1999). In addition, for purposes of this preliminary determination, the Department compared the export prices alleged by petitioners, based on price quotations obtained from trading companies, for sales to unaffiliated first purchasers with the average unit values of U.S. imports classified under the appropriate HTS number during the same months as the U.S. sales.

We noted that the U.S. price quotes of the per unit values of the subject merchandise derived by petitioners were well within the range of the average unit values reported by U.S. Customs. U.S. official import statistics are sources which we consider to require no further corroboration by the Department. *See Notice of Final Determination of Sales at Less Than Fair Value: Collated Roofing Nails From the People's Republic of China,* 62 FR 51410, 51412 (October 1, 1997). The Department was provided no information by the respondents or other interested parties, and is aware of no other independent sources of information that would enable it to corroborate home market prices further for this preliminary determination. The implementing regulation to section 776 of the Act, at 19 CFR 351.308(d), states ''[t]he fact that corroboration may not be practicable in a given circumstance will not prevent the Secretary from applying an adverse inference as appropriate and using the secondary information in question.'' We note also that the SAA at 870 specifically states that, where ''corroboration may not be practicable in a given circumstance'', the Department may nevertheless apply an adverse inference. Based on the above, we find that the estimated margins set forth in the petition have probative value.

The All-Others Rate

The foreign manufacturer/exporter in this investigation is being assigned a dumping margin on the basis of facts otherwise available. Section 735(c)(5) of the Act provides that, where the dumping margins established for all exporters and producers individually investigated are determined entirely under section 776 of the Act, the Department may use any reasonable method to establish the estimated all-others rate for exporters and producers not individually investigated, including weight averaging the zero, *de minimis,* and the margins based on facts available. *See also* SAA at 873. In this case, the margin assigned to the only company investigated is based on adverse facts available. Therefore, consistent with the statute and the SAA, we are using an alternative method. As our alternative, we are basing the all others rate on a simple average of the margins in the petition. As a result, the all others rate is 42.93 percent.

Critical Circumstances

On June 10, 1999, the petitioners made a timely allegation that there is a reasonable basis to believe or suspect that critical circumstances exist with respect to imports of subject merchandise from Venezuela. According to section 733(e)(1) of the Act, if critical circumstances are alleged under section 733(e) of the Act, the Department must examine whether there is a reasonable basis to believe or suspect that: (A)(i) There is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise, or (ii) the person by whom, or for whose account, the merchandise was imported knew or should have known that the exporter was selling the subject merchandise at less than its fair value and there was likely to be material injury by reason of such sales, and (B) there have been massive imports of the subject merchandise over a relatively short period. Section 351.206(h)(1) of the Department's regulations provides that, in determining whether imports of the subject merchandise have been ''massive,'' the Department normally will examine: (i) The volume and value of the imports; (ii) seasonal trends; and (iii) the share of domestic consumption accounted for by the imports. In addition, section 351.206(h)(2) of the Department's regulations provides that an increase in imports during the ''relatively short period'' described in section 351.206(i) of over 15 percent may be considered ''massive.'' Section 351.206(i) of the Department's regulations defines ''relatively short period'' normally as the period beginning on the date the proceeding begins (*i.e.*, the date the petition is filed) and ending at least three months later.

Because we are not aware of any antidumping order in any country on cold-rolled steel products from Venezuela, we find that there is no reasonable basis to believe or suspect that there is a history of dumping and material injury by reason of dumped imports in the United States or elsewhere of the subject merchandise. Therefore, we must look to whether there was importer knowledge under section 733(e)(1)(A)(ii).

In determining whether there is a reasonable basis to believe or suspect that an importer knew or should have known that the exporter was selling the cold-rolled steel at less than fair value, the Department's normal practice is to consider EP sales margins of 25 percent or more sufficient to impute knowledge of dumping. *See Brake and Brake Rotors From the People's Republic of China,* 62 FR 9160, 9164 (February 28, 1997). As discussed above, we have applied, as adverse facts available for Sidor, the highest of the dumping margins presented in the petition and corroborated by the Department. Because this margin is in excess of 25 percent, we impute knowledge of dumping in regard to exports by Sidor. *See Stainless Steel Sheet and Strip in Coils from Japan,* 64 FR 30574 (June 8, 1999).

Moreover, in determining whether there is a reasonable basis to believe or suspect that an importer knew or should have known that there was likely to be material injury by reason of dumped imports, the Department may look to the

preliminary injury determination of the ITC. *See Brake and Brake Rotors from the PRC,* 62 FR at 9164. If the ITC finds a reasonable indication of present material injury to the relevant U.S. industry, the Department normally determines that a reasonable basis exists to impute importer knowledge that there was likely to be material injury by reason of dumped imports. *See Id.* The ITC has found that a reasonable indication of present material injury exists in regard to Venezuela. *See ITC Preliminary Determination.* As a result, the Department has determined that there is a reasonable basis to believe or suspect that importers knew or should have known that there was likely to be material injury by reason of dumped imports from Sidor.

In determining whether there are ''massive imports'' over a ''relatively short period,'' the Department ordinarily bases its analysis on import data for at least the three months preceding (the ''base period'') and following (the ''comparison period'') the filing of the petition. See 19 CFR 351.206(i). Imports normally will be considered massive when imports during the comparison period have increased by 15 percent or more compared to imports during the base period. See 19 CFR 351.206(h). However, as stated in the Department's regulations, at section 351.206(i), if the Secretary finds that importers, exporters, or producers had reason to believe, at some time prior to the beginning of the proceeding, that a proceeding was likely, then the Secretary may consider a period of not less than three months from that earlier time.

Because Sidor did not respond fully to our antidumping questionnaire, we must base our determination regarding massive imports on the facts available. In this case, Sidor is the only known producer and exporter of subject merchandise from Venezuela, and U.S. Census data are reasonably specific to exports of subject merchandise from Venezuela. Therefore, we have determined that it is reasonable to use these data as facts available in this case.

In the present case, petitioners argue that importers, exporters, or producers of cold-rolled steel had reason to believe that, based on press reports, an antidumping proceeding was likely long before the filing of the petition. To determine whether, prior to the filing of the petition, there was reason to believe that a proceeding was likely, the Department examined press reports in late 1998 regarding rising imports and the likelihood of anti-dumping actions against imports of cold-rolled steel to the United States. Press reports established that by the beginning of November 1998, importers, exporters, or producers knew or should have known that a proceeding was likely concerning cold-rolled products from South America (*see Journal of Commerce,* November 4, 1998). Because Venezuela is a major South American producer of cold-rolled steel, we find such press reports sufficient to establish that, as of November 1998, importers, exporters or producers from Venezuela knew or should have known that a proceeding was likely concerning cold-rolled products from Venezuela. Thus, the Department has determined that it is appropriate to compare imports before and after November 1998 in our examination of whether there were massive imports, rather than compare imports before and after the date the petition was filed. The Department compared the import volumes from January–October 1998 to November 1998–August 1999, the maximum period for which we had reliable data in this case, and found that U.S. Census data shows more than a 100 percent increase in imports of subject merchandise from Venezuela during this period. Thus, U.S. Census data indicate that imports from Venezuela, and thus imports from Sidor, the only known producer/exporter of subject merchandise in Venezuela, were far above the minimum level normally considered ''massive'' by the Department. Therefore, pursuant to section 733(e) of the Act and section 351.206(h) of the Department's regulations, we preliminarily determine that there have been massive imports of cold-rolled steel from Sidor over a relatively short period of time. Accordingly, consistent with Department practice, we have determined that critical circumstances exist for Sidor.

All Others

It is the Department's normal practice to conduct its critical circumstances analysis of companies in the ''all others'' group based on the experience of investigated companies. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Steel Concrete Reinforcing Bars from Turkey (Rebars from Turkey),* 62 FR 9737, 9741 (March 4, 1997) (the Department found that critical circumstances existed for the majority of the companies investigated, and therefore concluded that critical circumstances also existed for companies covered by the ''all others'' rate). Where the dumping margins for all investigated respondents are based entirely on adverse facts available, however, the Department does not automatically extend an affirmative critical circumstances determination to companies covered by the ''all others'' rate. *See Stainless Steel Sheet from Japan,* 64 FR 30574 (June 8, 1999). Instead, the Department considers the traditional critical circumstances criteria with respect to the companies covered by the ''all others'' rate.

Consistent with *Stainless Steel from Japan,* the Department has, in this case, applied the traditional critical circumstances criteria to the ''all others'' category for the antidumping investigation of cold rolled steel from Venezuela. First, the dumping margin for the ''all others'' category, 42.93 percent (*see Suspension of Liquidation,* below), exceeds the 25 percent threshold necessary to impute knowledge of dumping. Second, based on the ITC's preliminary material injury determination, we also find that importers knew or should have known that there would be material injury from sales of the dumped merchandise by respondents other than Sidor.

However, the Department, in selecting the facts available, has not made an adverse inference that there are massive imports for the ''all others'' category in the Venezuela investigation. Since Sidor, the mandatory respondent, is currently the only known exporter of cold-rolled steel in Venezuela, we have determined that the information available indicates no massive imports for the ''all others'' category. As a result, because the massive imports criterion necessary to find critical circumstances has not been met with respect to firms other than Sidor, the Department finds that critical circumstances do not exist for the ''all others'' category in the Venezuelan investigation.

Suspension of Liquidation

In accordance with section 733(d) of the Act, we are directing U.S. Customs to suspend liquidation of all imports of subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register**. In addition, for Sidor, we are directing U.S. Customs to suspend liquidation of all imports of subject merchandise that are entered, or withdrawn from warehouse, for consumption on or after the date that is 90 days prior to the date of publication of this notice. We will instruct U.S. Customs to require a cash deposit or the posting of a bond equal to the percentage margin, as indicated in the chart below. These suspension-of-liquidation instructions will remain in

effect until further notice. The dumping margin is as follows:

Producer/manufacture exporter	Weighted-average margin (percent)
Sidor	56.37
All Others	42.93

The all others rate, which we derived from the average of the margins calculated in the petition, applies to all entries of subject merchandise other than those exported by the named respondent.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determination. If our final determination is affirmative, the ITC will determine whether these imports are materially injuring, or threaten material injury, to the U.S. industry. The deadline for the ITC determination is the later of 120 days after the date of this preliminary determination or 45 days after the date of our final determination.

Public Comment

Case briefs or other written comments in at least ten copies must be submitted to the Assistant Secretary for Import Administration no later than fifty days after the publication of this notice in the **Federal Register**. Rebuttal briefs must be filed no later than fifty-five days after the publication of this notice in the **Federal Register**. A list of authorities used and an executive summary of issues should accompany any briefs submitted to the Department. Such a summary should be limited to five pages total, including footnotes. In accordance with section 774 of the Act, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. If a request for a hearing is made in an investigation, the hearing will tentatively be held two days after the deadline for submission of the rebuttal briefs, at the U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. Parties should confirm by telephone the time, date, and place of the hearing 48 hours before the scheduled time.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the publication of this notice. Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. Oral presentations will be limited to issues raised in the briefs.

If this investigation proceeds normally, we will make our final determination within 75 days after the date of this preliminary determination.

This determination is issued and published in accordance with sections 733(d) and 777(i)(1) of the Act.

Dated: November 1, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–29762 Filed 11–12–99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–848]

Freshwater Crawfish Tail Meat From the People's Republic of China; Initiation of New Shipper Antidumping Reviews

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

ACTION: Notice of initiation of new shipper antidumping reviews.

SUMMARY: The Department of Commerce (the Department) has received requests from Yixing Ban Chang Foods Co., Ltd. (Yixing), Fujian Pelagic Fishery Group Company (Fujian Pelagic), Yangzhou Lakebest Foods Co., Ltd. (Lakebest), Suqian Foreign Trade Co., Ltd. (Suqian), Qingdao Zhengri Seafood Co., Ltd. (Qingdao Zhengri), and Shantou SEZ Yangfeng Marine Products Company (Yangfeng) to conduct new shipper reviews of the antidumping duty order on freshwater crawfish tail meat from The People's Republic of China (PRC). In accordance with the Department's current regulations, we are initiating these new shipper reviews.

EFFECTIVE DATE: November 15, 1999.

FOR FURTHER INFORMATION CONTACT: Thomas Gilgunn or Maureen Flannery, AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–0648 or (202) 482–3020, respectively.

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. In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, codified at 19 CFR part 351 (1998).

Background

On September 19, 1999, and September 30, 1999, the Department received timely requests, in accordance with section 751(a)(2)(B)(ii) of the Act, and section 351.214(c) of the Department's regulations, for new shipper reviews of this antidumping duty order which has a September anniversary date.

Initiation of Reviews

In its September 19, 1999, request for review, Yixing certified that it did not export the subject merchandise to the United States during the period of investigation (POI) and that it is not affiliated with any company which exported subject merchandise to the United States during the POI, as required by 19 CFR 351.214(b)(2)(i) and (iii)(A). Yixing 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), Yixing 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 its first sale to an unaffiliated customer in the United States.

In its September 30, 1999 request for review, Fujian Pelagic certified that it did not export the subject merchandise to the United States during the POI and that it is not affiliated with any company which exported subject merchandise to the United States during the POI, as required by 19 CFR 351.214(b)(2)(i) and (iii)(A). Fujian Pelagic 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 315.214(b)(2)(iv), Fujian Pelagic 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 its first sale to an unaffiliated customer in the United States. In addition, Fujian Pelagic submitted a statement from Fujian Hualong Aquatic Trade Development Company Lianjiang Aquatic Processing