

shipments of greater than 15 percent or more occurred within a relatively short period following the point at which importers had reason to believe that a proceeding was likely. Information on the record indicates that these data cover numerous HTS categories that include merchandise other than subject merchandise. Therefore, we cannot rely on these data in determining whether there were massive imports for the "all others" category.

Based on our determination that massive imports of seamless pipe from the producers included in the "all others" category did not occur and, consequently, that the third criterion necessary for determining affirmative critical circumstances has not been met, we have preliminarily determined that critical circumstances do not exist for imports from Japan of seamless pipe for companies in the "all-others" category.

South Africa

Iscor

We are not aware of any antidumping order in any country on seamless pipe from South Africa. Therefore, we do not find that a reasonable basis exists 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. As a result, we must look to the second criterion for determining importer knowledge of dumping.

As explained in *PRC Plate*, the Department's normal practice is to consider margins of 25 percent or more on EP sales sufficient to impute knowledge of dumping. In this case, for the sole mandatory respondent, Iscor, which did not respond to the Department's questionnaire, we have applied, as adverse facts available, the highest of the dumping margins presented in the petition and corroborated by the Department. This is consistent with section 776 of the Act and with our practice as outlined in *Vector Supercomputers*. Because Iscor's assigned dumping margin of 43.51 percent is greater than 25 percent, we have imputed knowledge of dumping to importers of subject merchandise from Iscor.

Regarding the likelihood of material injury, for the same reasons stated above for Japan, 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 of subject merchandise from Iscor. See *ITC Preliminary Determination*.

Finally, regarding "massive imports", because we had no company-specific data, we examined U.S. Customs data on imports of seamless pipe from South Africa in order to determine whether the data reasonably precludes a finding of an increase in shipments of 15 percent or more within a relatively short period for this company. Because Iscor is the only known producer of the subject merchandise, it can be inferred that any increase shown in the Customs data reflects an increase in Iscor's shipments. We examined the same five-month periods described above for Japan and found that there was an increase in shipments of 18.6 percent. Consistent with Department practice, because the Customs data does not preclude the existence of a massive increase in shipments by Iscor (and indeed suggests such an increase), we have inferred, as facts available, that there were massive imports from Iscor over a relatively short period. See, e.g., *Collated Roofing Nails From Taiwan*.

Based on our determination that there is a reasonable basis to believe or suspect that importers knew or should have known that Iscor was selling seamless pipe from South Africa at less than fair value, that there was likely to be material injury by reason of such dumped imports, and that there have been massive imports of seamless pipe from this producer over a relatively short period, we have preliminarily determined that critical circumstances exist for imports from South Africa of seamless pipe produced by Iscor.

All Other Exporters From South Africa

In regard to the "all others" category, we have followed the same analysis outlined above in the discussion for the "All Others Exporters from Japan." However, since Iscor is currently the only known exporter of seamless pipe in South Africa, we have determined that the Customs 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 Iscor, the Department finds that critical circumstances do not exist for the "all others" category in the South African investigation.

Suspension of Liquidation

In accordance with section 733(e)(2) of the Act, the Department will direct the Customs Service to suspend liquidation of all entries of seamless pipe from the Japan produced by Kawasaki, Nippon and Sumitomo and all entries of seamless pipe from South Africa produced by Iscor, that are

entered, or withdrawn from warehouse, for consumption on or after September 15, 1999, which is 90 days prior to the date of publication in the **Federal Register** of our preliminary determinations of sales at less than fair value. The Customs Service shall require a cash deposit or posting of a bond equal to the estimated preliminary dumping margins reflected in the preliminary determinations of sales at less than fair value published in the **Federal Register**. This suspension of liquidation will remain in effect until further notice. The margins in the preliminary determinations are as follows:

	Percent
Japan:	
Nippon Steel Corporation	106.07
Kawasaki Steel Corporation	106.07
Sumitomo Metal Industries ...	106.07
South Africa: Iscor Ltd.	43.51

Final Critical Circumstances Determinations

We will make final critical circumstances determinations when we issue our final determinations in the less-than-fair-value investigations, which are due to be made no later than April 27, 2000.

ITC Notification

In accordance with section 733(f) of the Act, we have notified the ITC of our determinations.

This notice is published pursuant to section 777(i) of the Act.

Dated: March 1, 2000.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

(C-428-812)

Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From Germany: Final Results of Changed Circumstances Review and Revocation of Countervailing Duty Order

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

SUMMARY: On January 18, 2000, the Department of Commerce (the Department) published in the **Federal Register** a notice of rescission of countervailing duty administrative review and initiation and preliminary

results of changed circumstances review and intent to revoke the countervailing duty order on certain hot-rolled lead and bismuth carbon steel products from Germany (65 FR 2582). We are now revoking this order, retroactive to January 1, 1998, based on the fact that the domestic producers are no longer interested in its continued maintenance.

EFFECTIVE DATE: March 9, 2000.

FOR FURTHER INFORMATION CONTACT:

Robert Copyak, AD/CVD Enforcement Office 6, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-2786.

SUPPLEMENTARY INFORMATION:

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

Background

On November 24, 1999, Ispat Inland Inc. (Ispat) and Republic Technologies International (RTI) (the successors to the petitioners in this proceeding) and domestic producer Birmingham Steel Corporation (BSC) (collectively, the domestic producers) requested that the Department conduct a changed circumstances review to revoke the countervailing duty order on certain hot-rolled lead and bismuth carbon steel products from Germany retroactive to January 1, 1998. They stated that circumstances have changed such that they no longer have an interest in maintaining the countervailing duty order. They also stated that they represent approximately 85 to 90 percent of the domestic production of the like product to which the order pertains. On January 5, 2000, the domestic producers submitted a letter withdrawing their request for the administrative review of the period January 1, 1998, through December 31, 1998.

On January 7, 2000, we preliminarily determined that the affirmative statement of no interest by the domestic producers constituted changed circumstances sufficient to warrant revocation of this order. Consequently, on January 18, 2000, we published a notice of rescission of countervailing

duty administrative review and initiation and preliminary results of changed circumstances review and intent to revoke the countervailing duty order (65 FR 2581). We invited interested parties to comment on the preliminary results of this changed circumstances review and intent to revoke order. We received no comments.

Scope of Review

The products covered are hot-rolled bars and rods of nonalloy or other alloy steel, whether or not descaled, containing by weight 0.03 percent or more of lead or 0.05 percent or more of bismuth, in coils or cut lengths, and in numerous shapes and sizes. Excluded from the scope are other alloy steels (as defined by the Harmonized Tariff Schedule of the United States (HTSUS) Chapter 72, note 1(f)), except steels classified as other alloy steels by reasons of containing by weight 0.4 percent or more of lead, or 0.1 percent or more of bismuth, tellurium, or selenium. Also excluded are semi-finished steels and flat-rolled products. Most of the products covered in this review are provided for under subheadings 7213.20.00.00 and 7214.30.00.00 of the HTSUS. Small quantities of these products may also enter the United States under the following HTSUS subheadings: 7213.31.30.00; 7213.31.60.00; 7213.39.00.30; 7213.39.00.60; 7213.39.00.90; 7213.91.30.00; 7213.91.45.00; 7213.91.60.00; 7213.99.00; 7214.40.00.10, 7214.40.00.30, 7214.40.00.50; 7214.50.00.10; 7214.50.00.30, 7214.50.00.50; 7214.60.00.10; 7214.60.00.30; 7214.60.00.50; 7214.91.00; 7214.99.00; 7228.30.80.00; and 7228.30.80.50. HTSUS subheadings are provided for convenience and Customs purposes. The written description of the scope of this proceeding is dispositive.

Final Results of Changed Circumstances Review and Revocation of Order

Pursuant to section 751(d)(1) of the Act, the Department may revoke, in whole or in part, a countervailing duty order based on a review under section 751(b) of the Act (*i.e.*, a changed circumstances review). Section 751(b)(1) of the Act requires a changed circumstances review to be conducted upon receipt of a request containing sufficient information concerning changed circumstances.

The Department's regulations at 19 CFR 351.216(d) require the Department to conduct a changed circumstances

review in accordance with 19 CFR 351.221 if it decides that changed circumstances sufficient to warrant a review exist. Section 782(h) of the Act and 19 CFR 351.222(g)(1)(i) provide further that the Department may revoke an order, in whole or in part, if it concludes that the order under review is no longer of interest to producers accounting for substantially all of the production of the domestic like product.

Ispat, RTI, and BSC are domestic interested parties as defined by section 771(9)(E) of the Act and 19 CFR 351.102(b) and represent substantially all of the production of the domestic like product. Based on the affirmative statement by the domestic producers of no interest in the continued application of the order and the fact that no interested parties objected to our preliminary results of this review, we determine that there are changed circumstances sufficient to warrant revocation of the order. Therefore, the Department is revoking the countervailing duty order on certain hot-rolled lead and bismuth carbon steel products from Germany, retroactive to January 1, 1998.

In accordance with 19 CFR 351.222(g)(4), we will instruct the Customs Service to end the suspension of liquidation and to refund any estimated countervailing duties collected for all unliquidated entries of certain hot-rolled lead and bismuth carbon steel products from Germany on or after, January 1, 1998. We will also instruct the Customs Service to pay interest on such refunds in accordance with section 778 of the Act.

This changed circumstances review, revocation of the countervailing duty order, and notice are in accordance with sections 751(b), 751(d) and 782(h) of the Act and 19 CFR 351.216 and 351.222.

Dated: March 1, 2000.

Joseph A. Spetrini

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.