

During any administrative review covering all or part of a period falling between the first and second or third and fourth anniversary of the publication of an antidumping duty order under section 351.211 or a determination under section 351.218(f)(4) to continue an order or suspended investigation (after sunset review), the Secretary, if requested by a domestic interested party within 30 days of the date of publication of the notice of initiation of the review, will determine whether antidumping duties have been absorbed by an exporter or producer subject to the review if the subject merchandise is sold in the United States through an importer that is affiliated with such exporter or producer. The request must include the name(s) of the exporter or producer for which the inquiry is requested.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930, as amended (19 USC 1675(a)), and 19 CFR 351.221(c)(1)(i).

Dated: May 26, 2000.

Holly A. Kuga,

Acting Deputy Assistant Secretary, Group II for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-803, A-570-803]

Final Results of Full Sunset Reviews: Bars and Wedges and Hammers and Sledges From the People's Republic of China

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

ACTION: Notice of Final Results of Full Sunset Reviews: Bars and Wedges and Hammers and Sledges from the People's Republic of China.

SUMMARY: On January 24, 2000, the Department of Commerce ("the Department") published a notice of preliminary results of the full sunset reviews of antidumping duty orders on bars and wedges and hammers and sledges from the People's Republic of China (65 FR 3658)¹ 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. We did not receive comments from either domestic or respondent interested parties. As a result of these reviews, the Department finds that revocation of these orders would be likely to lead to continuation or recurrence of dumping at the rates indicated in the *Final Results of Review* section of this notice.

FOR FURTHER INFORMATION CONTACT: Eun W. Cho or Carole Showers, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-1698 or (202) 482-3217, respectively.

EFFECTIVE DATE: June 2, 2000.

Statute and Regulations

Unless otherwise indicated, all citations to 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 regulations are to 19 CFR part 351 (1999). Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department 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 24, 2000, the Department published a notice of preliminary results of the full sunset reviews of the antidumping duty orders on bars and wedges and hammers and sledges from the People's Republic of China ("PRC") (65 FR 3658)² pursuant to section 751(c) of the Act. In our preliminary results, we determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. In addition, we preliminarily determined that the following weighted-average dumping margins are likely to prevail if the orders were revoked: PRC-wide rate of 31.76 percent ad valorem for bars/wedges and 45.42 percent ad valorem for hammers/sledges.

Neither domestic nor respondent interested parties submitted case briefs

within the deadline specified in 19 CFR 351.309(c)(1)(i).

Scope of Review

The products covered by these orders include bars/wedges and hammers/sledges from the PRC. Although we provide the full scope language for the order on heavy forged hand tools ("HFHTs") below, this determination applies only to the types of HFHTs which fall under the orders (A-570-803) on bars/wedges and hammers/sledges from the PRC. HFHTs include heads for drilling, hammers, sledges, axes, mauls, picks, and mattocks, which may or may not be painted, which may or may not be finished, or which may or may not be imported with handles; assorted bar products and track tools including wrecking bars, digging bars and tampers; and steel wood splitting wedges. HFHTs are manufactured through a hot forge operation in which steel is sheared to the required length, heated to forging temperature, and formed to final shape on forging equipment using dies specific to the desired product shape and size. Depending on the product, finishing operations may include shot-blasting, grinding, polishing, and painting, and the insertion of handles for handled products. HFHTs are currently classifiable under the following Harmonized Tariff Schedule ("HTS") item numbers 8205.20.60, 8205.59.30, 8201.30.00, and 8201.40.60. Specifically excluded are hammers and sledges with heads 1.5 kilograms (3.33 pounds) in weight and under, and hoes and rakes, and bars 18 inches in length and under. The HTS item numbers are provided for convenience and customs purposes only. The written description of the scope remains dispositive.

There has been one scope ruling with respect to the orders on HFHTs from the PRC in which the Forrest Tool Company's Max Multipurpose Tool was determined to be within the scope of the order (58 FR 59991, (November 12, 1993)).

Analysis of Comments Received

The Department did not receive a case brief from either domestic or respondent interested parties. We have not made any changes to our preliminary results of January 24, 2000 (65 FR 3658).³

Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or

¹ See also Bars and Wedges and Hammers and Sledges from the People's Republic of China: Corrected Preliminary Results of Full Sunset Reviews, 65 FR 16167 (March 27, 2000).

² See footnote 1, supra.

³ See footnote 1, supra.

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 Sheyang 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