margin based on the ''all others'' rate from the investigation. (*See* section II.B.1 of the *Sunset Policy Bulletin*.) Exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determinations. (*See* sections II.B.2 and 3 of the *Sunset Policy Bulletin*.) We note that, to date, the Department has not issued any duty absorption findings in any of these four cases.

In their substantive responses, the domestic interested parties recommended that, consistent with the *Sunset Policy Bulletin*, the Department provide to the Commission the company-specific margins from the original investigations. Moreover, regarding companies not reviewed in the original investigation, the domestic interested parties suggested that the Department report the ''all others'' rates included in the original investigations.

The Department agrees with the domestic interested parties. The Department finds that the margins calculated in the original investigation are probative of the behavior of Canadian, Japanese, Korean, and Singaporean producers/exporters if the orders were revoked as they are the only margins which reflect their behavior absent the discipline of the order. Therefore, the Department will report to the Commission the company-specific and all others rates from the original investigations as contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping orders would likely lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/exporter	Margin (percent)
Canada	
Mitsubishi Electronics Industries Canada, Inc	0.63
All Others	0.63
Japan	
Hitachi, Ltd	22.29
Matsushita Electronics Corporation	27.46
Mitsubishi Electric Corporation	1.05
Toshiba Corporation	33.50
All Others	27.93
Korea	
Samsung Electron Devices Company, Ltd	1.91
All Others	1.91
Singapore	
Hitachi Electronic Devices, Pte., Ltd	5.33
All Others	5.33

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/destruction of APO materials 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.

These five-year (''sunset'') reviews and notices are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 30, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–23038 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–831–801; A–822–801; A–447–801; A–451–801; A–821–801; A–823–801; A–842–801; A–843–801; A–844–801]

Final Results of Expedited Sunset Reviews: Solid Urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan

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

ACTION: Notice of final results of expedited sunset reviews: solid urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan.

SUMMARY: On March 1, 1999, the Department of Commerce (''the Department'') initiated sunset reviews of the antidumping duty orders on solid urea from Armenia, Belarus, Estonia, Lithuania, Russia, Ukraine, Tajikistan, Turkmenistan, and Uzbekistan (64 FR 9970) pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On the basis of the notices of intent to participate and adequate substantive comments filed on behalf of domestic interested parties and inadequate responses from respondent interested parties, the Department determined to conduct expedited reviews. As a result of these reviews, the Department finds that revocation of the antidumping duty orders 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.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone: (202) 482–5050 or (202) 482–1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

These reviews were 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*''). 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*'').

Scope

The merchandise subject to these antidumping duty orders is solid urea. This merchandise was previously subject to an antidumping duty order on solid urea from the Union of Soviet Socialist Republics (U.S.S.R.). However, with the dissolution of the U.S.S.R., the order was subsequently transferred to all 15 republics (57 FR 28828, June 29, 1992). This merchandise is currently classifiable under the Harmonized Tariff Schedule (''HTS'') of the United States, item number 3201.10.00. The HTS item number is provided for convenience and customs purposes only. The written description remains dispositive.

History of the Order

On May 26, 1987, the Department issued a final determination of sales at less than fair value with respect to

imports of solid urea from the U.S.S.R.[1] In the final determination and subsequent antidumping duty order, the Department applied three weighted-average dumping margins: 68.26 percent for Soyupromexport (SPE), 53.23 percent for Philipp Brothers, Inc., and an all others rate of 64.93 percent.[2]

On December 1991, the U.S.S.R. divided into fifteen independent states. On June 29, 1992, the Department transferred the antidumping duty orders on solid urea from the U.S.S.R. to the Commonwealth of Independent States and the Baltic States and announced a change in the names and case numbers of the antidumping duty orders. The Department announced a country-wide rate of 68.26 percent for each new state and stated that the substance of each new order would not change from the original order and its amended administrative review (*see* 54 FR 39219).[3] The Department conducted one administrative review prior to the division of the U.S.S.R.,[4] and one administrative review after the division of the U.S.S.R.[5]

These reviews cover all producers and exporters of solid urea from Armenia, Belarus, Estonia, Lithuania, Russia, the Ukraine, Tajikistan, Turkmenistan, and Uzbekistan (collectively, ''the Former Soviet States'').

Background

On March 1, 1999, the Department initiated sunset reviews of the antidumping duty orders on solid urea from the former Soviet States (''FSS'') (64 FR 9970), pursuant to section 751(c) of the Act. The Department received a Notice of Intent to Participate for each of these reviews on behalf of the Ad Hoc Committee of Domestic Nitrogen Producers (the ''Committee'') and Agrium U.S. Inc. (''Agrium'') (collectively the ''domestic parties'') on March 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations.*

We received complete substantive responses from both the Committee and Agrium on March 30, 1999, and March 31, 1999, respectively, for each of these cases, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). In each of its substantive responses, the Committee claimed interested-party status under section 771(9)(C) of the Act as a coalition of domestic producers of nitrogen fertilizers who produce domestic like product.[6] In each of its responses, Agrium claimed interested-party status under section 771(9)(C) of the Act and as a manufacturer, producer, or wholesaler in the United States of solid urea. Additionally, both the Committee and Agrium were involved in the original investigation and in the sole administrative review that the Department conducted of these orders. We did not receive a complete substantive response from any respondent interested party in any of these proceedings. We received an incomplete and, therefore, inadequate response from the Embassy of Belarus on April 8, 1999. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department is conducting expedited, 120-day, reviews of these orders.

On July 6, 1999, the Department determined that the sunset review of the antidumping duty orders on urea from the FSS are extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). *See* section 751(c)(6)(C) of the Act. Therefore, the Department extended the time limit for completion of the final results of these reviews until not later than August 30, 1999, in accordance with section 751(c)(5)(B) of the Act.[7]

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted these reviews to determine whether revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making these determinations, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping duty order, and it shall provide to the International Trade Commission (''the Commission'') the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, parties' comments with respect to continuation or recurrence of dumping and the magnitude of the margin are addressed within the respective sections below.

Continuation or Recurrence of Dumping

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act (''URAA''), specifically the Statement of Administrative Action (''the SAA''), H.R. Doc. No. 103–316, vol. 1 (1994), the House Report, H.R. Rep. No. 103–826, pt.1 (1994), and the Senate Report, S. Rep. No. 103–412 (1994), the Department issued its *Sunset Policy Bulletin* providing guidance on methodological and analytical issues, including the bases for likelihood determinations. In its *Sunset Policy Bulletin*, the Department indicated that determinations of likelihood will be made on an order-wide basis (*see* section II.A.2). In addition, the Department indicated that normally it will determine that revocation of an antidumping duty order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly (*see* section II.A.3).

In addition to considering the guidance on likelihood cited above, section 751(c)(4)(B) of the Act provides that the Department shall determine that revocation of an order is likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. As noted above, with the exception of Belarus, in these instant reviews, the Department did not receive a response from any respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the *Sunset*

[1] *See Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value*, 52 FR 19557 (May 26, 1987).

[2] *See Urea From the Union of Soviet Socialist Republics; Final Determination of Sales at Less Than Fair Value*, 52 FR 19557 (May 26, 1987).

[3] *See Solid Urea From the Union of Soviet Socialist Republics; Transfer of the Antidumping Duty Orders on Solid Urea From the Union of Soviet Socialist Republics to the Commonwealth of Independent States and the Baltic States and Opportunity to Comment*, 57 FR 28828–02 (June 29, 1992).

[4] *See Final Results of Antidumping Duty Administrative Review; Solid Urea From the Union of Soviet Socialist Republics*, 54 FR 33262 (August 14, 1989), and *Amendment to Final Results of Antidumping Duty Administrative Review; Solid Urea From the Union of Soviet Socialist Republics*, 54 FR 39219 (September 25, 1989).

[5] *See Final Results of Antidumping Duty Administrative Review; Solid Urea From Estonia*, 59 FR 25606 (May 17, 1994).

[6] The Ad Hoc Committee of Domestic Nitrogen Producers is comprised of the following members: CF Industries, Inc., Coastal Chem, Inc., Mississippi Chemical Corporation, PCS Nitrogen, Inc., and Terra Industries, Inc. J.R. Simplot Co. is also a member of the Ad Hoc Committee, but is not a producer of solid urea and, therefore, is not participating in these reviews.

[7] *Extension of Time Limit for Final Results of Five-Year Reviews*, 54 FR 36333 (July 6, 1999).

Regulations, this constitutes waivers of participation.

In their respective substantive responses, both the Committee and Agrium argue that revocation of the antidumping duty orders on solid urea would be likely to lead to continuation or recurrence of dumping of solid urea from the FSS. (*See* the Substantive Response of the Committee at 6 and the Substantive Response of Agrium at 3.) With respect to whether dumping margins continued in existence after the issuance of the order, the domestic parties argue that dumping margins above *de minimis* continue to exist for all producers from all nine countries. (*See* Substantive Response of the Committee at 10 and the Substantive Response of Agrium at 5.) The Committee also states that a dumping margin of 68.26 percent remains in existence for imports of solid urea from all nine countries and that, as such, dumping is likely to continue if the orders were revoked.

With respect to whether imports of the subject merchandise ceased after the issuance of the original order, the domestic parties argue that, following the imposition of the order, imports of solid urea, first from the U.S.S.R. and, subsequently, from the FSS, have declined and have ceased with the exception of one or two shipments in very small volumes from Russia and Ukraine. The Committee argues that, prior to the imposition of the order in 1987, imports of solid urea from the U.S.S.R. ranged from 418,000 short tons to 843,000 short tons. (*See* Substantive Response of the Committee at 8.) In 1988, the year following the imposition of the order, there were no imports of solid urea from the U.S.S.R. Following the break-up of the U.S.S.R. and subsequent transfer of the order, the Committee argues that there have been no shipments at all from Armenia, Estonia, Tajikistan, Turkmenistan, and Uzbekistan. With respect to Belarus, Lithuania, Russia, and the Ukraine, however, the Committee argues that it ''believes that *no* * * * urea has been imported into the United States since 1987.'' (*See* Substantive Response of the Committee at 8.)

Regarding Russia, the Committee argues that, although U.S. Census data report imports of solid urea from Russia in 1995, 1996, and 1998, it is unlikely that any of these shipments were actually shipments of urea. According to the Committee, shipments of Russian urea in 1998 were analyzed by the Department and found to have been incorrectly classified by the U.S. Census Bureau as imports of solid urea when, in fact, the majority of the shipments were of either ammonium nitrate or urea-ammonium nitrate, neither of which is subject to this order. The result is that, of the 56,638 short tons originally classified as solid urea, only 24 short tons remain classified as solid urea, with the rest of the shipment being classified as a separate product. (*See* the Substantive Response of the Committee at Exhibit 2.)

With regard to Belarusian, Lithuanian, and Ukrainian imports of solid urea, the Committee raises the same issue. The Committee asserts, in its substantive responses, that it believes that the other shipments from Russia in 1995 and 1996, as well as any other shipments from Belarus, Lithuania, and Ukraine, are also incorrectly classified and, therefore, argues that the Department can correctly determine that imports have ceased since the imposition of the orders. (*See* Substantive Response of the Committee at 9.) Barring that decision, however, the Committee argues that imports have declined dramatically or have ceased and that, as such, the Department must find that there is a likelihood of continuation or recurrence of dumping if these orders were revoked.

Agrium also addressed the issue of whether imports of solid urea declined significantly or ceased after the issuance of the order. Agrium argues that in 1986, the year immediately preceding the issuance of the order, imports of Soviet solid urea totaled 843,374 short tons. In the year immediately following imposition of the order, however, Agrium argues that there was a complete cessation of imports and that, from 1988 (the year of the order) until 1994, there were commercially insignificant quantities, if there were any imports of urea, from the FSS. From 1995 to 1998, Agrium argues that, when there were imports from the FSS, the import volumes were quite small, measuring only between 2 and 9 percent of import volumes from the U.S.S.R. prior to the imposition of the order. (*See* Substantive Response of Agrium at 4.) Therefore, Agrium argues that, because import volumes have virtually ceased since the imposition of the order, the Department should find that there is a likelihood of continuation or recurrence of dumping if these orders were revoked.

In conclusion, the domestic parties argue that there is a likelihood of continuation or recurrence of dumping of solid urea from the FSS if these orders were revoked. The domestic parties argue that the continued existence of dumping margins above a *de minimis* level and that the virtual cessation of imports of solid urea after the imposition of the order, first from the U.S.S.R. and later from these individual countries, is highly probative of the likelihood of continuation or recurrence of dumping.

As discussed in section II.A.3 of the *Sunset Policy Bulletin*, the SAA at 890, and the House Report at 63–64, if companies continue dumping with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. Dumping margins above a *de minimis* level have existed and continue to exist for imports of solid urea from all producers/exporters from each of the FSS.

Consistent with section 752(c) of the Act, the Department also considered the volume of imports before and after issuance of the order. The import statistics provided by the domestic parties, specifically by the Committee, in each of these cases, and confirmed by the Department using import statistics from U.S. Census Bureau IM146s, indicate that imports of the subject merchandise from the U.S.S.R. ceased following the imposition of the order. Following the break-up of the U.S.S.R., the imports from Armenia, Estonia, Tajikistan, Turkmenistan, and Uzbekistan have remained at zero and imports from the other FSS have been at very low volumes. While the Committee has argued that the Department should find that there has been a complete cessation of imports of subject merchandise, it is clear that, even with the incorrectly classified merchandise, imports have continued from some FSS, albeit at significantly lower levels than the pre-imposition levels.

Based on this analysis, the Department finds that the almost complete cessation of imports after the issuance of the orders coupled with the existence of dumping margins after the issuance of these orders is highly probative of the likelihood of continuation or recurrence of dumping. Deposit rates above a *de minimis* level continue in effect for exports of the subject merchandise for all producers/exporters. Therefore, given the almost complete cessation of imports, that margins above *de minimis* levels have continued over the life of the orders, respondent interested parties have waived their right to participate in these reviews before the Department, and absent argument and evidence to the contrary, the Department determines that dumping is likely to continue if these orders were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it normally will provide to the Commission the company-specific margin from the investigation for each company. Further for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the ''all others'' rate from the investigation. (*See* section II.B.1 of the *Sunset Policy Bulletin*.) Exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determination. (*See* section II.B.2 and 3 of the *Sunset Policy Bulletin*.)

With respect to the magnitude of the margin likely to prevail if the antidumping duty orders were revoked, the domestic parties argue that the Department should report to the Commission the margin from the original investigation of 68.26 percent. This rate is the weighted-average dumping margin found in the investigation for the Soviet exporter, and it subsequently became the uniform cash deposit rate transferred to the fifteen independent states. The domestic parties assert that the 68.26 percent rate continues to reflect the behavior of exporters without the discipline of the antidumping duty orders.

The Department agrees with the domestic parties as to the magnitude of the margin likely to prevail should the antidumping duty orders on solid urea be revoked. While dumping margins from the original investigation were determined by the Department, prior to the U.S.S.R.'s disbanding, the dumping rate was officially transferred. This rate continues to be applied to each of the independent states.

Therefore, consistent with the Department's *Sunset Policy Bulletin*, we determine that the 68.26 percent rate that we calculated in the investigation, and subsequently transferred after the U.S.S.R ceased to exist, best reflects the behavior of urea producers and exporters without the discipline of the order in place with the exception of imports from Phillipp Brothers, Ltd., and Phillipp Brothers, Inc., the Department finds that the dumping margin of 53.23 percent, assigned in the original investigation, is the rate likely to prevail if the order were revoked.

The Department will report to the Commission the rates at the level indicated in the Final Results of Review section of this notice.

Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the margins listed below:

Manufacturer/Exporter/Importer	Margin (percent)
Soyuzpromexport (SPE)	68.26
Phillipp Brothers, Ltd. & Phillipp Brothers, Inc.	53.23
Country-wide rate	*68.26

*This rate is the new rate that applies to all former Soviet Union countries subject to these orders.

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/destruction of APO materials 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 five-year (''sunset'') review and notice in accordance with sections 751(c), 752 and 777(i)(1) of the Act.

Dated: August 30, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–23049 Filed 9–2–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–485–601]

Final Result of Expedited Sunset Review: Solid Urea from Romania

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

ACTION: Notice of Final Result of Expedited Sunset Review on Solid Urea from Romania.

SUMMARY: On March 1, 1999, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping duty order on solid urea from Romania pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of the domestic interested parties and inadequate response (in this case, no response) from respondent interested parties, the Department determined to conduct an expedited sunset 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 at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th St. & Constitution Ave., NW, Washington, D.C. 20230; telephone (202) 482–5050 or (202) 482–1560, respectively.

EFFECTIVE DATE: September 3, 1999.

Statute and Regulations

This review was conducted pursuant to section 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*''). 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*'').

Scope

The merchandise subject to the antidumping duty order is solid urea from Romania. Solid urea is a high-nitrogen content fertilizer which is produced by reacting ammonia with carbon dioxide. During the original investigation the merchandise was classified under item number 480.3000 of the Tariff Schedule of the United States Annotated (''TSUSA''). This merchandise is currently classifiable under item number 3102.10.00 of the Harmonized Tariff Schedule (''HTS''). The HTS item number is provided for convenience and customs purposes. The written description of the scope remains dispositive.

History of the Order

On May 26, 1987, the Department issued its final determination that solid urea from Romania was being sold in the United States at less-than-fair-value. The weighted-average dumping margin