

[Investigations Nos. 701-TA-367 (Final), 731-TA-740 (Final), 731-TA-741-743 (Final), 731-TA-744 (Final), 731-TA-745 (Final), 731-TA-746 (Final), 731-TA-747 (Final), and 731-TA-748 (Final)]

**Certain Laminated Hardwood Flooring From Canada; Sodium Azide From Japan; Melamine Institutional Dinnerware From China, Indonesia, and Taiwan; Certain Brake Drums and Rotors From China; Steel Concrete Reinforcing Bars From Turkey; Beryllium Metal and High-Beryllium Alloys From Kazakhstan; Fresh Tomatoes From Mexico; Engineered Process Gas Turbo-Compressor Systems From Japan**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of commencement of final phase countervailing duty and antidumping investigations.

**SUMMARY:** The Commission hereby gives notice of the commencement of final phase countervailing duty Investigation No. 701-TA-367 (Final) under section 705(b) of the Tariff Act of 1930 (the Act) (19 U.S.C. § 1671d(b)) to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of subsidized imports of certain laminated hardwood flooring from Canada, provided for in subheadings 4421.90.98 and 9905.44.50 of the Harmonized Tariff Schedule of the United States.

The Commission additionally gives notice of the commencement of the following final phase antidumping investigations under section 735(d) of the Act (19 U.S.C. § 1673d(b)):

1. Investigation No. 731-TA-740 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of sodium azide from Japan, provided for in subheading 2850.00.50 of the Harmonized Tariff Schedule of the United States.

2. Investigations Nos. 731-TA-741-743 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of melamine institutional dinnerware from China, Indonesia, and Taiwan, provided for in subheadings 3924.10.20, 3924.10.30,

and 3924.10.50 of the Harmonized Tariff Schedule of the United States.

3. Investigation No. 731-TA-744 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of certain brake drums and rotors from China, provided for in subheading 8708.39.50 of the Harmonized Tariff Schedule of the United States.

4. Investigation No. 731-TA-745 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of steel concrete reinforcing bars from Turkey, provided for in subheadings 7213.10.00 and 7214.20.00 of the Harmonized Tariff Schedule of the United States.

5. Investigation No. 731-TA-746 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of beryllium metal and high-beryllium alloys from Kazakhstan, provided for in subheadings 8112.11.30, 8112.11.60, and 7601.20.90 of the Harmonized Tariff Schedule of the United States.

6. Investigation No. 731-TA-747 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of fresh tomatoes from Mexico, provided for in subheadings 0702.00.20, 0702.00.40, and 0702.00.60 of the Harmonized Tariff Schedule of the United States.

7. Investigation No. 731-TA-748 (Final), to determine whether an industry in the United States is materially injured, or threatened with material injury, or establishment of an industry in the United States is materially retarded, by reason of less-than-fair-value imports of engineered process gas turbo-compressor systems from Japan, provided for in subheadings 8406.81.10, 8406.82.10, 8406.90.20 through 8406.90.45, 8414.80.20, 8414.90.40, 8419.60.50, and 9032.89.60 of the Harmonized Tariff Schedule of the United States.

For further information concerning the conduct of these investigations, hearing procedures, and rules of general

application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A and C (19 CFR part 207), as amended in 61 FR 37818 (July 22, 1996).

**EFFECTIVE DATE:** August 21, 1996.

**FOR FURTHER INFORMATION CONTACT:** Vera A. Libeau (202-205-3176), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov> or <ftp://ftp.usitc.gov>).

**SUPPLEMENTARY INFORMATION:**

Amendments to the Commission's Rules of Practice and Procedure concerning countervailing duty and antidumping investigations in 19 C.F.R. parts 201 and 207 became effective on August 21, 1996. Under its revised regulations, the Commission will conduct a single, continuous, countervailing duty or antidumping investigation, in contrast to the discrete preliminary and final investigations it previously conducted. The regulations provide that the Commission will normally commence its final phase investigation at the same time that it publishes notice of an affirmative preliminary determination.

The Commission has reached affirmative preliminary determinations in each of the captioned investigations. Because these determinations were issued before the amendments to the Commission's regulations became effective, the Commission did not commence final phase investigations at the time it published notice of these determinations. It does so now to conform these investigations to the single, continuous investigation concept of the amended regulations, which are applicable to ongoing antidumping and countervailing duty investigations as well as those initiated by petitions filed after the effective date of the amendments.

Accordingly, persons wishing to participate in any of the investigations as parties, who did not enter an appearance in the applicable preliminary investigation, may file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(3) of the Commission rules. The entry of appearance for an

investigation must be filed no later than 21 days before the scheduled hearing date in that investigation. That scheduled hearing date will be specified in the Final Phase Notice of Scheduling which will be published for each investigation in the Federal Register as provided in section 207.21 of the Commission's rules upon notice from the Department of Commerce (Commerce) of an affirmative preliminary determination in that investigation under section 703(b) or 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 705(a) or 735(a) of the Act. (In the *Sodium Azide* and *Melamine* investigations, in which Commerce has issued affirmative preliminary determinations, the Commission will issue Final Phase Notices of Scheduling when it receives further information from Commerce concerning scheduling of Commerce's final investigation.) Parties that filed entries of appearance in a preliminary investigation need not enter a separate appearance for the final phase of that investigation. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to each investigation.

Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make business proprietary information (BPI) available to authorized applicants (which must be interested parties that are parties to the investigation) under the Administrative Protective Order (APO) issued in each investigation, provided that the application is made not later than the time that entries of appearance are due in that investigation. A separate service list will be maintained by the Secretary for each investigation for those parties authorized to receive BPI under the APO.

In accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to any of the captioned investigations must be served on all other parties to that investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Authority: These investigations are being conducted under authority of title VII of the Act. This notice is published pursuant to section 207.20(a) of the Commission's rules.

Issued: August 29, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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#### **[Investigations Nos. 731-TA-736 and 737 (Final)]**

#### **Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, From Germany and Japan**

##### **Determinations**

On the basis of the record<sup>1</sup> developed in the subject investigations, the Commission determines,<sup>2</sup> pursuant to section 735(b) of the Tariff Act of 1930 (19 U.S.C. § 1673d(b)) (the Act), that an industry in the United States is threatened with material injury by reason of imports from Germany and Japan of large newspaper printing presses (LNPPs) and components thereof, whether assembled or unassembled, whether complete or incomplete, that have been found by the Department of Commerce to be sold in the United States at less than fair value (LTFV).<sup>3,4</sup> The subject imports are provided for in subheadings 8443.11.10, 8443.11.50, 8443.21.00, 8443.30.00, 8443.40.00, 8443.59.50, 8443.60.00, and 8443.90.50 of the Harmonized Tariff Schedule of the United States (HTS). LNPP computerized control systems (including equipment and/or software) may enter under HTS subheadings 8471.49.10, 8471.49.21, 8471.49.26, 8471.50.40, 8471.50.80, and 8537.10.90.

##### **Background**

The Commission instituted these investigations effective February 28, 1996, following preliminary determinations by the Department of Commerce that imports of LNPPs and components thereof, whether assembled or unassembled, whether complete or

incomplete, from Germany and Japan were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. § 1673b(b)). Notice of the institution of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the Federal Register of March 13, 1996 (61 FR 10381). The hearing was held in Washington, DC, on July 17, 1996, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on August 28, 1996. The views of the Commission are contained in USITC Publication 2988 (August 1996), entitled "Large Newspaper Printing Presses and Components Thereof, Whether Assembled or Unassembled, from Germany and Japan: Investigations Nos. 731-TA-736 and 737 (Final)."

Issued: August 27, 1996.

By order of the Commission.

Donna R. Koehnke,

Secretary.

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#### **[Investigation No. 731-TA-749 (Preliminary)]**

#### **Persulfates From China**

##### **Determination**

On the basis of the record<sup>1</sup> developed in the subject investigation, the Commission determines,<sup>2</sup> pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. § 1673b(a)), that there is a reasonable indication that an industry in the United States is threatened with material injury by reason of imports from China of persulfates, provided for in subheadings 2833.40.20 and 2833.40.60 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).<sup>3</sup>

##### **Commencement of Final Phase Investigation**

Pursuant to section 207.18 of the Commission's rules, as amended in 61 FR 37818 (July 22, 1996), the

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> Chairman Miller did not participate.

<sup>3</sup> Commissioner Crawford determines that an industry in the United States is materially injured by reason of the LTFV imports.

<sup>4</sup> Vice Chairman Bragg, and Commissioners Newquist, Nuzum, and Watson, who find that an industry in the United States is threatened with material injury, further determine pursuant to 19 U.S.C. § 1673d(b)(4)(B), that they would not have found material injury but for the suspension of liquidation of entries of the merchandise under investigation.

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR § 207.2(f)).

<sup>2</sup> Chairman Miller not participating.

<sup>3</sup> Commissioners Crawford and Watson find a reasonable indication of material injury by reason of the subject imports.