

*Administrative Review*, 65 FR 280, (January 4, 2000). Also, on January 21, 2000, the Department extended the time limit for the final results in this review to February 29, 2000. See *Elemental Sulphur From Canada: Extension of Time Limit for Final Results of the Antidumping Duty Administrative Review*, 65 FR 4804, (February 1, 2000).

On January 24, 2000, we issued a supplemental questionnaire to Petrosul for the purpose of gathering additional information regarding the sales for which Petrosul had knowledge that the merchandise was ultimately destined for the United States. On February 4, 2000, we received a letter from Petrosul indicating that it would not respond to this supplemental questionnaire.

We have now completed the administrative review in accordance with section 751 of the Act.

### Scope of the Review

The product covered by this review is elemental sulphur from Canada. This merchandise is classifiable under Harmonized Tariff Schedule ("HTS") subheadings 2503.10.00, 2503.90.00, and 2802.00.00. Although the HTS subheadings are provided for convenience and for U.S. Customs purposes, the written description of the scope of this finding remains dispositive.

### Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the "Issues and Decision Memorandum" ("Decision Memorandum") from Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration, to Robert S. LaRussa, Assistant Secretary for Import Administration, dated February 29, 2000, which is hereby adopted and incorporated by reference into this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, Room B-099 of the main Department building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at [www.ita.doc.gov/import-admin/records/frn](http://www.ita.doc.gov/import-admin/records/frn). The paper copy and electronic version of the Decision Memorandum are identical in content.

### Use of Facts Available

For a discussion of our application of facts available, see the "Facts Available" section of the Decision Memorandum, which is on file in the Central Records Unit, room B-099 of the main Department building and available on the Web at [www.ita.doc.gov/import-admin/records/frn](http://www.ita.doc.gov/import-admin/records/frn).

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have assigned an adverse facts available margin to Petrosul for its failure to cooperate to the best of its ability based on its decision to not respond to our request for information.

### Final Results of Review

We determine that the following percentage margins exist for the period December 1, 1997, through November 30, 1998:

Manufacturer/exporter/reseller	Margin (percent)
Husky Oil, Ltd .....	40.38
Petrosul International, Ltd .....	40.38

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service.

### Cash Deposit

Because the antidumping duty order on elemental sulphur from Canada has been revoked, effective January 1, 2000, no cash deposits are required for entries of elemental sulphur from Canada for entries on or after January 1, 2000. See *Revocation of Antidumping Finding: Elemental Sulphur From Canada*, 64 FR 40553 (July 27, 1999).

### Notification of Interested Parties

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders ("APOs") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance

with 19 CFR 351.305, which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return/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.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 771(i) of the Act.

Dated: February 29, 2000.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

### Appendix 1— Issues in Decision Memorandum

#### Comments and Responses

1. Adverse Facts Available
2. Facts Available Corroboration
3. Facts Available Determination

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-557-805]

### Extruded Rubber Thread From Malaysia; Final Results of Antidumping Duty Sunset Review

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

**ACTION:** Notice of final results of antidumping duty sunset review.

**SUMMARY:** On August 2, 1999, the Department of Commerce published the notice of initiation of sunset review of the antidumping duty order on extruded rubber thread from Malaysia (64 FR 41915). The merchandise covered by this order is extruded rubber thread from Malaysia. Extruded rubber thread is defined as vulcanized rubber thread obtained by extrusion of stable or concentrated natural rubber latex of any cross sectional shape, measuring from 0.18 mm, which is 0.007 inch or 140 gauge, to 1.42 mm, which is 0.056 inch or 18 gauge, in diameter. On the basis of a notice of intent to participate and adequate substantive response filed on behalf of a domestic interested party, and inadequate response (in this case no response) from respondent interested parties, we determined to conduct an expedited sunset review. As a result of this review, we find that revocation of the antidumping duty order would be likely to lead to continuation or

recurrence of dumping at the levels listed below in the section entitled "Final Results of the Review."

**EFFECTIVE DATE:** March 7, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Martha V. Douthit, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-5050.

**SUPPLEMENTARY INFORMATION:**

**Statute and Regulations**

This review was conducted pursuant to sections 751(c) and 752 of the Tariff Act of 1930, as amended ("the Act"). The Department's procedures for the conduct of sunset reviews set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("*Sunset Regulations*") and 19 CFR Part 351 (1999) in general. 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*").

**Background**

On August 2, 1999, the Department initiated the sunset review of the antidumping duty order on extruded rubber thread from Malaysia (64 FR 41915). We invited parties to comment. On the basis of a notice of intent to participate and adequate substantive response filed on behalf of a domestic interested party, and inadequate response (in this case no response) from respondent interested parties, we determined to conduct an expedited sunset review. The Department has conducted this sunset review in accordance with sections 751 and 752 of the Act.

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). This review concerns a transition order within the meaning of section 751(c)(6)(C)(ii) of the Act. Therefore, on December 3, 1999 the Department determined that the sunset review of the antidumping duty order on extruded rubber thread from Malaysia is extraordinarily complicated and extended the time limit for completion of the final results of this review until

not later than February 28, 2000, in accordance with section 751(c)(5)(B) of the Act.<sup>1</sup>

**Scope of Review**

The product covered by this review is extruded rubber thread from Malaysia. Extruded rubber thread is defined as vulcanized rubber thread obtained by extrusion of stable or concentrated natural rubber latex of any cross sectional shape, measuring from 0.18 mm, which is 0.007 inch or 140 gauge, to 1.42 mm, which is 0.056 inch or 18 gauge, in diameter. Extruded rubber thread is currently classifiable under subheading 4007.00.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this proceeding is dispositive.

The antidumping duty order of the subject merchandise remains in effect for all producers and exporters of extruded rubber thread from Malaysia.

**Analysis of Comments Received**

All issues raised in the case by parties to this sunset review are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Jeffrey A. May, Director, Office of Policy, Import Administration, to Robert S. LaRussa, Assistant Secretary for Import Administration, dated February 28, 2000, which is hereby adopted and incorporated by reference into this notice. The issues discussed in the attached Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail were the order revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in B-099.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at [www.ita.doc.gov/import\\_admin/records/frn/](http://www.ita.doc.gov/import_admin/records/frn/), under the heading "Malaysia". The paper copy and electronic version of the Decision Memorandum are identical in content.

**Final Results of Review**

We determine that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the following percentage weighted-average margins:

Manufacturer/exporter	Margin (percent)
Heveafil/Filmmax Schn. Bhd .....	108.62
Rubberflex Sdn. Bhd .....	20.36
Filati Lastex Elastofibre (Malaysia)	105.78
Rubfil Sdn. Bhd .....	108.62
All Others .....	15.16

In addition, in the 1995-1996 administrative review, the Department found that the four companies identified above absorbed duties on the following percentage of their U.S. sales: Heaveafil—100 percent, Rubberflex—57.35 percent, Filati—100 percent, and Rubfil—100 percent.

This notice also serves as the only reminder to parties subject to administrative protective orders ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 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.

We are issuing and publishing this determination and notice in accordance with sections section 751(c), 752, and 777(i) of the Act.

Dated: February 28, 2000.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-580-807]

**Polyethylene Terephthalate Film, Sheet and Strip From the Republic of Korea, Initiation and Preliminary Results of Changed Circumstances Antidumping Duty Administrative Review**

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

**ACTION:** Notice of initiation and preliminary results of changed circumstances antidumping duty administrative review.

**SUMMARY:** The Department of Commerce (the Department) has received information sufficient to warrant initiation of a changed circumstances administrative review of the antidumping duty order on polyethylene terephthalate film, sheet, and strip from Korea (56 FR 25669 (June 5, 1991)). On July 5, 1996, the order was

<sup>1</sup> See *Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 67847 (December 3, 1999).