

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE
ADMINISTRATION

Persulfates From China

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

ACTION: Notice of initiation of five-year
("Sunset") review of antidumping duty
order on Persulfates from the People's
Republic of China.

SUMMARY: In accordance with section
751(c) of the Tariff Act of 1930, as
amended ("the Act"), the Department of
Commerce ("the Department") is
automatically initiating a five-year
("sunset") review of the antidumping
duty order listed below. The
International Trade Commission ("the
Commission") is publishing
concurrently with this notice its notice
of *Institution of Five-Year Review*
covering this same antidumping duty
order.

FOR FURTHER INFORMATION CONTACT:
James P. Maeder or Amir R. Eftekhari,
Office of Policy, Import Administration,
International Trade Administration,
U.S. Department of Commerce, at (202)
482-3330 or (202) 482-5331,
respectively, or Mary Messer, Office of
Investigations, U.S. International Trade
Commission, at (202) 205-3193.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

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 regulations are to 19
CFR part 351 (2001). Pursuant to
sections 751(c) and 752 of the Act, an
antidumping ("AD") or countervailing
duty ("CVD") order will be revoked, or
the suspended investigation will be
terminated, unless revocation or

termination would be likely to lead to
continuation or recurrence of (1)
dumping or a countervailable subsidy,
and (2) material injury to the domestic
industry.

The Department's procedures for the
conduct of sunset reviews are set forth
in 19 CFR 351.218. 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

Initiation of Review

In accordance with 19 CFR 351.218
we are initiating a sunset review of the
following antidumping duty order:

DOC Case No.	ITC Case No.	Country	Product
A-570-847	731-TA-749	China	Persulfates

Filing Information

As a courtesy, we are making
information related to sunset
proceedings, including copies of the
Sunset Regulations (19 CFR 351.218)
and *Sunset Policy Bulletin*, the
Department's schedule of sunset
reviews, case history information (*i.e.*,
previous margins, duty absorption
determinations, scope language, import
volumes), and service lists, available to
the public on the Department's sunset
Internet website at the following
address: "<http://ia.ita.doc.gov/sunset/>".

All submissions in this sunset review
must be filed in accordance with the
Department's regulations regarding
format, translation, service, and
certification of documents. These rules
can be found at 19 CFR 351.303. Also,
we suggest that parties check the
Department's sunset website for any
updates to the service list before filing
any submissions. The Department will
make additions to and/or deletions from
the service list provided on the sunset
website based on notifications from
parties and participation in this review.
Specifically, the Department will delete
from the service list all parties that do
not submit a substantive response to the
notice of initiation.

Because deadlines in a sunset review
are, in many instances, very short, we
urge interested parties to apply for

access to proprietary information under
administrative protective order ("APO")
immediately following publication in
the **Federal Register** of the notice of
initiation of the sunset review. The
Department's regulations on submission
of proprietary information and
eligibility to receive access to business
proprietary information under APO can
be found at 19 CFR 351.304-306.

*Information Required from Interested
Parties*

Domestic interested parties (defined
in 19 CFR 351.102) wishing to
participate in this sunset review must
respond not later than 15 days after the
date of publication in the **Federal
Register** of the notice of initiation by
filing a notice of intent to participate.
The required contents of the notice of
intent to participate are set forth at 19
CFR 351.218(d)(1)(ii). In accordance
with the Department's regulations, if we
do not receive a notice of intent to
participate from at least one domestic
interested party by the 15-day deadline,
the Department will automatically
revoke the order without further review.

If we receive an order-specific notice
of intent to participate from a domestic
interested party, the Department's
regulations provide that all parties
wishing to participate in the sunset
review must file substantive responses
not later than 30 days after the date of

publication in the **Federal Register** of
the notice of initiation. The required
contents of a substantive response, on
an order-specific basis, are set forth at
19 CFR 351.218(d)(3). Note that certain
information requirements differ for
foreign and domestic parties. Also, note
that the Department's information
requirements are distinct from the
International Trade Commission's
information requirements. Please
consult the Department's regulations for
information regarding the Department's
conduct of sunset reviews.¹ Please
consult the Department's regulations at
19 CFR part 351 for definitions of terms
and for other general information
concerning antidumping and
countervailing duty proceedings at the
Department.

This notice of initiation is being
published in accordance with section
751(c) of the Act and 19 CFR 351.218(c).

¹ A number of parties commented that these
interim-final regulations provided insufficient time
for rebuttals to substantive responses to a notice of
initiation, 19 CFR 351.218(d)(4)). As provided in 19
CFR 351.302(b), the Department will consider
individual requests for extension of that five-day
deadline based upon a showing of good cause.

Dated: May 28, 2002.

Bernard T. Carreau,

Acting Assistant Secretary for Import Administration.

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-749 (Review)]

Persulfates From China

AGENCY: International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on persulfates from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on persulfates from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;¹ to be assured of consideration, the deadline for responses is July 23, 2002. Comments on the adequacy of responses may be filed with the Commission by August 19, 2002. For further information concerning the conduct of this review 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, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: June 3, 2002.

FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), 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 on 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>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

SUPPLEMENTARY INFORMATION:

Background. On July 7, 1997, the Department of Commerce issued an antidumping duty order on imports of persulfates from China (62 FR 36259). The Commission is conducting a review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, the Commission defined the single *Domestic Like Product* as ammonium, sodium, and potassium persulfates.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination, the Commission defined the *Domestic Industry* as producers of ammonium, sodium, and potassium persulfates.

(5) The *Order Date* is the date that the antidumping duty order under review became effective. In this review, the *Order Date* is July 7, 1997.

(6) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the review and public service list. Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission's designated agency ethics official has advised that a five-year review is the "same particular matter" as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was "personal and substantial." However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202-205-3088.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification. Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information

¹ No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 02-5-071, expiration date July 31, 2002. Public reporting burden for the request is estimated to average 7 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436.