

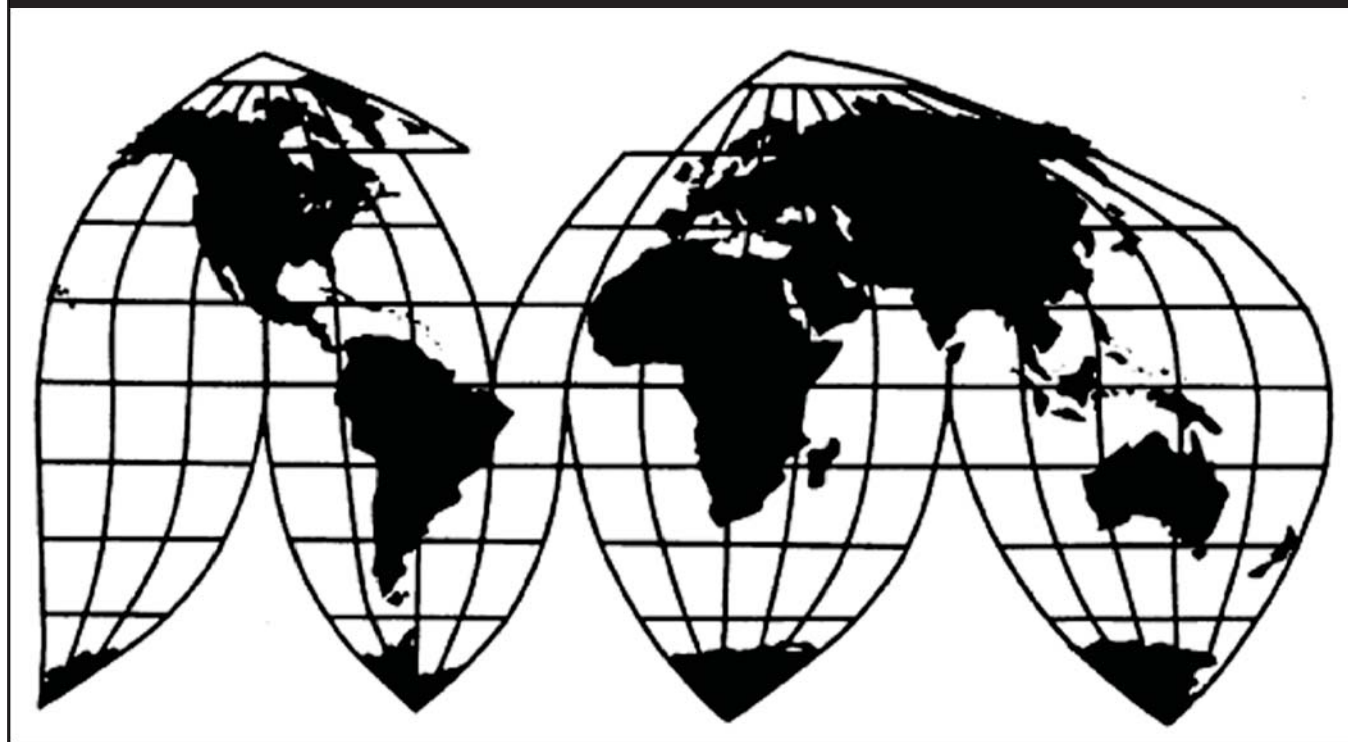
SULFANILIC ACID FROM CHINA AND INDIA

Investigation Nos. 701-TA-318 and 731-TA-538 and 561 (Third Review)

Publication 4270

October 2011

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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Note.—Information that would reveal confidential operations of individual concerns may not be published and therefore has been deleted from this report. Such deletions are indicated by asterisks.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-318 and 731-TA-538 and 561 (Third Review)

SULFANILIC ACID FROM CHINA AND INDIA

DETERMINATION

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (Commission) determines, pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)), that revocation of the countervailing duty order on sulfanilic acid from India and antidumping duty orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission instituted these reviews on April 1, 2011 (76 F.R. 18248) and determined on July 5, 2011 that it would conduct expedited reviews (76 F.R. 50756, August 16, 2011).

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

VIEWS OF THE COMMISSION

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Act”), that revocation of the countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. BACKGROUND

In August 1992, the Commission determined that an industry in the United States was threatened with material injury by reason of imports of sulfanilic acid from China that the U.S. Department of Commerce had determined to be sold in the United States at less than fair value (“LTFV”).¹ In August 1992, Commerce issued an antidumping duty order on sulfanilic acid from China.²

In February 1993, the Commission determined that an industry in the United States was threatened with material injury by reason of imports of sulfanilic acid from India that Commerce had determined to be subsidized and sold in the United States at LTFV.³ In March 1993, Commerce issued antidumping and countervailing duty orders on sulfanilic acid from India.^{4 5}

In expedited five-year reviews⁶ instituted on October 1, 1999, the Commission made affirmative determinations for all three orders.⁷ Consequently, Commerce continued the orders.⁸

¹ Sulfanilic Acid from the People’s Republic of China, Inv. Nos. 731-TA-538 (Final), USITC Pub. 2542 (August 1992) (“Original China Determination”) at 3. R-M Industries, Inc. (“R-M Industries”), predecessor to Nation Ford Chemical Company (“NFC”), filed this petition. Two Commissioners cumulated subject imports from China with subject imports from India and Hungary (which were subject to concurrent investigations as described below) in reaching their affirmative threat of material injury determinations, and two Commissioners conducted a separate threat of material injury analysis with respect to subject imports from China. Original China Determination at 13-14.

² 57 Fed. Reg. 37524 (August 19, 1992).

³ Sulfanilic Acid from the Republic of Hungary and India, Inv. Nos. 701-TA-318 (Final), USITC Pub. 2603 (February 1993) (“Original India Determinations”) at 3. R-M Industries filed these petitions. The Commission’s majority determination with respect to India was an affirmative threat determination consisting of determinations by two Commissioners that cumulated subject imports from India and Hungary, but not China, in their threat analysis, and two Commissioners that conducted a separate threat of material injury analysis with respect to subject imports from India. The Commission made a negative injury determination with respect to subject imports from Hungary. Id.

⁴ 58 Fed. Reg. 12025 and 12026 (March 2, 1993).

⁵ There was litigation over the Commission’s negative determination with respect to Hungary, which was ultimately upheld on remand. See R-M Industries, Inc. v. United States, 18 CIT 219 (1994) and R-M Industries, Inc. v. United States, 18 CIT 577 (1994).

⁶ 64 Fed. Reg. 53412 (October 1, 1999). The Commission received only one adequate response, from NFC. The Commission also received submissions from Kokan Synthetics & Chemicals Pvt., Ltd. (“Kokan”), the largest exporter of sulfanilic acid from India during the review period, but Kokan did not provide the information requested. Id.

⁷ 65 Fed. Reg. 3232 (May 26, 2000); Sulfanilic Acid from China and India, Inv. Nos. 701-TA-318 and 731-TA-538 and 561 (Review), USITC Pub. 3301 (May 2000) (“First Five-Year Reviews”) at 3.

⁸ 65 Fed. Reg. 36404 (June 8, 2000).

In full reviews⁹ instituted on May 2, 2005, the Commission again made affirmative determinations on all three orders.¹⁰ Consequently, Commerce continued the orders.¹¹

On April 1, 2011, the Commission instituted these third five-year reviews.¹² The Commission received a response only from domestic producer NFC and determined to conduct expedited reviews.¹³

II. DOMESTIC LIKE PRODUCT AND INDUSTRY

A. Domestic Like Product

In making its determinations under section 751(c) of the Act, the Commission defines the “domestic like product” and the “industry.”¹⁴ The Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle.”¹⁵ The Commission’s practice in five-year reviews is to examine the like product definition from the original determination and any completed reviews and consider whether the record indicates any reason to revisit the prior findings.¹⁶

In the original investigations and both prior reviews, the Commission defined a single domestic like product consisting of all sulfanilic acid, which was coextensive with Commerce’s scope.¹⁷

In its final expedited third five-year review determinations, Commerce described the scope of the subject merchandise covered by the orders as:

. . . all grades of sulfanilic acid, which include technical (or crude) sulfanilic acid,

⁹ The Commission received responses from only NFC and Kokan. The Commission found adequate group responses for both the domestic and Indian interested parties. Although the Commission found an inadequate group response for China, it determined to conduct a full review with respect to sulfanilic acid from China to promote administrative sufficiency. 70 Fed. Reg. 48588 (August 18, 2005).

¹⁰ 71 Fed. Reg. 24860 (April 27, 2006); Second Five-Year Reviews at 3. In its response to the Commission’s notice of institution, Kokan informed the Commission that it intended to participate in those reviews, and that it was willing to provide information requested by the Commission. After participating in the adequacy phase, however, Kokan withdrew its notice of appearance and did not participate further. See Sulfanilic Acid from China and India, Inv. Nos. 701-TA-318 and 731-TA-538 and 561 (Second Review), USITC Pub. 3849 (April 2006) (“Second Five-Year Reviews”) at 6.

¹¹ 71 Fed. Reg. 27446 (April 27, 2006).

¹² 76 Fed. Reg. 18248 (April 1, 2011).

¹³ See Explanation of Commission Determination on Adequacy, CR at Appendix B. The Commission determined that the domestic interested party group response was adequate for these reviews and both respondent interested party group responses were inadequate.

¹⁴ 19 U.S.C. § 1677(4)(A).

¹⁵ 19 U.S.C. § 1677(10); see, e.g., Cleo Inc. v. United States, 501 F.3d 1291, 1299 (Fed. Cir. 2007); NEC Corp. v. Department of Commerce, 36 F. Supp. 2d 380, 383 (Ct. Int’l Trade 1998); Nippon Steel Corp. v. United States, 19 CIT 450, 455 (1995); Timken Co. v. United States, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996); Torrington Co. v. United States, 747 F. Supp. 744, 748-49 (Ct. Int’l Trade 1990), aff’d, 938 F.2d 1278 (Fed. Cir. 1991); see also S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

¹⁶ See, e.g., Internal Combustion Industrial Forklift Trucks From Japan, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8-9 (Dec. 2005); Crawfish Tail Meat From China, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (Jul. 2003); Steel Concrete Reinforcing Bar From Turkey, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

¹⁷ See, e.g., Original Determination at 1-2.

refined (or purified) sulfanilic acid and sodium salt of sulfanilic acid.

Sulfanilic acid is a synthetic organic chemical produced from the direct sulfonation of aniline with sulfuric acid. Sulfanilic acid is used as a raw material in the production of optical brighteners, food colors, specialty dyes, and concrete additives. The principal differences between the grades are the undesirable quantities of residual aniline and alkali insoluble materials present in the sulfanilic acid. All grades are available as dry free flowing powders.

Technical sulfanilic acid, . . . , contains 96 percent minimum sulfanilic acid, 1.0 percent maximum aniline, and 1.0 percent maximum alkali insoluble materials. Refined sulfanilic acid, . . . , contains 98 percent minimum sulfanilic acid, 0.5 percent maximum aniline, and 0.25 percent maximum alkali insoluble materials.

Sodium salt of sulfanilic acid (sodium sulfanilate), . . . , is a powder, granular or crystalline material which contains 75 percent minimum equivalent sulfanilic acid, 0.5 percent maximum aniline based on the equivalent sulfanilic acid content, and 0.25 percent maximum alkali insoluble materials based on the equivalent sulfanilic acid content.¹⁸

In these third five-year reviews, no information suggests that we should revisit the definition of the domestic like product used in the original investigations and prior five-year reviews, and NFC supports maintaining this definition.¹⁹ Therefore, for the reasons stated in the original determinations and the prior five-year reviews, we continue to define the domestic like product as all forms of sulfanilic acid, coextensive with Commerce's scope.

B. Domestic Industry and Related Parties

Section 771(4)(A) of the Act defines the relevant industry as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."²⁰ In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market. Section 771(4)(B) of the Act allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise, or which are themselves importers.²¹

At the beginning of the original period of investigation, there were two firms producing sulfanilic acid in the United States: petitioner R-M Industries and Hilton Davis Co. ("Hilton Davis").²² Hilton Davis, ***, ceased production in ***.²³ In its original determinations, the Commission defined the

¹⁸ Sulfanilic Acid From India and the People's Republic of China; Final Results of Third Expedited Sunset Reviews of Antidumping Duty Orders, 76 Fed. Reg. 45510, 45511 (July 29, 2011).

¹⁹ CR at I-12, PR at I-9; NFC Response at 21 and Comments at 3.

²⁰ 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. See 19 U.S.C. § 1677.

²¹ 19 U.S.C. § 1677(4)(B).

²² Original China Determination at 6-7 and Original India Determinations at 7-8.

²³ R-M Industries accounted for *** percent and Hilton Davis accounted for *** percent of U.S. production of sulfanilic acid in 1991. CR at I-12, PR at I-10.

domestic industry as the sole remaining domestic producer of sulfanilic acid, R-M Industries.²⁴ Since that time, there has been a single producer of sulfanilic acid in the United States: R-M Industries, and then its successor, NFC. In the first and second five-year reviews, the Commission defined the domestic industry to consist of NFC, the only domestic producer of sulfanilic acid.²⁵

In these third reviews, there is no new information that would warrant reconsideration of the domestic industry definition from the original investigations and the prior five-year reviews, and NFC agrees with this definition. Accordingly, we define the domestic industry as all known U.S. producers of the respective domestic like products, specifically NFC.²⁶

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows: the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.²⁷

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Act.²⁸ The Commission may exercise its discretion to cumulate, however, only if the reviews are initiated the same day, the Commission determines that subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

The threshold criterion for cumulation in these reviews is satisfied because these five-year reviews were both instituted on the same day, April 1, 2011.²⁹ We consider three issues in deciding whether to exercise our discretion to cumulate subject imports: (1) whether imports from any of the subject countries are precluded from cumulation because they are likely to have no discernible adverse impact on the domestic industry; (2) whether there is a likelihood of a reasonable overlap of competition among imports from the subject countries and the domestic like product; and (3) whether there are

²⁴ Original China Determination at 7 and Original India Determinations at 8.

²⁵ CR at I-12, PR at I-10; First Five-Year Reviews at 5 and Second Five-Year Reviews at 7.

²⁶ There are no related party issues presented in these reviews.

²⁷ 19 U.S.C. § 1675a(a)(7).

²⁸ 19 U.S.C. § 1677(7)(G)(i); see also, e.g., Allegheny Ludlum Corp. v. United States, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); Nucor v. United States, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008); U.S. Steel Corp. v. United States, 572 F. Supp.2d 1334 (Ct. Int'l Trade 2008).

²⁹ 76 Fed. Reg. 18248; CR at Appendix A.

similarities and differences in the likely conditions of competition under which subject imports are likely to compete in the U.S. market.^{30 31}

In these reviews, there is no new evidence on the record or interested party argument that would warrant departure from the Commission's finding in the prior five-year reviews that revocation of the countervailing duty order on sulfanilic acid from India or the antidumping duty orders on sulfanilic acid from China and India would not be likely to have no discernible adverse impact on the domestic industry.³² Over the period examined in the original investigations, subject imports from each of the subject countries were present in the U.S. market and subject import volume and market share increased

³⁰ Chairman Okun and Commissioner Pearson note that, while they consider the same issues discussed in this section in determining whether to exercise their discretion to cumulate the subject imports, their analytical framework begins with whether imports from the subject countries are likely to face similar conditions of competition. For those subject imports which are likely to compete under similar conditions of competition, they next proceed to consider whether there is a likelihood of a reasonable overlap of competition whereby those imports are likely to compete with each other and with the domestic like product. Finally, if based on that analysis they intend to exercise their discretion to cumulate one or more subject countries, they analyze whether they are precluded from cumulating such imports because the imports from one or more subject countries, assessed individually, are likely to have no discernible adverse impact on the domestic industry. See Steel Concrete Reinforcing Bar From Belarus, China, Indonesia, Korea, Latvia, Moldova, Poland, and Ukraine, Invs. Nos. 731-TA-873 to 875, 877 to 880, and 882 (Review), USITC Pub. 3933 (Jul. 2007) (Separate and Dissenting Views of Chairman Daniel R. Pearson and Commissioner Deanna Tanner Okun Regarding Cumulation). Accord Nucor Corp. v. United States, 605 F. Supp.2d 1361, 1372 (Ct. Int'l Trade 2009); Nucor Corp. v. United States, 594 F. Supp.2d 1320, 1345-47 (Ct. Int'l Trade 2008), aff'd, Slip Op. 2009-1234 (Fed Cir. Apr. 7, 2010).

³¹ Commissioners Lane and Pinkert explain their analysis of other considerations as follows. Where, in a five-year review, they do not find that the imports of the subject merchandise would be likely to have no discernible adverse impact on the domestic industry in the event of revocation and find that such imports would be likely to compete with each other and with the domestic like product in the U.S. market, they cumulate them unless there is a condition or propensity – not merely a trend – that is likely to persist for a reasonably foreseeable time and that significantly limits competition such that cumulation is not warranted. They note, as discussed in the text, the limited record information about the industries in the subject countries. Consequently, they find that there is no condition or propensity warranting non-cumulation with respect to either of the subject countries, and they have cumulated imports from both subject countries in these reviews.

³² See First Five-Year Reviews at 7 and Second Five-Year Reviews at 10-11.

for both countries.³³ Subject imports from China³⁴ and India³⁵ maintained a presence in the U.S. market despite the orders. The information available indicates that subject foreign producers in both China and India possess significant excess capacity³⁶ and there is nothing in the record contradicting the Commission's findings in the prior reviews that the subject foreign producers in both countries are export oriented.³⁷ Based on the information available in these reviews, we do not find that subject imports from China or India are likely to have no discernible adverse impact on the domestic industry if the orders are revoked.

The Commission generally has considered four factors intended to provide a framework for determining whether the imports compete with each other and with the domestic like product.³⁸ Only a

³³ Over the period examined in the original investigations, subject imports from China increased from *** pounds in 1989, equivalent to *** percent of apparent U.S. consumption, to *** pounds in 1991, equivalent to *** percent of apparent U.S. consumption. CR/PR at Appendix C. Subject imports from India increased from *** pounds in 1989 to *** pounds in 1991, equivalent to *** percent of apparent U.S. consumption. Id.

³⁴ Subject imports from China decreased during the period examined in the first five-year reviews from *** pounds in 1991, at the end of the original investigation, to *** pounds in 1998, a level still higher than in 1989. CR/PR at Appendix C. As a share of apparent U.S. consumption, subject imports from China decreased from *** percent in 1991 to *** percent in 1998. Id. Subject imports from China decreased irregularly during the period examined in the second five-year reviews, from *** pounds in 1999 to *** pounds in 2004. CR/PR at Appendix C. As a share of apparent U.S. consumption, subject imports from China decreased from *** percent in 1999 to *** percent in 2004. Id.

During the period examined in these reviews, subject imports from China were *** pounds in 2005, *** pounds in 2006, *** pounds in 2007, *** pounds in 2008, *** pounds in 2009, and *** pounds in 2010. Id. at Table I-3.

³⁵ Subject imports from India decreased during the period examined in the first five-year reviews from *** pounds in 1991 to *** pounds in 1998. CR/PR at Appendix C. As a share of apparent U.S. consumption, subject imports from India decreased from *** percent in 1991 to *** percent in 1998. Id. There were no subject imports from India during the period examined in the second five-year reviews. Id.

During the period examined in these reviews, subject imports from India were *** pounds in 2005-2007, *** pounds in 2008, *** pounds in 2009, and *** pounds in 2010. Id. at Table I-3. Subject imports from India were equivalent to *** percent of apparent U.S. consumption in 2010, the only year for which apparent U.S. consumption data is available. Id. at Table I-4.

³⁶ The information available indicates that there are 14 Chinese producers of sulfanilic acid that may be exporters of the subject merchandise and another 32 Chinese plants that may produce or export sulfanilic acid. A subset of these producers have an estimated production capacity of 144.4 million pounds. The information available also indicates that there are 16 Indian producers of sulfanilic acid that may be exporters of the subject merchandise and another 9 Indian plants that may produce or export sulfanilic acid. A subset of these producers have an estimated production capacity of 30 million pounds. CR at I-19 to I-20; PR at I-15. Moreover, the available information indicates that much of the production equipment used to make dyes, pigments, and organic chemicals in both China and India can also be used to make sulfanilic acid. CR at I-19, I-20 to I-21; PR at I-15.

³⁷ See First Five-Year Reviews at 12 and Second Five-Year Reviews at 9, 10.

³⁸ The four factors generally considered by the Commission in assessing whether there is a reasonable overlap in competition of imports with each other and with the domestic like product are as follows: (1) the degree of fungibility between the imports from different countries and between imports and the domestic like product, including consideration of specific customer requirements and other quality related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for imports from different countries and the domestic like product; and (4) whether the imports are simultaneously present in the market. See, e.g., Wieland Werke, AG v. United States, 718 F. Supp. 50 (Ct. Int'l Trade 1989).

“reasonable overlap” of competition is required.³⁹ In five-year reviews, the relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.⁴⁰ Based on these four factors, the Commission found a reasonable overlap of competition between and among subject imports from China and India and the domestic like product in the prior five-year reviews.⁴¹

In the absence of new information to the contrary, our findings from the prior five-year reviews concerning the likelihood of a reasonable overlap of competition remain valid in these reviews.⁴² There is no new information to suggest that sulfanilic acid from China, India, and the United States are any less interchangeable today than in the prior five-year reviews.⁴³ Although the record of these reviews does not contain information on the geographic distribution of subject imports from China and India, subject imports were present in the U.S. market during the period under review.⁴⁴ There is no new information on the record to suggest that the channels of distribution for the domestic like product and for subject imports from China and India have changed since the prior five-year reviews, when all sulfanilic acid was sold directly to a small number of end users.⁴⁵ Based on the limited information available on the record of these reviews, we find that there would likely be a reasonable overlap of competition between subject imports and the domestic like product, as well as between subject imports from China and India, were the orders to be revoked. For these reasons, and because there is no indication of other significant differences in the likely conditions of competition in the U.S. market that would affect our cumulation analysis, we conclude that it is appropriate to exercise our discretion to cumulate subject imports from China and India in these reviews.

III. LIKELIHOOD OF CONTINUATION OR RECURRENCE OF MATERIAL INJURY IF THE ANTIDUMPING DUTY ORDERS ARE REVOKED

A. Legal Standard

In a five-year review conducted under section 751(c) of the Act, Commerce will revoke an antidumping or countervailing duty order unless (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order “would be likely to lead to continuation or recurrence of

³⁹ See Mukand Ltd. v. United States, 937 F. Supp. 910, 916 (Ct. Int’l Trade 1996); Wieland Werke, 718 F. Supp. at 52 (“Completely overlapping markets are not required.”); United States Steel Group v. United States, 873 F. Supp. 673, 685 (Ct. Int’l Trade 1994), aff’d, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. See, e.g., Live Cattle From Canada and Mexico, Invs. Nos. 701-TA-386 and 731-TA-812 to 813 (Prelim.), USITC Pub. 3155 at 15 (Feb. 1999), aff’d sub nom. Ranchers-Cattlemen Action Legal Foundation v. United States, 74 F. Supp. 2d 1353 (Ct. Int’l Trade 1999); Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan, Invs. Nos. 731-TA-761 to 762 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

⁴⁰ See generally Cheflene Corp. v. United States, 219 F. Supp. 2d 1313, 1314 (Ct. Int’l Trade 2002).

⁴¹ See First Five-Year Reviews at 7-8 and Second Five-Year Reviews at 12.

⁴² No interested party has argued in these current reviews that the Commission should find that there would likely be no reasonable overlap of competition were the orders to be revoked.

⁴³ See First Five-Year Reviews at 10-11 and Second Five-Year Reviews at 16; and NFC Response at 22 and Comments at 6.

⁴⁴ CR/PR at Table I-3.

⁴⁵ First Five-Year Reviews at 7 and Second Five-Year Reviews at 12.

material injury within a reasonably foreseeable time.”⁴⁶ The Statement of Administrative Action⁴⁷ states that “under the likelihood standard, the Commission will engage in a counter-factual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports.”⁴⁸ Thus, the likelihood standard is prospective in nature.⁴⁹ The U.S. Court of International Trade has found that “likely,” as used in the five-year review provisions of the Act, means “probable,” and the Commission applies that standard in five-year reviews.^{50 51 52}

The statute states that “the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time.”⁵³ According to the SAA, a “‘reasonably foreseeable time’ will vary from case-to-case, but normally will exceed the ‘imminent’ timeframe applicable in a threat of injury analysis in an original investigation.”⁵⁴

Although the standard in a five-year review is not the same as the standard applied in an original antidumping or countervailing duty investigation, it contains some of the same fundamental elements.

⁴⁶ 19 U.S.C. § 1675a(a).

⁴⁷ Statement of Administrative Action (“SAA”) to the Uruguay Round Agreements Act, H.R. Rep. No. 316, 103 Cong., 2d Sess. (1994).

⁴⁸ SAA at 883-84. The SAA states that “[t]he likelihood of injury standard applies regardless of the nature of the Commission’s original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed.” *Id.* at 883.

⁴⁹ While the SAA states that “a separate determination regarding current material injury is not necessary,” it indicates that “the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked.” SAA at 884.

⁵⁰ See NMB Singapore Ltd. v. United States, 288 F. Supp. 2d 1306, 1352 (Ct. Int’l Trade 2003) (“‘likely’ means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)”), aff’d mem., 140 Fed. Appx. 268 (Fed. Cir. 2005); Nippon Steel Corp. v. United States, 26 CIT 1416, 1419 (2002) (same); Usinor Industeel, S.A. v. United States, 26 CIT 1402, 1404 nn.3, 6 (2002) (“more likely than not” standard is “consistent with the court’s opinion”; “the court has not interpreted ‘likely’ to imply any particular degree of ‘certainty’”); Indorama Chemicals (Thailand) Ltd. v. United States, Slip Op. 02-105 at 20 (Ct. Int’l Trade Sept. 4, 2002) (“standard is based on a likelihood of continuation or recurrence of injury, not a certainty”); Usinor v. United States, 26 CIT 767, 794 (2002) (“‘likely’ is tantamount to ‘probable,’ not merely ‘possible’”).

⁵¹ For a complete statement of Chairman Okun’s interpretation of the likely standard, see Additional Views of Vice Chairman Deanna Tanner Okun Concerning the “Likely” Standard in Certain Seamless Carbon and Alloy Steel Standard, Line and Pressure Pipe From Argentina, Brazil, Germany, and Italy, Invs. Nos. 701-TA-362 (Review) and 731-TA-707 to 710 (Review) (Remand), USITC Pub. 3754 (Feb. 2005).

⁵² Commissioner Lane notes that, consistent with her views in Pressure Sensitive Plastic Tape From Italy, Inv. No. AA1921-167 (Second Review), USITC Pub. 3698 (June 2004), she does not concur with the U.S. Court of International Trade’s interpretation of “likely,” but she will apply the Court’s standard in these reviews and all subsequent reviews until either Congress clarifies the meaning or the U.S. Court of Appeals for the Federal Circuit addresses this issue.

⁵³ 19 U.S.C. § 1675a(a)(5).

⁵⁴ SAA at 887. Among the factors that the Commission should consider in this regard are “the fungibility or differentiation within the product in question, the level of substitutability between the imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities.” *Id.*

The statute provides that the Commission is to “consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated.”⁵⁵ It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or the suspension agreement under review, whether the industry is vulnerable to material injury if the orders are revoked or the suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).⁵⁶ The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission’s determination.⁵⁷

No respondent interested parties participated in these expedited five-year reviews. The record, therefore, contains limited new information with respect to the sulfanilic acid industries in China and India, as well as limited information on the U.S. sulfanilic acid market during the period of review. Accordingly, for our determination, we rely as appropriate on the facts available from the original investigations and prior five-year reviews and the limited new information on the record in these reviews.^{58 59}

B. Conditions of Competition

In evaluating the likely impact of the subject imports on the domestic industry, the statute directs the Commission to consider all relevant economic factors “within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”⁶⁰

⁵⁵ 19 U.S.C. § 1675a(a)(1).

⁵⁶ 19 U.S.C. § 1675a(a)(1). There have been no duty absorption findings on the subject merchandise.

⁵⁷ 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

⁵⁸ 19 U.S.C. § 1677e(a) authorizes the Commission to “use the facts otherwise available” in reaching a determination when (1) necessary information is not available on the record or (2) an interested party or other person withholds information requested by the agency, fails to provide such information in the time, form, or manner requested, significantly impedes a proceeding, or provides information that cannot be verified pursuant to section 782(i) of the Act. 19 U.S.C. § 1677e(a). The verification requirements in section 782(i) are applicable only to Commerce. 19 U.S.C. § 1677m(i). See Titanium Metals Corp. v. United States, 155 F. Supp. 2d 750, 765 (Ct. Int’l Trade 2001) (“[T]he ITC correctly responds that Congress has not required the Commission to conduct verification procedures for the evidence before it, or provided a minimum standard by which to measure the thoroughness of a Commission investigation.”).

⁵⁹ Chairman Okun notes that the statute authorizes the Commission to take adverse inferences in five-year reviews, but such authorization does not relieve the Commission of its obligation to consider the record evidence as a whole in making its determination. See 19 U.S.C. § 1677e. She generally gives credence to the facts supplied by the participating parties and certified by them as true, but bases her decision on the evidence as a whole, and does not automatically accept participating parties’ suggested interpretations of the record evidence. Regardless of the level of participation, the Commission is obligated to consider all evidence relating to each of the statutory factors and may not draw adverse inferences that render such analysis superfluous. “In general, the Commission makes determinations by weighing all of the available evidence regarding a multiplicity of factors relating to the domestic industry as a whole and by drawing reasonable inferences from the evidence it finds most persuasive.” SAA at 869.

⁶⁰ 19 U.S.C. § 1675a(a)(4).

1. Original Investigations and Prior Five-Year Reviews

In the original China determination, the Commission found that U.S. consumption of refined forms of sulfanilic acid (both sodium sulfanilate and refined grade sulfanilic acid) was increasing at a faster rate than demand for technical grade sulfanilic acid, due in part to more stringent Food and Drug Administration limits on impurities in food dyes.⁶¹ Furthermore, the Commission found that NFC had discontinued producing refined grade sulfanilic acid due to the environmental costs associated with producing it, and due to competition from low-priced imports of refined grade sulfanilic acid.⁶² In the later original India determinations, the Commission found that since the end of the China investigation, NFC had begun to produce refined sulfanilic acid again, and that it had sold some of this product commercially.⁶³

In the first five-year reviews, the Commission found a reasonable degree of interchangeability between sodium sulfanilate and refined sulfanilic acid. The Commission found that NFC had expanded capacity and was now able to produce the same range of products as the producers of the subject merchandise. The Commission also found there were substantial quantities of nonsubject imports in the U.S. market.⁶⁴

In the second five-year reviews, the Commission found that demand for sulfanilic acid was driven by demand for downstream products using sulfanilic acid, such as optical brighteners, specialty dyes, and specialty concrete, and that demand was fairly inelastic.⁶⁵ The Commission also found that apparent U.S. consumption generally decreased over the period reviewed and demand forecasts were mixed.⁶⁶ Consistent with its prior findings, the Commission found a relatively high degree of substitutability between domestically produced sulfanilic acid and subject imports from China and India. The Commission found that costs for raw materials and natural gas had increased significantly over the period reviewed. Finally, the Commission determined that price was an important factor in purchasing decisions, especially where quality and availability concerns were met.⁶⁷

2. The Current Review

The conditions of competition relied upon by the Commission in the second five-year review generally continued to exist during the current period. In addition, we find the following conditions of competition relevant to our analysis in these reviews.

⁶¹ Original China Determination at 8.

⁶² Original China Determination at 9.

⁶³ Original India Determinations at 9.

⁶⁴ First Five-Year Reviews at 10-11.

⁶⁵ CR at I-9, PR at I-8. In solid form, the technical and refined grades of sulfanilic acid and sodium sulfanilate are all gray-white to white crystalline powders. The form of sulfanilic acid used by the end user, however, depends on the downstream product being manufactured and the production processes employed. In most cases, optical brighteners and food colors are produced with pure product (either refined sulfanilic acid or sodium sulfanilate). Optical brighteners, particularly paper brighteners, constitute the largest single end use for refined sulfanilic acid and sodium sulfanilate. Technical grade sulfanilic acid is used principally as a raw material for refined sulfanilic acid and sodium sulfanilate, as well as in the production of certain specialty synthetic organic dyes and as an additive to specialty concretes. CR at I-10, PR at I-8 to I-9.

⁶⁶ Second Five-Year Reviews at 15.

⁶⁷ Second Five-Year Reviews at 16.

a. Demand Conditions

Over the current review period, U.S. demand for sulfanilic acid increased beginning in 2007 and then decreased in 2009 and 2010, but was higher in 2010 than it was in 2004.⁶⁸ NFC attributes the increase in demand in 2007 to an increase in the use of optical brighteners by paper manufacturers to increase the brightness of their products.⁶⁹ NFC also claimed that the decline in U.S. demand for sulfanilic acid at the end of the period was due to the general economic downturn and increased imports of downstream products made from sulfanilic acid, specifically brighteners from China and Taiwan.⁷⁰ The information available also indicates that no new growth in U.S. demand is expected, nor are there any expected new uses for sulfanilic acid.⁷¹

b. Supply Conditions

The U.S. sulfanilic acid market is supplied by the sole domestic producer and both subject and nonsubject imports. Cumulated subject imports maintained a presence in the U.S. market during the period reviewed despite the orders, but accounted for *** percent of apparent U.S. consumption in 2010.⁷² Nonsubject imports accounted for *** percent of apparent U.S. consumption in 2010.⁷³

c. Substitutability

In the absence of any evidence to the contrary on the record of these reviews, we adopt the findings from the prior five-year reviews that the domestic like product, subject imports, and nonsubject imports are generally substitutable and that price is an important factor in purchasing decisions.⁷⁴ We also adopt the finding that the high costs associated with producing sulfanilic acid require manufacturers to sustain high capacity utilization rates to stay profitable and that all grades of sulfanilic acid are produced by the domestic industry and the subject producers.⁷⁵

Based on the record of these reviews, we find that the conditions of competition in the sulfanilic acid market are not likely to change significantly in the reasonably foreseeable future. Accordingly, we find that the current conditions of competition provide a reasonable basis on which to assess the likely effects of revocation of the orders in the reasonably foreseeable future.

⁶⁸ Apparent U.S. consumption of sulfanilic acid was *** pounds in 2004 and *** pounds in 2010. CR/PR at Table I-4, Appendix C.

⁶⁹ CR at I-10 n.31, PR at I-8 n.31; NFC Response at 18.

⁷⁰ CR at I-10 n.31, PR at I-8 n.31; NFC Response at 18. Imports of brighteners from China and Taiwan are currently the subject of antidumping investigations that were initiated on March 31, 2011. See Certain Stilbenic Optical Brightening Agents from China and Taiwan, Inv. Nos. 731-TA-1186-1187.

⁷¹ CR at I-10 and n.31, PR at I-8 and n.31; NFC Response at 10.

⁷² CR/PR at Table I-4.

⁷³ CR/PR at Table I-4. The primary nonsubject country sources of sulfanilic acid in 2010 were France and Italy. Id.

⁷⁴ First Five-Year Reviews at 10 and Second Five-Year Reviews at 16, 17.

⁷⁵ Second Five-Year Reviews at 16, 21-22.

C. Likely Volume

In evaluating the likely volume of imports of subject merchandise if the antidumping duty order is revoked, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms or relative to production or consumption in the United States.⁷⁶ In doing so, the Commission must consider “all relevant economic factors,” including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.⁷⁷

1. The Original Investigations and the Prior Reviews

In the original China determination, the Commission found that there had been a rapid increase in subject imports, whether subject imports from China were considered separately or cumulated with other subject imports.⁷⁸ The Commission found that “a small but significant percentage” of cumulated subject imports’ market penetration was at the expense of the domestic industry.⁷⁹ The Commission was particularly concerned with the Chinese producers’ ability to increase production capacity and shipments to the United States in a short period of time. Respondents stated that it was not difficult to produce refined grade sulfanilic acid and that the Chinese producers were able to produce it with very little technology and apparently minimal costs.⁸⁰

In the original India determinations, two Commissioners found that subject imports from India had increased their U.S. market share, and that a continued increase would negatively affect the domestic industry’s ability to resume production of refined sulfanilic acid.⁸¹ The Commissioners that cumulated subject imports from India and Hungary found that the rate of increase in subject imports had outpaced domestic production in terms of market penetration and that shipments of these imports in the U.S. market greatly outpaced domestic shipments.⁸²

In the first five-year reviews, the Commission found that subject import volume would likely be significant if the orders were revoked. The Commission based this determination on the export-orientation of the subject producers, the rapid increase in exports to the United States in the original investigations, and the apparent existence of substantial capacity in the subject countries.⁸³

In the second five-year reviews, the Commission again determined that subject import volumes were likely to be significant if the orders were revoked. The Commission noted that China and India were the largest suppliers of sulfanilic acid to the world (with the exception of the U.S. market). The Commission found that production and capacity in both China and India, as well as exports from those

⁷⁶ 19 U.S.C. § 1675a(a)(2).

⁷⁷ 19 U.S.C. § 1675a(a)(2)(A-D).

⁷⁸ Original China Determination at 20-21 & n.88.

⁷⁹ Original China Determination at 21.

⁸⁰ Original China Determination at 20.

⁸¹ Original India Determinations at 23.

⁸² Original India Determinations at 61-62.

⁸³ First Five-Year Reviews at 12-13.

countries, had substantially increased since the original investigations.⁸⁴ Moreover, the Commission found that the sulfanilic acid industries in the cumulated subject countries were export-oriented and that, despite declines in consumption during the review period, the U.S. market remained large and attractive, with prices for sulfanilic acid reportedly higher than in other markets. The Commission determined that these higher prices would be an incentive for Chinese and Indian producers to either increase their exports or begin to export sulfanilic acid to the United States in significant volumes.⁸⁵ Accordingly, the Commission found that subject imports would likely be significant in the reasonably foreseeable future if the antidumping and countervailing duty orders were revoked.⁸⁶

3. The Current Reviews

In these reviews, cumulated subject imports captured a significant share of the U.S. market before the imposition of the orders and, after the orders were imposed, the cumulated volume of subject imports decreased significantly.⁸⁷ Subject imports of sulfanilic acid from China were significant through 2000, despite the order, and only decreased to low volumes in 2001 after Commerce raised the antidumping duty margin to 85.20 percent for all Chinese producers in an administrative review.⁸⁸ Although subject imports from India decreased substantially since the orders were imposed, they increased during the original investigation.⁸⁹

The limited information on the record of these reviews indicates that subject producers in China and India possess significant excess capacity and remain export-oriented.⁹⁰ The available information indicates that there are more than 30 plants in China and India that produce sulfanilic acid, with another 41 potential producers, that are conservatively estimated to have an annual production capacity of 174.2 million pounds of sulfanilic acid, more than *** times apparent U.S. consumption in 2010.⁹¹ Moreover, the available information indicates that much of the production equipment used to make dyes, pigments, and organic chemicals in both China and India can also be used to make sulfanilic acid.⁹² If the orders

⁸⁴ Second Five-Year Reviews at 19. During the second five-year review, Kokan, the largest exporter of sulfanilic acid from India, reported in its response to the Commission's notice of institution that it produced *** pounds of sulfanilic acid in 2004, almost *** times India's total production in 1991. Kokan estimated that it accounted for *** percent of total production of sulfanilic acid in India during 2004. Id. at 10.

⁸⁵ Second Five-Year Reviews at 20.

⁸⁶ Second Five-Year Reviews at 21.

⁸⁷ CR/PR at Appendix C; NFC Response at 10-11.

⁸⁸ CR/PR at Appendix C; NFC Response at 12-13. Subject imports from China were 3,000 pounds in 2005, 323,000 pounds in 2006, 90,000 pounds in 2007, zero pounds in 2008, and 110 pounds in 2009, and zero pounds in 2010. CR/PR at Table I-3.

⁸⁹ CR/PR at Appendix C; NFC Response at 12. As noted above, there were no subject imports from India during the period examined in the second five-year reviews. See CR/PR at Appendix C. Subject imports from India were 100 pounds in 2008, 660 pounds in 2009, and 220 pounds in 2010; there were no subject imports from India from 2005 through 2007. CR/PR at Table I-3.

⁹⁰ The Commission collected no information on subject import inventories due to the absence of any respondent interested party response to the Commission's notice of institution. See 19 U.S.C. § 1675(c)(3)(B).

⁹¹ CR at I-18 to I-21, PR at I-14 to I-15; NFC Comments at 7. NFC estimates that producers in China and India have a combined annual capacity of 174.2 million pounds and estimates that Chinese producers alone have an annual capacity of 144.4 million pounds. CR at I-18, PR at I-; NFC Comments at 7. These capacity estimates consist of available information on certain known and potential producers. CR at I-18 to I-21, PR at I-14 to I-15.

⁹² CR at I-18, I-20 to I-21; PR at I-15.

were revoked, we find that the subject foreign producers in China and India would use their likely excess capacity to increase production and exports to the United States.

The existence of third-country trade barriers also would provide an incentive for subject foreign producers in China and India to significantly increase exports to the United States. The European Union has antidumping duty measures on imports of sulfanilic acid from China and antidumping and countervailing duty measures on imports of sulfanilic acid from India.⁹³

For these reasons, we conclude, based on the facts available, that likely cumulated subject import volume, both in absolute terms and relative to production and consumption in the United States, would be significant if the antidumping and countervailing duty orders were revoked.

D. Likely Price Effects

In evaluating the likely price effects of subject imports if an antidumping duty order is revoked, the Commission is directed to consider whether there is likely to be significant price underselling by the subject imports and whether the subject imports are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.⁹⁴

1. The Original Investigations and the Prior Reviews

In the original China determination, the Commission found that the cumulated subject imports undersold the domestic like product, and that there was a probability that subject merchandise would have a depressing or suppressing effect on domestic prices in the future.⁹⁵ In the original India determinations, the Commission found evidence of underselling by subject imports.⁹⁶

In the first five-year reviews, the Commission determined that revocation of the orders would likely lead to cumulated subject imports underselling the domestic like product, as they did before the orders were imposed. The Commission found that because the domestic industry produces the same range of sulfanilic acid products that would be imported from China and India, and because sulfanilic acid of a particular grade is reasonably substitutable regardless of its origin, the likely underselling would likely suppress or depress prices in the U.S. market to a significant degree.⁹⁷

In the second five-year reviews, the Commission again found that the U.S. market for sulfanilic acid was fairly price competitive, and that the domestic like product, subject imports, and nonsubject imports were substitutable. It found that subject imports from China significantly undersold the domestic like product during the period reviewed. The Commission concluded that the cumulated subject imports would need to be priced aggressively to gain market share if the orders were revoked, and that the likely volumes upon revocation would be likely to have significant depressing or suppressing effects on prices of

⁹³ CR at I-21, PR at I-16; NFC Response at 19.

⁹⁴ 19 U.S.C. § 1675a(a)(3). The SAA states that “[c]onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices.” SAA at 886.

⁹⁵ Original China Determination at 21-22.

⁹⁶ Original India Determinations at 22, 58-59, & 66.

⁹⁷ First Five-Year Reviews at 13.

the domestic like product.⁹⁸ Consequently, the Commission found that there likely would be adverse price effects if the orders were revoked.⁹⁹

2. The Current Reviews

There is no new product-specific pricing information on the record of these reviews. In the absence of any new evidence to the contrary, we adopt our findings from the prior five-year reviews that sulfanilic acid is a product that competes on the basis of price, that subject imports and domestic product are highly substitutable, and that all grades of sulfanilic acid are produced in the United States, China, and India.¹⁰⁰ In light of these facts, we find that subject producers would likely resume their pattern of underselling reported in the original investigations and the prior reviews as a means of increasing their market share if the orders were revoked. In response, domestic producers would have to either reduce prices or relinquish market share. Accordingly, we find that, if the orders were revoked, the likely significant increase in subject import volume at prices that would likely undersell the domestic like product would be likely to have significant adverse price effects on the domestic industry.

E. Likely Impact¹⁰¹

In evaluating the likely impact of imports of subject merchandise if the antidumping duty orders under review were revoked, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including, but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.¹⁰² All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry.¹⁰³ As instructed by the statute, we have considered the extent to which any improvement in the state of the domestic industry is related to the orders at issue and whether the industry is vulnerable to material injury if the orders were revoked.

⁹⁸ Second Five-Year Reviews at 22.

⁹⁹ Second Five-Year Reviews at 22-23.

¹⁰⁰ First Five-Year Reviews at 10, 13 and Second Five-Year Reviews at 16, 17. NFC maintains that sulfanilic acid, whether domestic or imported, is a commodity and is sold primarily on the basis of price. NFC Response at 13.

¹⁰¹ Section 752(a)(6) of the Act states that “the Commission may consider the magnitude of the margin of dumping” in making its determination in a five-year review. 19 U.S.C. § 1675a(a)(6). The statute defines the “magnitude of the margin of dumping” to be used by the Commission in five-year reviews as “the dumping margin or margins determined by the administering authority under section 1675a(c)(3) of this title.” 19 U.S.C. § 1677(35)(C)(iv). See also SAA at 887. In its expedited sunset review of the antidumping duty orders, Commerce published the following likely dumping margins: China National Chemicals Import & Export Corporation, Hebei Branch, 19.14 percent; and the PRC-Wide Entity, 85.20 percent; India – all Indian Manufacturers and Exporters, 71.09 percent. Sulfanilic Acid from India and the People’s Republic of China; Final Results of Expedited Sunset Review of Antidumping Duty Orders, 76 Fed. Reg. 45510, 45511 (July 29, 2011).

¹⁰² 19 U.S.C. § 1675a(a)(4).

¹⁰³ 19 U.S.C. § 1675a(a)(4).

1. The Original Investigations and the Prior Reviews

In the original China determination, the Commission found that although there was an overall improvement in the condition of the domestic industry over the period of investigation, the industry was vulnerable to the effects of unfair imports.¹⁰⁴ The domestic industry's operating income was insufficient to meet the needs for capital improvements, its capital expenditures had declined significantly, and it was having difficulty financing its current obligations.¹⁰⁵ The Commission further found that the domestic industry's increases in production and shipments had not kept pace with the overall increase in consumption of sulfanilic acid, indicating that the domestic industry had been losing market share to imports.¹⁰⁶

In the original India determinations, the Commission observed that the economic indicators were virtually the same as those for the China investigation except that the Commission also had data for January through September ("interim") 1992.¹⁰⁷ During interim 1992, the domestic producer's production, capacity utilization, employment, and operating income were lower than interim 1991 levels.¹⁰⁸ Two Commissioners found that imports from India were focusing on the U.S. market and increasing market share, and concluded that if these trends continued, subject imports from India would have a negative effect on the domestic industry's ability to resume production of refined sulfanilic acid.¹⁰⁹ The other two Commissioners made similar findings with respect to cumulated subject imports from Hungary and India, stating that if refined grades of sulfanilic acid continued to enter the United States at unfair prices, it was likely that the domestic industry would be precluded from continuing to produce and sell its refined grade sulfanilic acid at prices that would be competitive with subject imports.¹¹⁰

In the first five-year reviews, the Commission found that the orders had had a positive effect on industry performance. The domestic industry increased its market share and was able to make investments that substantially increased its capacity and improved its technology, particularly with regard to refined sulfanilic acid. The Commission did not find that the domestic industry was in a vulnerable condition. The Commission found that if the orders were revoked the volume and price effects would likely have a significant adverse impact on the production, shipment, sales, and revenue levels of the domestic industry, which would in turn negatively affect the domestic industry's profitability, as well as its ability to raise capital and make and maintain necessary capital investments.¹¹¹

In the second five-year reviews, the Commission found that the domestic industry was not vulnerable to injury by increased subject imports due to increases in the domestic producer's production and financial indicators over the period reviewed, including operating income, capacity, production, capacity utilization, wages, and productivity.¹¹² The Commission also determined, however, that the domestic industry's positive indicators could deteriorate relatively quickly if market conditions were to worsen given that demand was inelastic and the industry was mature with no expanding markets on the

¹⁰⁴ Original China Determination at 11-13.

¹⁰⁵ Original China Determination at 11-12.

¹⁰⁶ Original China Determination at 12.

¹⁰⁷ Original India Determinations at 10, n.28.

¹⁰⁸ Original India Determinations at 10-12.

¹⁰⁹ Original India Determination at 23.

¹¹⁰ Original India Determination at 65-66.

¹¹¹ First Five-Year Reviews at 15.

¹¹² Second Five-Year Reviews at 24.

horizon.¹¹³ Given the capital intensive nature of domestic sulfanilic acid production, which involves high fixed costs, the Commission found that the domestic producer would quickly experience decreases in trade and financial indicators due to the likely volumes of aggressively priced subject imports that would enter the U.S. market if the orders were revoked.¹¹⁴

2. The Current Reviews

In these reviews, the record information on the domestic industry's condition is limited. We collected 2010 data for several performance indicators, but did not collect new data for other years. The limited record is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the order.¹¹⁵

In 2010, the domestic industry's capacity was *** pounds, its production was *** pounds, and its rate of capacity utilization was *** percent.¹¹⁶ The domestic industry's U.S. shipments were *** pounds, accounting for *** percent of apparent U.S. consumption; its net sales value was ***; its gross profits were ***; its ratio of COGS to net sales was *** percent; and its operating income was ***, equivalent to *** percent of net sales.^{117 118}

Based on the record of these reviews, we find that, should the order be revoked, the likely volume and price effects of the subject imports would likely have a significant adverse impact on the production, shipments, sales, market share, and revenues of the domestic industry. Decreases in these indicators of industry performance would likely have a direct adverse impact on the industry's profitability and employment, as well as its ability to raise capital, make and maintain capital investments, and fund research and development. As discussed above, because the sulfanilic acid industry has high fixed costs and must operate at high capacity utilization rates in order to remain profitable, significant declines in the domestic industry's sales volume would likely result in a rapid decline in the industry's profitability.

We also have considered the role of factors other than the subject imports so as not to attribute injury from such factors to subject imports. The share of the U.S. market held by nonsubject imports has decreased since the original investigations and the imposition of the antidumping and countervailing duty orders; it was *** percent in 1991 but only *** percent in 2010.¹¹⁹ This decrease in nonsubject imports occurred notwithstanding the revocation of antidumping duty orders on sulfanilic acid from Hungary and Portugal, and the countervailing duty order on sulfanilic acid from Hungary, in 2008.¹²⁰

Accordingly, we conclude that, if the antidumping and countervailing duty orders were revoked,

¹¹³ Second Five-Year Reviews at 25.

¹¹⁴ Second Five-Year Reviews at 26.

¹¹⁵ Commissioner Pinkert notes that the domestic industry is much stronger now than during the original investigations -- higher capacity utilization, greater profitability, and greatly enhanced market share. Compare CR/PR at Tables I-2 and I-4 to Appendix C, Table I-3.

¹¹⁶ CR/PR at Table I-2.

¹¹⁷ CR/PR at Tables I-2 and I-4.

¹¹⁸ In 2004, the comparable data were as follows: capacity was *** pounds; production was *** million pounds; capacity utilization was *** percent; U.S. shipments were *** pounds, accounting for *** percent of apparent U.S. consumption; net sales value was \$***; gross profits were ***; the ratio of COGS to net sales was *** percent; and operating income was \$***, equivalent to *** percent of net sales. CR/PR at Appendix C.

¹¹⁹ Nonsubject import market share was *** percent in 1991, *** percent in 1998, *** percent in 2004, and *** percent in 2010. CR/PR at Table I-4 and Appendix C.

¹²⁰ See Sulfanilic Acid from Hungary and Portugal: Final Results of Sunset Reviews and Revocation of Orders, 73 Fed. Reg. 7527 (February 8, 2008). These orders were imposed in 2001.

subject imports from China and India would likely have a significant adverse impact on the domestic industry within a reasonably foreseeable time.

CONCLUSION

For the foregoing reasons, we determine that revocation of the countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

INFORMATION OBTAINED IN THE REVIEW

INTRODUCTION

Background

On April 1, 2011, in accordance with section 751(c) of the Tariff Act of 1930 (“the Act”),¹ as amended, the U.S. International Trade Commission (“Commission”) gave notice that it had instituted five-year reviews to determine whether revocation of the antidumping and countervailing duty orders on sulfanilic acid from China and India would be likely to lead to a continuation or recurrence of material injury within a reasonably foreseeable time.^{2 3} On July 5, 2011, the Commission determined that the domestic interested party group response to its notice of institution was adequate.⁴ The Commission also determined that the respondent interested party group response was inadequate.⁵ The Commission found no other circumstances that would warrant conducting full reviews.⁶ Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act.⁷ The Commission is tentatively scheduled to vote on these reviews on September 14, 2011, and to notify Commerce of its determination on September 26, 2011. Information relating to the background of the reviews is presented in the tabulation below.

¹ 19 U.S.C. §1675(c).

² All interested parties were requested to respond to the notice by submitting information requested by the Commission. 76 FR 18248, April 1, 2011. Copies of the Commission’s *Federal Register* notices are presented in app. A.

³ In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of the five-year review of the subject antidumping duty orders concurrently with the Commission’s notice of institution. 76 FR 18163, April 1, 2011.

⁴ The Commission received a response filed on behalf of domestic interested party Nation Ford Chemical Co. (“NFC”), the sole domestic producer of sulfanilic acid.

⁵ The Commission received no responses to its notice of institution from respondent interested parties.

⁶ A copy of the *Explanation of Commission Determination on Adequacy* is presented in app. B.

⁷ 19 U.S.C. § 1675(c)(3). See the Commission’s web site (<http://www.usitc.gov>) for Commissioner votes on whether to conduct an expedited or full review.

Effective date	Action	Federal Register citation
August 19, 1992	Commerce's original antidumping duty order on sulfanilic acid from China issued	57 FR 37524
March 2, 1993	Commerce's original antidumping and countervailing duty orders on sulfanilic acid from India	58 FR 12025
October 1, 1999	Commission's institution of the first five-year reviews	64 FR 53412
May 18, 2000	Commission's determination in the first five-year reviews	65 FR 34232 May 26, 2000
June 8, 2000	Commerce's continuation of antidumping duty and countervailing duty orders after first five-year reviews	65 FR 36404
May 2, 2005	Commission's institution of second five-year reviews	70 FR 22698
April 27, 2006	Commission's determination in second five-year reviews	71 FR 24860
May 11, 2006	Commerce's continuation of antidumping duty and countervailing duty orders after second five-year reviews	71 FR 27449
April 1, 2011	Commission's institution of third five-year reviews	76 FR 18248
June 8, 2011	Commerce's final results of countervailing duty expedited third five-year review	76 FR 33243
July 5, 2011	Commission's decision to conduct expedited third five-year reviews	Not applicable
August 16, 2011	Commission's scheduling of the expedited third five-year reviews	76 FR 50756
July 29, 2011	Commerce's final results of antidumping expedited third five-year reviews	76 FR 45510
September 14, 2011	Scheduled date for the Commission's vote	Not applicable
September 26, 2011	Commission's determination due to Commerce	Not applicable
Source: Cited <i>Federal Register</i> notices.		

THE ORIGINAL INVESTIGATIONS

The original investigation concerning China resulted from a petition filed by R-M Industries, Inc. (“R-M”), the predecessor firm to NFC, on October 3, 1991; those concerning India resulted from a petition filed by R-M on May 8, 1992.⁸ On July 6, 1992, Commerce made a final affirmative determination of sales at less than fair value (“LTFV”) with respect to sulfanilic acid from China.⁹ On January 8, 1993, Commerce made a final affirmative countervailing duty determination and a final affirmative determination of sales at LTFV with respect to sulfanilic acid from India.¹⁰ The Commission completed its original investigation concerning China in August 1992, determining that an industry in the United States was threatened with material injury by reason of imports of sulfanilic acid from China

⁸ The petitions filed in 1992 also alleged injury by reason of imports of sulfanilic acid from Hungary that were allegedly sold at LTFV, but the Commission made a negative final determination with respect to imports from Hungary.

⁹ 57 FR 29705, July 6, 1992.

¹⁰ 58 FR 3251 and 3259, January 8, 1993.

that Commerce determined to be sold at LTFV.¹¹ Subsequently, in February 1993, the Commission found that an industry in the United States was threatened with material injury by reason of imports of sulfanilic acid from India that Commerce found to be both subsidized and sold at LTFV.¹² After receipt of the Commission's respective determinations, Commerce issued a countervailing duty order on imports of sulfanilic acid from India and antidumping duty orders on imports of sulfanilic acid from China and India.¹³

THE FIRST FIVE-YEAR REVIEWS

On October 1, 1999, the Commission instituted the first five-year reviews of the antidumping duty orders and, on January 7, 2000, the Commission determined that it would proceed to expedited reviews.¹⁴ On February 8, 2000 and on April 6, 2000 (as amended, with respect to the countervailing duty order), Commerce found that revocation of the antidumping duty orders on sulfanilic acid from China and India and the countervailing duty order on sulfanilic acid from India would likely lead to continuation or recurrence of dumping and countervailable subsidies.¹⁵ In May 2000, the Commission completed its expedited first five-year reviews of the subject orders and determined that revocation of the orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. Subsequently, Commerce issued a continuation of the subject antidumping and countervailing duty orders.¹⁶

THE SECOND FIVE-YEAR REVIEWS

On May 2, 2005, the Commission instituted the second five-year reviews of the countervailing duty order on sulfanilic acid from India and antidumping duty orders on sulfanilic acid from China and India.¹⁷ On August 5, 2005, the Commission determined that it would proceed to full reviews.¹⁸ On September 7, 2005, Commerce found that revocation of the antidumping duty orders on sulfanilic acid

¹¹ The Commission further determined that it would not have found material injury but for the suspension of liquidation of entries of the merchandise under investigation.

¹² The Commission further determined that it would not have found material injury but for the suspension of liquidation of entries of the merchandise under investigation.

¹³ 57 FR 37524 (China) and 58 FR 12025 and 12026 (India).

¹⁴ The Commission received three submissions in response to its notice of institution in the first five-year reviews. They were filed on behalf of NFC, the sole U.S. producer of sulfanilic acid at that time; Kokan, a producer of sulfanilic acid in India; and the Embassy of India. The Commission did not receive any responses to its notice of institution from respondent interested parties with respect to China during the first reviews. In the first five-year reviews, the Commission determined that the domestic interested party responses to its notice of institution were adequate and that the respondent interested party responses were inadequate.

¹⁵ 65 FR 6156, 65 FR 6171 (as amended, 65 FR 18070).

¹⁶ 65 FR 36404.

¹⁷ 70 FR 22698.

¹⁸ The Commission received two submissions in response to its notice of institution in the second five-year reviews. They were filed on behalf of NFC, the sole U.S. producer of sulfanilic acid, and Kokan, a producer of sulfanilic acid in India. The Commission did not receive any responses to its notice of institution from respondent interested parties with respect to China during the second reviews. In the second five-year reviews, the Commission determined that the domestic interested party group response to its notice of institution was adequate, that the respondent interested party group response with respect to India was adequate, and that the respondent interested party group response with respect to China was inadequate.

from China and India and the countervailing duty order on sulfanilic acid from India would likely lead to continuation or recurrence of dumping and countervailable subsidies.¹⁹ In April 2006, the Commission completed its full second five-year reviews of the subject orders and determined that revocation of the orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. Subsequently, Commerce issued a continuation of the subject antidumping and countervailing duty orders.²⁰

RELATED INVESTIGATIONS

The petitions filed by R-M Industries in 1992 concerning the subject reviews of the antidumping and countervailing duty orders on sulfanilic acid from India also alleged injury by reason of imports of sulfanilic acid from Hungary that were allegedly sold at LTFV. However, in February 1993, the Commission determined that an industry in the United States was not materially injured or threatened with material injury, and the establishment of an industry in the United States was not materially retarded, by reason of imports from Hungary of sulfanilic acid that were found by Commerce to be sold in the United States at LTFV.

On September 28, 2001, NFC filed additional petitions alleging that an industry in the United States was materially injured and threatened with material injury by reason of subsidized and LTFV imports of sulfanilic acid from Hungary and LTFV imports of such products from Portugal. In November 2001, the Commission made final affirmative determinations with respect to imports from Hungary of sulfanilic acid that were found by Commerce to have been subsidized by the Government of Hungary and with respect to imports of sulfanilic acid from Hungary and Portugal that were found by Commerce to have been sold in the United States at LTFV. Commerce issued its notice of antidumping and countervailing duty orders on November 8, 2002.²¹ On October 1, 2007, the Commission instituted the first five-year reviews of the antidumping and countervailing duty orders on sulfanilic acid from Hungary and Portugal.²² On February 8, 2008, Commerce published notice that effective November 8, 2007, it was revoking the antidumping and countervailing duty orders on sulfanilic acid from Hungary and Portugal because the domestic interested party had withdrawn its participation and substantive responses in the reviews.²³ Subsequently, the Commission published notice that effective November 8, 2007, it was terminating its first five-year reviews of sulfanilic acid from Hungary and Portugal.²⁴

¹⁹ 70 FR 53164, 70 FR 53168.

²⁰ 71 FR 27446.

²¹ 67 FR 68100.

²² 72 FR 55806.

²³ 73 FR 7527.

²⁴ 73 FR 10064.

COMMERCE'S ADMINISTRATIVE REVIEWS

Commerce has conducted eight administrative reviews of the antidumping duty order on sulfanilic acid from China. No administrative reviews have been conducted by Commerce with respect to imports of sulfanilic acid from India. Information on these administrative reviews is presented in the following tabulation.

Period of review	Date results published	Margin (percent)
China		
August 1, 1993 to July 31, 1994	October 15, 1996 (61 FR 53711)	China National Chemical Construction Corp..... 60.68 Hainan Garden Trading Co..... 67.05 Sinochem Hebei Import & Export Corp..... 7.70 Yude Chemical Industry Co..... 0.00 Zhenxing Chemical Industry Co..... 0.00 PRC rate..... 85.20
August 1, 1994 to July 31, 1995	October 15, 1996 (61 FR 53702)	Yude Chemical Industry Co..... 16.86 Zhenxing Chemical Industry Co..... 16.86 PRC rate..... 85.20
August 1, 1995 to July 31, 1996	September 16, 1997 (62 FR 48597)	Yude Chemical Industry Co..... 0.00 Zhenxing Chemical Industry Co..... 0.00 PRC rate..... 85.20
August 1, 1996 to July 31, 1997	November 17, 1998 (63 FR 63834)	Yude Chemical Industry Co..... 0.29 Zhenxing Chemical Industry Co..... 0.29 PRC rate..... 85.20
August 1, 1997 to July 31, 1998	April 7, 2000 (65 FR 18300)	Yude (Yude/Xinyu) Chemical Industry Co..... 18.65 Zhenxing (Zhenxing/Mancheng) Chemical Industry Co..... 18.65 PRC rate..... 85.20
August 1, 1998 to July 31, 1999	March 21, 2001 (66 FR 15837)	PRC rate..... 85.20
August 1, 1999 to July 31, 2000	January 15, 2002 (67 FR 1962)	Zhenxing (Zhenxing/Mancheng) Chemical Industry Co..... 54.40 PRC rate..... 85.20
August 1, 2000 to July 31, 2001	November 22, 2002 (67 FR 70404)	Zhenxing (Zhenxing/Mancheng) Chemical Industry Co..... 64.22 PRC rate..... 85.20
Source: Cited <i>Federal Register</i> notices.		

COMMERCE'S FINAL RESULTS OF EXPEDITED SUNSET REVIEWS

On June 8, 2011 Commerce published in the Federal Register its finding that revocation of the countervailing duty on sulfanilic acid from India would likely lead to continuation or recurrence of a countervailable subsidy.²⁵ On July 29, 2011, Commerce published in the *Federal Register* its finding that revocation of the antidumping duty orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of dumping.²⁶ The weighted-average dumping and countervailing duty margins (in percent *ad valorem*), as reported by Commerce, for the original investigations, the expedited first five-year reviews, the full second five-year reviews, and the expedited third five-year reviews, are presented in the table I-1.

Table I-1
Sulfanilic acid: Weighted-average dumping margins and countervailing duties, as reported by Commerce, for the original investigations, the first five-year reviews, the second five-year reviews, and third five-year reviews, by firm

Firm	Original	First reviews	Second reviews	Third reviews
	Margin (percent)			
China				
Antidumping				
China National Chemical Import & Export Corp. / Hebei Branch (Sinochem Hebei)	19.14	19.14	19.14	19.14
China-wide	85.20	85.20	85.20	85.20
India				
Antidumping				
India-wide	71.09	71.09	71.09	71.09
Countervailing duty				
India-wide	43.71	43.71	43.71	43.71
Source: Various <i>Federal Register</i> notices.				

²⁵ 76 FR 33243.

²⁶ 76 FR 45510.

THE PRODUCT

Scope

Commerce has defined the subject merchandise as follows:

Imports covered by the AD and CVD orders are all grades of sulfanilic acid, which include technical (or crude) sulfanilic acid, refined (or purified) sulfanilic acid and sodium salt of sulfanilic acid. Sulfanilic acid is a synthetic organic chemical produced from the direct sulfonation of aniline with sulfuric acid. Sulfanilic acid is used as a raw material in the production of optical brighteners, food colors, specialty dyes, and concrete additives. The principal differences between the grades are the undesirable quantities of residual aniline and alkali insoluble materials present in the sulfanilic acid. All grades are available as dry, free flowing powders. Technical sulfanilic acid, classifiable under the subheading 2921.42.22 of the Harmonized Tariff Schedule ("HTS"), contains 96 percent minimum sulfanilic acid, 1.0 percent maximum aniline, and 1.0 percent maximum alkali insoluble materials. Refined sulfanilic acid, also classifiable under the subheading 2921.42.22 of the HTS, contains 98 percent minimum sulfanilic acid, 0.5 percent maximum aniline and 0.25 percent maximum alkali insoluble materials. Sodium salt (sodium sulfanilate), classifiable under the HTS subheading 2921.42.90, is a powder, granular or crystalline material which contains 75 percent minimum equivalent sulfanilic acid, 0.5 percent maximum aniline based on the equivalent sulfanilic acid content, and 0.25 percent maximum alkali insoluble materials based on the equivalent sulfanilic acid content.

The HTS subheading is provided for convenience and for Customs purposes, but Commerce's written description of the merchandise is dispositive as to the scope of the product coverage.

U.S. Tariff Treatment

The subject product is currently classified under Harmonized Tariff Schedule of the United States ("HTS") subheadings 2921.42.22 and 2921.42.90. Technical sulfanilic acid and refined sulfanilic acid are classified under subheading 2921.42.22, and sodium salt (sodium sulfanilate) is classified under subheading 2921.42.90. Goods entering the United States under HTS subheadings 2921.42.22 and 2921.42.90 are currently dutiable at a column 1-general rate of 6.5 percent ad valorem, applicable to both China and India.

²⁷ 76 FR 45510.

Physical Characteristics²⁸

Sulfanilic acid (not including sodium sulfanilate) is produced in two grades, namely, technical (or crude) sulfanilic acid and refined (or pure) sulfanilic acid. Technical grade sulfanilic acid is 96 percent pure and refined sulfanilic acid is 98 percent pure. In contrast, sodium sulfanilate (the monosodium salt of sulfanilic acid) is produced and sold only as one grade. Sodium sulfanilate, which is 99 percent pure, contains 75 percent minimum equivalent sulfanilic acid.²⁹ In solid form, the technical and refined grades of sulfanilic acid and sodium sulfanilate are all gray-white to white crystalline powders.³⁰ All grades of sulfanilic acid were subject to the original investigations and subsequent reviews. The term "sulfanilic acid" as used in this report refers to all grades, including technical and refined sulfanilic acid and sodium sulfanilate.

Uses³¹

Sulfanilic acid is used to produce optical brightening agents, food colorants and other synthetic organic dyes, and certain concrete additives. The form of sulfanilic acid used by the end user, however, depends on both the product being produced and the production process. In most cases, optical brighteners and food colors are produced with pure product (either refined sulfanilic acid or sodium sulfanilate). Optical brighteners, particularly paper brighteners, constitute the largest single end use for refined sulfanilic acid and sodium sulfanilate.³² Technical grade sulfanilic acid is used principally as a

²⁸ The discussion in this section is from the following Commission reports: Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Second Review), USITC Publication 3849, April 2006, p. I-15; Sulfanilic Acid from Hungary and Portugal: Investigations Nos. 701-TA-426 and 731-TA-984 and 985 (Final), USITC Publication 3554, November 2002, p. I-4; Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Review), USITC Publication 3301, May 2000, p. I-6.

²⁹ Refined and technical sulfanilic acid are assigned CAS registry number 121-57-3, while sodium sulfanilate is assigned CAS number 515-74-2. CAS registry numbers are unique numerical identifiers assigned by the Chemical Abstracts Service, a division of the American Chemical Society, to chemical compounds, polymers, biological sequences, mixtures, and alloys described in its literature.

³⁰ Technical and refined acids are always sold as solids; although some sodium sulfanilate is shipped in the solid form, much is shipped by the domestic producer to its customers as a 30-percent salt solution.

³¹ The discussion in this section is from the following Commission reports: Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Second Review), USITC Publication 3849, April 2006, p. I-15; Sulfanilic Acid from Hungary and Portugal: Investigations Nos. 701-TA-426 and 731-TA-984 and 985 (Final), USITC Publication 3554, November 2002, p. I-4; Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Review), USITC Publication 3301, May 2000, p. I-6. NFC indicated in its response to the Commission's notice of institution in these current five-year reviews that "{t}he most recent significant changes in the U.S. sulfanilic acid market have been (1) the surge in demand for sulfanilic acid in the United States caused by an increase in optical brighteners to increase brightness used by paper companies" and "(2) the dramatic decline in U.S. consumption in 2009 and 2010 caused by both the general recession and the significant increase in brightener imports from Taiwan and China." Response of NFC, May 2, 2011, p. 18.

³² Optical brighteners (also known as fluorescent brightening or whitening agents) are a class of synthetic organic chemical dyes that absorb ultraviolet light and also violet light (within the visible spectrum) and re-emit that light as visible light in the blue region of the spectrum. This effect allows materials treated with optical brighteners to emit more light in the visible spectrum than is present in the general environment, and therefore appear to be brighter. The additional blue light emitted masks the natural yellows in fabrics or papers that would otherwise cause the materials to appear somewhat dingy. This masking also contributes to an increased brightness for the material, enhancing the other existing colors. In addition to their applications in papers and textiles, optical brighteners may be used in plastics and paints, and as detergent additives.

raw material for refined sulfanilic acid and sodium sulfanilate, as well as in the production of certain specialty synthetic organic dyes and special concretes.³³

Manufacturing Process³⁴

The process technology for sulfanilic acid has changed since it was first produced in the early 1900s, largely due to improvements in process efficiencies that resulted in a higher overall yield from the reaction or a higher product purity.

Sulfanilic acid is made by reacting two basic chemicals, aniline with sulfuric acid. Aniline and sulfuric acid are mixed in a closed reactor to form an intermediate product, aniline hydrogen sulfate. The intermediate product is then heated or "baked" to form crude or technical grade sulfanilic acid, which the domestic producer either sells in this state or uses to produce sodium sulfanilate or refined acid. NFC produces sodium sulfanilate by the addition of sodium hydroxide to a water solution of the technical grade acid. It produces refined sulfanilic acid by dissolving the technical grade acid in hot water and then recrystallizing, filtering, and drying.³⁵ Process improvements in domestic facilities, such as a new refined acid operation in the mid-1990s and the purchase and relocation of a previously used continuous reactor system to produce technical acid in the late 1990s, have proven to be very efficient and cost-effective for NFC.

NFC produces and sells technical grade sulfanilic acid, refined sulfanilic acid, and sodium sulfanilate in both powder and solution form.

DOMESTIC LIKE PRODUCT ISSUES

During the original investigations, the expedited first five-year reviews, and the full second five-year reviews, the Commission found the appropriate domestic like product to be all sulfanilic acid, regardless of form or grade, and it defined the domestic industry as all domestic producers of sulfanilic acid. In response to the notice of institution, the domestic interested party indicated that it supports the Commission's definitions of the domestic like product and domestic industry.³⁶

³³ Crude or technical grade sulfanilic acid is used to produce a chemical which, when added to specialty concretes, reduces the amount of water required. This lighter material is used in the construction of high-rise structures. Although the refined sulfanilic acid could be used in this application, cost factors favor use of the technical grade.

³⁴ The discussion in this section is from the following Commission reports: Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Second Review), USITC Publication 3849, April 2006, p. I-17; Sulfanilic Acid from Hungary and Portugal: Investigations Nos. 701-TA-426 and 731-TA-984 and 985 (Final), USITC Publication 3554, November 2002, p. I-4; Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Review), USITC Publication 3301, May 2000, pp. I-6 through I-9.

³⁵ Refined sulfanilic acid can also be produced by re-acidification of a sodium sulfanilate solution, although this additional step results in a wastewater stream that is difficult to treat and NFC discontinued this method in the early 1990s. The discussion in this section is from the following Commission report: Sulfanilic Acid from China and India: Investigations Nos. 701-TA-318 and 731-TA-538 and 561 (Second Review), USITC Publication 3849, April 2006, p. I-17.

³⁶ NFC response to the notice of institution, p. 21.

U.S. MARKET PARTICIPANTS

U.S. Producers

During the original investigations, there were two firms producing sulfanilic acid in the United States: petitioner R-M and Hilton Davis Co. (“Hilton Davis”). Hilton Davis, ***, ceased production in ***. R-M accounted for *** percent of the sulfanilic acid manufactured during 1991 and Hilton Davis accounted for the remaining *** percent. Since Hilton Davis ceased production, NFC (formerly known as R-M) has been the sole producer of sulfanilic acid in the United States.

NFC is a privately owned corporation located in Fort Mill, SC. The company was founded in 1977 and began its first production of sulfanilic acid in 1984 with its acquisition of American Cyanamid’s production equipment. In September 1998, NFC acquired the technical grade sulfanilic acid business of Zeneca Ltd., a U.K. firm that made technical acid in France. That plant was moved from France to the United States and commenced production in March 1999. The new plant, using a continuous reactor, became fully operational in 2000.³⁷ NFC indicated that it is not related to other parties.³⁸

U.S. Capacity, Production, Capacity Utilization, U.S. Commercial Shipments, and Financial Data

Data reported by NFC, the sole U.S. producer of sulfanilic acid in these expedited third five-year reviews are presented in table I-2.³⁹ Data reported by U.S. producers of sulfanilic acid in the original investigations, the expedited first five-year reviews, and full second five-year reviews are presented in appendix C.⁴⁰

³⁷ NFC reported that it was able to retain about one third of Zeneca’s worldwide sulfanilic acid business, and the balance fell primarily to the Chinese and Indian producers. NRC response to the notice of institution, p. 20.

³⁸ NFC response to the notice of institution, p. 15.

³⁹ There is no current pricing data available for the subject product.

⁴⁰ Appendix C presents Table I-3 from the second five-year reviews staff report which contains comparative data of the U.S. market and industry from the original investigations, the first five-year reviews, and the second five-year reviews.

Table I-2
Sulfanilic acid: NFC's capacity, production, capacity utilization, U.S. commercial shipments, and financial data, 2010

Item	2010
Capacity (1,000 pounds)	***
Production (1,000 pounds)	***
Capacity utilization (percent)	***
U.S. commercial shipments:	
Quantity (1,000 pounds)	***
Value (\$1,000)	***
Unit value (per pound)	***
Net sales (\$1,000)	***
COGS (\$1,000)	***
Gross profit or (loss) (\$1,000)	***
SG&A expenses (\$1,000)	***
Operating income or (loss) (\$1,000)	***
Source: Domestic interested party's response to the Commission's notice of institution, pp. 17-18.	

U.S. Imports

During the original investigations, the Commission identified 8 U.S. importers that imported the subject product from China, and 8 U.S. importers that imported the subject product from India. During the expedited first five-year reviews, the domestic interested party identified 2 U.S. importers of subject product from China, and was not aware of any importers of subject product from India. During the full second five-year reviews, the Commission sent questionnaires to 13 firms believed to have imported sulfanilic acid, and received usable data from 6 firms (including domestic producer NFC).

In these expedited third five-year reviews, the domestic interested party identified four firms that are believed to be importing the subject product from China (PHT International, Inc., Clariant Corp., Trinity Manufacturing, Inc., and Matrix Outsourcing LLC) and two firms that are believed to be importing the subject product from India (Cater Chemical and Hach Co.).⁴¹ Data regarding U.S. imports of sulfanilic acid, as reported by Commerce, are presented in table I-3.

⁴¹ NFC response to the notice of institution, pp. 15-16.

Table I-3
Sulfanilic acid: U.S. imports, by source, 2005–10

Item	Calendar year					
	2005	2006	2007	2008	2009	2010
	Quantity (1,000 pounds)					
China	3	323	90	0	0.11	0
India	0	0	0	1	0.66	0.22
Subtotal	3	323	90	1	0.77	0.22
Other sources ¹	1,736	2,491	2,337	2,590	476	1,733
Total	1,739	2,814	2,427	2,591	477	1,733
	Value (\$1,000 dollars)					
China	9	400	84	0	2	0
India	0	0	0	13	12	4
Subtotal	9	400	84	13	14	4
Other sources ¹	1,405	2,331	2,633	3,324	489	1,472
Total	1,414	2,731	2,717	3,337	503	1,476
	Unit value (dollars per pound)					
China	\$2.58	\$1.24	\$0.93	--	\$20.25	--
India	--	--	--	10.62	17.42	19.66
Average	2.58	1.24	0.93	10.62	17.83	19.66
Other sources ¹	0.81	0.94	1.13	1.28	1.03	0.85
Average	0.81	0.97	1.12	1.29	1.05	0.85
¹ The primary "other sources" during 2010 were France and Italy. Note.—The specific HTS subheading is an eo nomine provision, 2921.42.22, covering sulfanilic acid and its salts (including sodium sulfanilate). Sulfanilic acid was not provided for separately until January 12, 1993, when the current HTS subheading was established. Source: Official Commerce statistics.						

APPARENT U.S. CONSUMPTION AND U.S. MARKET SHARES

NFC reported that the most recent significant changes in the U.S. sulfanilic acid market have been (1) an increase in demand for sulfanilic acid in the United States caused by an increase in optical brighteners used by paper companies that started in 2007 as a result of the decision of the paper companies to increase brightness to the same level as was common in Europe;⁴² and (2) the decline in U.S. consumption in 2009 and 2010 caused by the economic downturn and the increase in brightener imports from Taiwan and China.⁴³ Five top purchasers of sulfanilic acid were identified as ***.⁴⁴

Table I-4 presents apparent U.S. consumption and U.S. market shares in 2010.⁴⁵

Table I-4

Sulfanilic acid: U.S. shipments of domestic product, U.S. imports, apparent U.S. consumption, and U.S. market shares, 2010

Item	2010
	Quantity (1,000 pounds)¹
U.S. producers' U.S. shipments	***
U.S. imports	
China	0
India	0.22
Subtotal	0.22
All other sources ¹	1,733
Total imports	1,733
Apparent U.S. consumption	***
	Share of consumption (percent)
U.S. producers' U.S. shipments	***
U.S. imports	
China	***
India	***
Subtotal	***
All other sources ¹	***
Total imports	***
¹ The primary "other sources" during 2010 were France and Italy. ² Less than 0.01 percent.	
Source: Domestic interested party's response to the notice of institution, pp. 17-18, and official Commerce statistics.	

⁴² These increased imports of brighteners are the subject of an antidumping petition filed on March 31, 2011, concerning Certain Stilbenic Optical Brightening Agents from China and Taiwan (Inv. Nos. 731-TA-1186-1187). On May 16, 2011, the Commission made an affirmative preliminary determination.

⁴³ NFC response to the notice of institution, p. 18.

⁴⁴ Domestic interested parties' additional response to the notice of institution, p. 2.

⁴⁵ Appendix C presents Table I-3 from the second five-year reviews staff report which contains comparative data of the U.S. market and industry from the original investigations, the first five-year reviews, and the second five-year reviews.

THE INDUSTRY IN CHINA

During the original investigation concerning China, a Chinese exporter of sulfanilic acid, China National Chemical Import & Export Corp., Hebei Branch (“Sinochem Hebei”), provided information to the Commission on the sulfanilic acid manufacturing operations of the following *** Chinese plants: ***. Sinochem Hebei accounted for approximately *** percent of total Chinese exports of sulfanilic acid at the time of the original investigation. During its first review of the order, the Commission reported that there were minimal data available for the Chinese sulfanilic acid industry but noted that the number of Chinese subject manufacturers appeared to have increased since 1992. In its response to the Commission’s notice of institution in the expedited first five-year reviews, NFC identified 9 producers of sulfanilic acid in China and in its response in the full second five-year reviews, NFC listed approximately 20 producers of sulfanilic acid in China. Only one firm in China responded to the Commission’s request for information in the full second five-year review; *** responded that it had not produced or exported sulfanilic acid at any time since January 1, 1999. Thirteen Chinese producers of sulfanilic acid did not respond to the Commission’s foreign producer questionnaire. The U.S. embassy in Beijing confirmed during the Commission’s full second five-year reviews that there were approximately 20 producers of sulfanilic acid in China, most of whom were located in Hebei province.

In its response to the Commission’s notice of institution in these third five-year reviews, NFC provided a listing from The Directory of World Chemical Producers (operating On-Line as Chemical Information Services) that identified 14 Chinese producers of sulfanilic acid that may be exporters of the subject merchandise: 3W Industry Co., Inc.; Baoding Mancheng Xinyu Chemical Factory; Baoding Dongfa Group; Guangzhou Chemical Reagent Factory; Hebei Jianxin Chemical Co., Ltd.; Hebei Yontal Create Chemicals Co., Ltd.; Mancheng Gold Star Chemical Industry Co., Ltd.; Quzhou Chemsyn Pharm Co., Ltd.; Shanghai Jixiang Chemical Reagent Co., Ltd.; Shanghai SSS Reagent Co., Ltd.; Tianjin Chemical Reagent Co., Inc.; Tianjin Modern Chemical Co., Ltd.; Wuji Sitong Chemical Co., Ltd. (“Wuji Sitong”); Xi’an Poly Science Co., Ltd.⁴⁶ NFC also provided an additional listing of approximately 32 other Chinese plants that may possibly produce or export sulfanilic acid.⁴⁷ NFC estimated the production capacity of the following Chinese producers of sulfanilic acid as 144,403,000 pounds: Baoding Shunta Xianjin Chemical; Hebei Honngang; Hebei Wuji Qunhao; Shijiazhuang Zhenxing; Hebei Wuji Hongsheng; Baoding Mancheng; Tianjin Shi; Shijiazhuang Linxin; Wuji Sitong;

⁴⁶ NFC response to the notice of institution, app. 2.

⁴⁷ Baoding Hongtai Chemical Industries Co., Ltd.; Baoding Mancheng Rongtai (“Baoding Mancheng”); China National Chemical Construction Corp.; Sinochem Hebei Import & Export Corp.; Hebei Baoding Hengrun Chemical Co., Ltd.; Hebei Baoding Mancheng Xinyu Chemical Co., Ltd.; Hebei Changjia Chemical Factory; Hebei Fulong Import & Export Co., Ltd.; Hebei Honggang Chemical Co., Ltd. (“Hebei Honggang”); Hebei Jinzhou Sky Universe Science & Technology Co., Ltd.; Hebei Jinzhou Tianghill Biotechnology Co., Ltd.; Hebei Shijiazhuang Linxin Chemical Co., Ltd.; Hebei Shijiazhuang Zhenxing Chemical Factory; Hebei Wuji Hongsheng Chemical Co., Ltd. (“Hebei Wuji Hongsheng”); Hebei Wuji Qunhoa Fine Chemical Co., Ltd. (“Hebei Wuji Qunhoa”); Henan Luoyang Institute of Science & Technology Luodong Chemical Plant; Qingdao Tianshi; Shandong Qingdao Tianshi Chemical Co., Ltd.; Shanghai Hoahua Chemical Co., Ltd.; Shanghai Yancui Import & Export Corp.; Shanxi Qingshan Chemical Industry Co., Ltd.; Shijiazhuang Linxin Chemical Industrial Stock Co., Ltd. (“Shijiazhuang Linxin”); Shijiazhuang Winning Chemical Co., Ltd.; Shijiazhuang Zhenxing Chemical Factory (“Shijiazhuang Zhenxing”); Tianjin Shi Yueguo Chemical Co., Ltd. (“Tianjin Shi”); Tianjin Yungsheng Chemical Reagent Science & Technology Co., Ltd.; Yude Chemical Industry Co.; Zhejiang Quzhou Chemsyn Pharm. Co., Ltd.; Zhejiang Wulong Chemical Industrial Stock Co., Ltd. (“Zhejiang Wulong”); Zhenxing Chemical Industry Co. NRC response to the notice of institution, app. 3.

Zhejiang Wulong; Qingdao Tianshi.⁴⁸ NFC reported that much of the production equipment in China that is used to make dyes, pigments, and organic chemicals is interchangeable to make sulfanilic acid.⁴⁹

THE INDUSTRY IN INDIA

During the original investigations concerning India, the Commission identified three producers of refined sulfanilic acid in India (Jeevan Products, Kokan, and Perfect Pharmacists). ***. The U.S. consulate in Bombay also obtained the names of five additional firms that produced technical grade sulfanilic acid in India; their product reportedly was not exported. In the expedited first five-year reviews, the Commission found that there was minimal public information on the sulfanilic acid industry in India but noted that NFC listed 26 Indian manufacturers of the product in its response to the Commission's notice of institution. In the full second five-year reviews NFC listed approximately 30 producers and/or exporters in India in its response to the Commission's notice of institution. Only one firm in India responded to the Commission's request for information in the full second five-year reviews; *** responded by e-mail, "Please note we do not make this item anymore, hence we feel that there is no point in our submitting the questionnaire." Twenty-one firms who received the Commission's foreign producer questionnaire in India (including the largest producer Kokan) did not provide a response.

In these expedited third five-year reviews, NFC provided a listing from The Directory of World Chemical Producers (operating On-Line as Chemical Information Services) that identified 16 current Indian producers and/or exporters of sulfanilic acid: Aarti Group, Alginates Allied Chemicals Pvt., Ltd. ("Alginates"); Ambuja Intermediates Pvt., Ltd.; Bahubali Chemical Industries; Dynamic Products, Ltd. ("Dynamic"); Hemani Group; J.K. Colors; K. Patel Chemopharma Pvt., Ltd.; Kankai Exports; Kokan Synthetics & Chemicals Pvt., Ltd. ("Kokan"); M.H. Enterprises; Rashi Chemicals & Plastics; Sajjan India, Ltd.; Shree Hri Chemicals Export, Ltd.; Sudha Industrial Corp., Ltd.; Vito Dye Chem Pvt., Ltd. ("Vito").⁵⁰ NFC also provided a listing of 9 other companies in India that may possibly produce or export sulfanilic acid.⁵¹ NFC estimated the production capacity of the following Indian producers of sulfanilic acid as 29,762,000 pounds: Kokan, Kabasha, Alginates, Vito, Metrochem, GDI Group, Orgo, Vachhani, Dynamic, Shyamal, Emco, Ajanta, Virchows.⁵² NFC reported that much of the production equipment in India that is used to make dyes, pigments, and organic chemicals is interchangeable to make sulfanilic acid.⁵³

⁴⁸ NFC response to the notice of institution, app. 6.

⁴⁹ NFC response to the notice of institution, p. 19.

⁵⁰ NFC response to the notice of institution, app.4.

⁵¹ Kabasha Chemdye Pvt., Ltd. ("Kabasha"); Metrochem Ind., Ltd. ("Metrochem"); GDI Group; Orgo Chem Pvt., Ltd. ("Orgo"); Vachhani Chemicals Pvt., Ltd. ("Vachhani"); Shyamal Interm. Pvt., Ltd. ("Shyamal"); Emco Dyestuff Pvt., Ltd. ("Emco"); Ajanta Organics Pvt., Ltd. ("Ajanta"); Virchows Labs, Ltd. ("Virchows"). NFC response to the notice of institution, app. 5.

⁵² NFC response to the notice of institution, app. 7.

⁵³ NFC response to the notice of institution, p. 19.

ANTIDUMPING DUTY ORDERS IN THIRD-COUNTRY MARKETS

On July 22, 2002, the European Union (“EU”) imposed countervailing duties of 7.1 percent on imports of sulfanilic acid from India, and antidumping duty rates 18.3 percent on imports from India and 21.0 percent on imports from China. Effective December 2, 2004, the EU increased the antidumping duty rate on imports from China to 33.7 percent. In 2008, the EU conducted its own “expiry” or sunset reviews of the orders on imports of sulfanilic acid from China and India, all three orders were continued (with some modifications).⁵⁴

⁵⁴ NFC response to the notice of institution, p. 19.

APPENDIX A

***FEDERAL REGISTER* NOTICES**

	Period to be reviewed
ZAFCO TRDG.	

¹ In the 2007–2008 administrative review, the Department found that the following companies comprised a single entity: Ananda Aqua Exports (P) Ltd., Ananda Foods, and Ananda Aqua Applications. See *Certain Frozen Warmwater Shrimp From India: Preliminary Results and Preliminary Partial Rescission of Antidumping Duty Administrative Review*, 74 FR 9991, 9994 (Mar. 9, 2009) (2007–2008 Indian Shrimp Preliminary Results) unchanged in *Certain Frozen Warmwater Shrimp From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 74 FR 33409 (July 13, 2009) (2007–2008 Indian Shrimp Final Results). Absent information to the contrary, we intend to treat these companies as a single entity for purposes of this administrative review.

² The interested parties' requests for review included certain companies with similar names and/or addresses. For purposes of initiation, we have treated these companies as the same entity based on information obtained in prior administrative reviews. See the March 28, 2011, memorandum from David Crespo to the File entitled, "Placing Public Information from Prior Antidumping Duty Administrative Reviews on the Record of the 2010–2011 Antidumping Duty Administrative Review on Certain Frozen Warmwater Shrimp from India."

³ In the 2004–2006 administrative review, the Department found that the following companies comprised a single entity: Devi Marine Food Exports Private Limited, Kader Investment and Trading Company Private Limited, Kader Exports Private Limited, Liberty Frozen Foods Private Limited, Liberty Oil Mills Limited, Premier Marine Products, and Universal Cold Storage Private Limited. See *2004–2006 Indian Shrimp Final Results*, 72 FR at 52058. Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

⁴ In the 2006–2007 administrative review, the Department found that the following companies comprised a single entity: Diamond Seafoods Exports, Edhayam Frozen Foods Pvt. Ltd., Kadalkanny Frozen Foods, and Theva & Company. See *Certain Frozen Warmwater Shrimp from India: Preliminary Results and Preliminary Partial Rescission of Antidumping Duty Administrative Review*, 73 FR 12103, 12106 (Mar. 6, 2008), unchanged in *Certain Frozen Warmwater Shrimp From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 73 FR 40492 (July 15, 2008). Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

⁵ In the 2007–2008 administrative review, the Department found that the following companies comprised a single entity: Falcon Marine Exports Limited and K.R. Enterprises. See *2007–2008 Indian Shrimp Preliminary Results*, 74 FR at 9994, unchanged in *2007–2008 Indian Shrimp Final Results*, 74 FR at 33409. Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

⁶ On December 1, 2010, the Department found that A Foods 1991 Co., Limited is the successor-in-interest to May Ao Company Limited. See *Notice of Final Results of Antidumping Duty Changed Circumstances Review: Certain Frozen Warmwater Shrimp from Thailand*, 75 FR 74684 (Dec. 1, 2010). Because the effective date of this determination is within the period of review (POR), we have included both A Foods 1991 Co., Limited and May Ao Company Limited for purposes of initiation.

⁷ The requests for review from the interested parties included certain companies with similar names and/or addresses. We have contacted these companies for clarification regarding their correct names and/or addresses. Pending receipt of this information, we have treated these companies as separate entities for purposes of initiation.

⁸ The requests for review from the interested parties included certain companies with similar names and/or addresses. For purposes of initiation, we have treated these companies as the same entity based on information obtained prior to initiation of this administrative review.

⁹ In the 2007–2008 administrative review, the Department found that the following companies comprised a single entity: Pakfood Public Company Limited, Asia Pacific (Thailand) Co., Ltd., Chaophraya Cold Storage Co. Ltd., Okeanos Co. Ltd., Okeanos Food Co. Ltd., and Takzin Samut Co. Ltd. See *Certain Frozen Warmwater Shrimp from Thailand: Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 74 FR 47551 (Sept. 16, 2009), and accompanying Issues and Decision memorandum at Comment 6. Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

¹⁰ In the 2006–2007 administrative review, the Department found that the following companies comprised a single entity: Thai Union Frozen Products Public Co., Ltd. and Thai Union Seafood Co., Ltd. See *Certain Frozen Warmwater Shrimp from Thailand: Preliminary Results and Preliminary Partial Rescission of Antidumping Duty Administrative Review*, 73 FR 12088 (Mar. 6, 2008), unchanged in *Certain Frozen Warmwater Shrimp from Thailand: Final Results and Final Partial Rescission of Antidumping Duty Administrative Review*, 73 FR 50933 (Aug. 29, 2008). Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

¹¹ In the less-than-fair-value investigation, the Department found that the following companies comprised a single entity: The Union Frozen Products Co., Ltd. and Bright Sea Co., Ltd. See *Notice of Preliminary Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Negative Critical Circumstances Determination: Certain Frozen and Canned Warmwater Shrimp From Thailand*, 69 FR 47100 (Aug. 4, 2004), unchanged in *Notice of Final Determination of Sales at Less Than Fair Value and Negative Final Determination of Critical Circumstances: Certain Frozen and Canned Warmwater Shrimp From Thailand*, 69 FR 76918 (Dec. 23, 2004). Absent information to the contrary, we intend to continue to treat these companies as a single entity for purposes of this administrative review.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 351.305. On January 22, 2008, the Department published *Antidumping and Countervailing Duty Proceedings: Documents Submission Procedures; APO Procedures* (73 FR 3634). Those procedures apply to administrative reviews included in this notice of initiation. Parties wishing to participate in any of these administrative reviews should ensure that they meet the requirements of these procedures (e.g., the filing of separate letters of appearance as discussed at 19 CFR 351.103(d)).

Any party submitting factual information in an AD/CVD proceeding must certify to the accuracy and completeness of that information. See

section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all segments of any AD/CVD proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) (*Interim Final Rule*) amending 19 CFR 351.303(g)(1) & (2). The formats for the revised certifications are provided at the end of the *Interim Final Rule*. The Department intends to reject factual submissions in any proceeding segments initiated on or after March 14, 2011, if the submitting party does not comply with the revised certification requirements.

This initiation and notice are in accordance with section 751(a)(1) of the Act and 19 CFR 351.221(c)(1)(i).

Dated: March 28, 2011.

Gary Taverman,

Acting Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2011-7763 Filed 3-31-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-Year ("Sunset") Review

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

ACTION: Notice.

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 review (“Sunset Review”) of the antidumping and countervailing duty orders listed below. The International Trade Commission (“the Commission”) is publishing concurrently with this notice its notice of *Institution of Five-Year Review* which covers the same orders.

DATES: *Effective Date:* April 1, 2011.

FOR FURTHER INFORMATION CONTACT: The Department official identified in the

Initiation of Review section below at AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230. For information from the Commission contact Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205–3193.

SUPPLEMENTARY INFORMATION:

Background

The Department’s procedures for the conduct of Sunset Reviews are set forth in its *Procedures for Conducting Five-Year (“Sunset”) Reviews of Antidumping*

and *Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) and 70 FR 62061 (October 28, 2005). 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).

Initiation of Review

In accordance with 19 CFR 351.218(c), we are initiating the Sunset Review of the following antidumping and countervailing duty orders:

DOC Case No.	ITC Case No.	Country	Product	Department contact
A-588-850 ..	731-TA-847	Japan	Carbon & Alloy Seamless, Standard Line & Pressure Pipe (Over 4½ Inches) (2nd Review).	David Goldberger, (202) 482-4136.
A-588-851 ..	731-TA-847	Japan	Carbon & Alloy Seamless, Standard, Line & Pressure Pipe (Under 4½ Inches) (2nd Review).	David Goldberger, (202) 482-4136.
A-485-805 ..	731-TA-849	Romania	Carbon & Alloy Seamless, Standard, Line & Pressure Pipe (Under 4½ Inches) (2nd Review).	David Goldberger, (202) 482-4136.
A-533-806 ..	731-TA-561	India	Sulfanilic Acid (3rd Review)	Julia Hancock, (202) 482-1394.
A-570-815 ..	731-TA-538	PRC	Sulfanilic Acid (3rd Review)	Julia Hancock, (202) 482-1394.
C-533-807 ..	701-TA-318	India	Sulfanilic Acid (3rd Review)	David Goldberger, (202) 482-4136.

Filing Information

As a courtesy, we are making information related to Sunset Review proceedings, including copies of the pertinent statute and Department’s regulations, the Department schedule for Sunset Reviews, a listing of past revocations and continuations, and current service lists, available to the public on the Department’s Internet Web site at the following address: “<http://ia.ita.doc.gov/sunset/>.” All submissions in these Sunset Reviews must be filed in accordance with the Department’s regulations regarding format, translation, and service of documents. These rules can be found at 19 CFR 351.303.

This notice serves as a reminder that any party submitting factual information in an antidumping duty/countervailing duty (“AD/CVD”) proceeding must certify to the accuracy and completeness of that information. See section 782(b) of the Act. Parties are hereby reminded that revised certification requirements are in effect for company/government officials as well as their representatives in all AD/CVD investigations or proceedings initiated on or after March 14, 2011. See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings: Interim Final Rule*, 76 FR 7491 (February 10, 2011) (*Interim Final Rule*),

amending 19 CFR 351.303(g)(1) and (2). The formats for the revised certifications are provided at the end of the *Interim Final Rule*. The Department intends to reject factual submissions in investigations/proceedings initiated on or after March 14, 2011 if the submitting party does not comply with the revised certification requirements.

Pursuant to 19 CFR 351.103(d), the Department will maintain and make available a service list for these proceedings. To facilitate the timely preparation of the service list(s), it is requested that those seeking recognition as interested parties to a proceeding contact the Department in writing within 10 days of the publication of the Notice of Initiation.

Because deadlines in Sunset Reviews can be 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 this notice of initiation by filing a notice of intent to participate. 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 section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b) wishing to participate in a Sunset Review must respond not later than 15 days after the date of publication in the **Federal Register** of this 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. See 19 CFR 351.218(d)(1)(iii).

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 complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this 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 respondent and domestic parties. Also, note that the Department’s information requirements are distinct

from the 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 AD and CVD 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).

Dated: March 25, 2011.

Christian Marsh,

Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.

[FR Doc. 2011-7761 Filed 3-31-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Request for Public Comments Concerning Regulatory Cooperation Activities That Would Help Eliminate or Reduce Unnecessary Regulatory Divergences in North America That Disrupt U.S. Exports

AGENCY: International Trade Administration, Commerce.

ACTION: Notice; extension of comment period.

SUMMARY: This notice announces an extension of the request for public comment to the **Federal Register** notice on regulatory cooperation activities in North America. The comment period is extended to April 18, 2011.

DATES: The comment period for notice published on March 3, 2011 (76 FR 11760), is extended to April 18, 2011.

ADDRESSES: Submissions should be made via the internet at <http://www.regulations.gov> under docket ITA-2011-0003. Please direct written submissions to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230. The public is strongly encouraged to file submissions electronically rather than by mail.

¹ In comments made on the interim final sunset regulations, a number of parties stated that the proposed five-day period for rebuttals to substantive responses to a notice of initiation was insufficient. This requirement was retained in the final sunset regulations at 19 CFR 351.218(d)(4). As provided in 19 CFR 351.302(b), however, the Department will consider individual requests to extend that five-day deadline based upon a showing of good cause.

FOR FURTHER INFORMATION CONTACT:

Questions regarding this notice should be directed to regcoop@trade.gov.

SUPPLEMENTARY INFORMATION: The U.S. Department of Commerce (DOC) published a document in the **Federal Register** on March 3, 2011, inviting public comment on the following possible types of cooperative regulatory activities between or among the United States, Mexico, and Canada: Information-sharing agreements; technical assistance; memoranda of understanding, mutual recognition agreements; collaboration between regulators before initiating rulemaking proceedings; agreements to align particular regulatory measures; equivalency arrangements; and accreditation of testing laboratories or other conformity assessment bodies. These comments will serve as a basis for bilateral and trilateral discussion with Canada and Mexico on regulatory cooperation activities to undertake which will support the President's National Export Initiative and serve as a basis for discussion with the U.S.-Mexico High-Level Regulatory Cooperation Council and the U.S.-Canada Regulatory Cooperation Council.

The notice published on March 3, 2011 (76 FR 11760) informed interested parties that DOC would accept written comments no later than April 4, 2011. Associations and organizations with an interest in these activities have expressed concerns with the 30-day deadline and have requested an extension. Based on these requests, DOC is extending the comment period until April 18, 2011, to provide interested parties additional time to prepare and submit comments. DOC will accept comments received no later than April 18, 2011 and will not consider any further extensions to the comment period.

Requirements for Submissions: In order to ensure the timely receipt and consideration of comments, the Department of Commerce's International Trade Administration (ITA) strongly encourages commenters to make on-line submissions, using the www.regulations.gov Web site. Comments should be submitted under docket number ITA-2011-0003. To find this docket, enter the docket number in the "Enter Keyword or ID" window at the www.regulations.gov home page and click "Search." The site will provide a search-results page listing all documents associated with that docket number. Find a reference to this notice by selecting "Notice" under "Document Type" on the search-results page, and click on the link entitled "Submit a

Comment." The <http://www.regulations.gov> Web site provides the option of making submissions by filling in a comments field, or by attaching a document. ITA prefers submissions to be provided in an attached document. (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on the "Help" tab.)

All comments and recommendations submitted in response to this notice will be made available to the public. For any comments submitted electronically containing business confidential information, the file name of the business confidential version should begin with the characters "BC". The top of any page containing business confidential information must be clearly marked "BUSINESS CONFIDENTIAL". Any person filing comments that contain business confidential information must also file in a separate submission a public version of the comments. The file name of the public version of the comments should begin with the character "P". The "BC" and "P" should be followed by the name of the person or entity submitting the comments. If a comment contains no business confidential information, the file name should begin with the character "P", followed by the name of the person or entity submitting the comments.

Please do not attach separate cover letters to electronic submissions; rather, include any information that might appear in a cover letter in the comments themselves. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments in the same file as the submission itself, not as separate files.

Dated: March 29, 2011.

John Andersen,

Acting Deputy Assistant Secretary of Commerce for Market Access and Compliance, International Trade Administration.

[FR Doc. 2011-7849 Filed 3-31-11; 8:45 am]

BILLING CODE 3510-DA-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

Advisory Committee on Earthquake Hazards Reduction Meeting

AGENCY: National Institute of Standards and Technology, Department of Commerce.

ACTION: Notice of open meeting.

this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint filed on behalf of Creative Kingdoms, LLC and New Kingdoms, LLC on March 21, 2011. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain video game systems and wireless controller and components thereof. The complaint names as respondents Nintendo of America, Inc. of Redmond, Washington and Nintendo Co., Ltd. of Kyoto, Japan.

The complainant, proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five pages in length, on any public interest issues raised by the complaint. Comments should address whether issuance of an exclusion order and/or a cease and desist order in this investigation would negatively affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) Explain how the articles potentially subject to the orders are used in the United States;
- (ii) Identify any public health, safety, or welfare concerns in the United States relating to the potential orders;
- (iii) Indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the orders; and
- (iv) Indicate whether Complainant, Complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to an exclusion order and a cease and desist order within a commercially reasonable time.

Written submissions must be filed no later than by close of business, five business days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any

final initial determination in this investigation.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Submissions should refer to the docket number ("Docket No. 2791") in a prominent place on the cover page and/or the first page. The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the extent permitted by section 201.8 of the rules (*see Handbook for Electronic Filing Procedures*, http://www.usitc.gov/secretary/fed_reg_notices/rules/handbook_on_electronic_filing.pdf). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50(a)(4) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.50(a)(4)).

Issued: March 22, 2011.

By order of the Commission.

James R. Holbein,

Acting Secretary to the Commission.

[FR Doc. 2011-7733 Filed 3-31-11; 8:45 am]

BILLING CODE P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-318 and 731-TA-538 and 561 (Third Review)]

Sulfanilic Acid From China and India

AGENCY: United States International Trade Commission.

ACTION: Institution of five-year reviews concerning the countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India.

SUMMARY: The Commission hereby gives notice that it has instituted reviews 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 countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India 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 May 2, 2011. Comments on the adequacy of responses may be filed with the Commission by June 13, 2011. For further information concerning the conduct of these reviews 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), as most recently amended at 74 FR 2847 (January 16, 2009).

DATES: *Effective Date:* April 1, 2011.

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 these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On August 19, 1992, the Department of Commerce ("Commerce") issued an antidumping duty order on imports of sulfanilic acid from China (57 FR 37524). On March 2, 1993, Commerce issued antidumping and countervailing duty orders on imports of sulfanilic acid from India (57 FR 12025

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. 11-5-243, expiration date June 30, 2011. Public reporting burden for the request is estimated to average 15 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.

and 12026). Following five-year reviews by Commerce and the Commission, effective June 8, 2000, Commerce issued a continuation of the countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India (65 FR 36404). Following second five-year reviews by Commerce and the Commission, effective May 11, 2006, Commerce issued a continuation of the countervailing duty order on sulfanilic acid from India and the antidumping duty orders on sulfanilic acid from China and India (71 FR 27449). The Commission is now conducting third reviews to determine whether revocation of the orders 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 full reviews or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to these reviews:

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

(2) The *Subject Countries* in these reviews are China and India.

(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 determinations, expedited first five-year review determinations, and full second five-year review determinations, the Commission defined the *Domestic Like Product* as all sulfanilic acid, regardless of form or grade.

(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 determinations, expedited first five-year review determinations, and full second five-year review determinations, the Commission defined the *Domestic Industry* as all domestic producers of sulfanilic acid.

(5) 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 reviews 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 reviews 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 reviews.

Former Commission employees who are seeking to appear in Commission five-year reviews are advised that they may appear in a review even if they participated personally and substantially in the corresponding underlying original investigation. The Commission's designated agency ethics official has advised that a five-year review is not considered the "same particular matter" as the corresponding underlying original investigation for purposes of 18 U.S.C. 207, the post employment statute for Federal employees, and Commission rule 201.15(b) (19 CFR 201.15(b)), 73 FR 24609 (May 5, 2008). This advice was developed in consultation with the Office of Government Ethics. Consequently, former employees are not required to seek Commission approval to appear in a review under Commission rule 19 CFR 201.15, even if the corresponding underlying original investigation was pending when they were Commission employees. For further ethics advice on this matter, 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 these reviews available to authorized applicants under the APO issued in the reviews, 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 reviews. 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 these reviews must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions. Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is May 2, 2011. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is June 13, 2011. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the reviews you do not need to serve your response).

Inability to provide requested information. Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide

equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determinations in the reviews.

Information To Be Provided in Response to This Notice of Institution: If you are a domestic producer, union/worker group, or trade/business association; import/export *Subject Merchandise* from more than one *Subject Country*; or produce *Subject Merchandise* in more than one *Subject Country*, you may file a single response. If you do so, please ensure that your response to each question includes the information requested for each pertinent *Subject Country*. As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address) and name, telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in these reviews by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping and countervailing duty orders on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the

Subject Merchandise in the *Subject Countries* that currently export or have exported *Subject Merchandise* to the United States or other countries after 2004.

(7) A list of 3–5 leading purchasers in the U.S. market for the *Domestic Like Product* and the *Subject Merchandise* (including street address, World Wide Web address, and the name, telephone number, fax number, and E-mail address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the *Domestic Like Product* or the *Subject Merchandise* in the U.S. or other markets.

(9) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2010, except as noted (report quantity data in pounds and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Domestic Like Product* (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the *Domestic Like Product* produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise*

from the *Subject Country(ies)*, provide the following information on your firm's(s') operations on that product during calendar year 2010 (report quantity data in pounds and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from each *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of *Subject Merchandise* imported from each *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from each *Subject Country*.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country(ies)*, provide the following information on your firm's(s') operations on that product during calendar year 2010 (report quantity data in pounds and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in each *Subject Country* accounted for by your firm's(s') production;

(b) Capacity (quantity) of your firm to produce the *Subject Merchandise* in each *Subject Country* (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject*

Merchandise from each *Subject Country* accounted for by your firm's(s') exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in each *Subject Country* after 2004, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country(ies)*, and such merchandise from other countries.

(13) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

Issued: March 22, 2011.

By order of the Commission.

James R. Holbein,

Acting Secretary to the Commission.

[FR Doc. 2011-7275 Filed 3-31-11; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-847 and 849 (Second Review)]

Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Japan Andromania

AGENCY: United States International Trade Commission.

ACTION: Institution of five-year reviews concerning the antidumping duty orders on carbon and alloy seamless standard, line, and pressure pipe from Japan and Romania.

SUMMARY: The Commission hereby gives notice that it has instituted reviews 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 orders on carbon and alloy seamless standard, line, and pressure pipe from Japan and Romania 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 May 2, 2011. Comments on the adequacy of responses may be filed with the Commission by June 13, 2011. For further information concerning the conduct of these reviews 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), as most recently amended at 74 FR 2847 (January 16, 2009).

DATES: *Effective Date:* April 1, 2011.

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 these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On June 26, 2000, the Department of Commerce ("Commerce") issued an antidumping duty order on the imports of small and large diameter carbon and alloy seamless standard, line, and pressure pipe from Japan (65 FR 39360). On August 10, 2000, Commerce issued an antidumping duty

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. 11-5-242, expiration date June 30, 2011. Public reporting burden for the request is estimated to average 15 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.

order on the imports of large diameter carbon and alloy seamless standard, line, and pressure pipe from Romania (65 FR 48963). Following five-year reviews by Commerce and the Commission, effective May 8, 2006, Commerce issued a continuation of the antidumping duty orders on imports of certain carbon and alloy seamless standard, line, and pressure pipe from Japan and Romania (71 FR 26746). The Commission is now conducting second reviews to determine whether revocation of the orders 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 full reviews or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to these reviews:

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

(2) The *Subject Countries* in these reviews are Japan and Romania.

(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 determinations and its full first five-year review determinations, the Commission found two *Domestic Like Products* corresponding to the two scopes of the investigations: Small diameter carbon and alloy seamless standard, line, and pressure pipe and large diameter carbon and alloy seamless standard, line, and pressure pipe. Certain Commissioners defined the *Domestic Like Product* differently in the original determinations.

(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 determinations and its full first five-year review determinations, the Commission found two *Domestic Industries*: A small diameter carbon and alloy seamless standard, line, and pressure pipe industry and a large diameter carbon and alloy seamless standard, line, and pressure pipe industry, encompassing all domestic producers of those

available in the Central Records Unit, Room 7046 in the Department's main building.

The Department finds no compelling reason to deny the request. Therefore, pursuant to section 703(c)(1)(A) of the Act, we are extending the due date for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, to August 28, 2011. However, August 28, 2011, falls on a Sunday. It is the Department's long-standing practice to make a determination on the next business day when the statutory deadline falls on a weekend, federal holiday, or any other day when the Department is closed. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005). Accordingly, the Department will make its preliminary determination on August 29, 2011, the first business day after August 28, 2011.

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: May 31, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011-14028 Filed 6-7-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-533-807]

Sulfanilic Acid From India; Final Results of Expedited Sunset Review of Countervailing Duty Order

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

SUMMARY: On April 1, 2011, the Department of Commerce ("the Department") initiated the third sunset review of the countervailing duty ("CVD") order on sulfanilic acid from India 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 an adequate substantive response filed on behalf of a domestic interested party and an inadequate response (in this case, no response) from respondent interested parties, the Department conducted an expedited sunset review of this CVD order pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(B). As a result of this review, the

Department finds that revocation of the CVD order would be likely to lead to continuation or recurrence of a countervailable subsidy at the level indicated the "Final Results of Review" section of this notice.

DATES: *Effective Date:* June 8, 2011.

FOR FURTHER INFORMATION CONTACT: Eric Greynolds, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-6071.

SUPPLEMENTAL INFORMATION:

Background

On April 1, 2011, the Department initiated the third sunset review of the CVD order on sulfanilic acid from India pursuant to section 751(c) of the Act. *See Initiation of Five-Year ("Sunset") Review*, 76 FR 18163 (April 1, 2011). The Department received a notice of intent to participate on behalf of National Ford Chemical Company ("NFC"), within the deadline specified in 19 CFR 351.218(d)(1)(i). NFC claimed interested party status under section 771(9)(C) of the Act, as a domestic producer of sulfanilic acid.

The Department received an adequate substantive response from NFC within the 30-day deadline specified in 19 CFR 351.218(d)(3)(i). However, the Department did not receive a substantive response from the Government of India or any respondent interested party to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited review of the order.

Scope of the Order

The merchandise covered by the CVD order are all grades of sulfanilic acid, which include technical (or crude) sulfanilic acid, refined (or purified) sulfanilic acid and sodium salt of sulfanilic acid (sodium sulfanilate).

Sulfanilic acid is a synthetic organic chemical produced from the direct sulfonation of aniline with sulfuric acid. Sulfanilic acid is used as a raw material in the production of optical brighteners, food colors, specialty dyes, and concrete additives. The principal differences between the grades are the undesirable quantities of residual aniline and alkali insoluble materials present in the sulfanilic acid. All grades are available as dry free flowing powders.

Technical sulfanilic acid contains 96 percent minimum sulfanilic acid, 1.0 percent maximum aniline, and 1.0 percent maximum alkali insoluble

materials. Refined sulfanilic acid contains 98 percent minimum sulfanilic acid, 0.5 percent maximum aniline, and 0.25 percent maximum alkali insoluble materials. Sodium salt of sulfanilic acid (sodium sulfanilate) is a granular or crystalline material containing 75 percent minimum sulfanilic acid, 0.5 percent maximum aniline, and 0.25 percent maximum alkali insoluble materials based on the equivalent sulfanilic acid content.

In response to a request from 3V Corporation, on May 5, 1999, the Department determined that sodium sulfanilate processed in Italy from sulfanilic acid produced in India is within the scope of the order. *See Notice of Scope Rulings and Anticircumvention Inquiries*, 65 FR 41957 (July 7, 2000).

The merchandise is currently classifiable under Harmonized Tariff Schedule of the United States ("HTSUS") subheadings 2921.42.22 and 2921.42.90. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of the order is dispositive.

Analysis of Comments Received

All issues raised in this review are addressed in the Issues and Decision Memorandum ("Decision Memorandum") from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated concurrently with this notice, which is hereby adopted by this notice. The issues discussed in the accompanying Decision Memorandum include the likelihood of continuation or recurrence of a countervailable subsidy if the order was revoked, the net countervailable subsidy likely to prevail, and the nature of the subsidy. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendation in this public memorandum which is on file in the Central Records Unit room 7046 of the main Commerce building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memorandum are identical in content.

Final Results of Review

The Department determines that revocation of the countervailing duty order would be likely to lead to continuation or recurrence of a countervailable subsidy at the rate listed below:

Producers/exporters	Net countervailable subsidy (percent)
All Manufacturers/Producers/Exporters	43.71

Notification Regarding Administrative Protective Order

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305. 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 the results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: May 31, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011-14187 Filed 6-7-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Manufacturing Council

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

ACTION: Notice of an Opportunity To Apply for Membership on the Manufacturing Council.

SUMMARY: The Department of Commerce is currently seeking applications to fill two vacant positions on the Manufacturing Council (Council). The purpose of the Council is to advise the Secretary of Commerce on matters relating to the competitiveness of the U.S. manufacturing sector and to provide a forum for regular communication between Government and the manufacturing sector.

ADDRESSES: Please submit application information via e-mail to jennifer.pilat@trade.gov or by mail to Jennifer Pilat, Office of Advisory Committees, Manufacturing Council Executive Secretariat, U.S. Department of Commerce, Room 4043, 1401 Constitution Avenue, NW., Washington, DC 20230.

DATES: All applications must be received by the Office of Advisory Committees by close of business on June 30, 2011.

FOR FURTHER INFORMATION CONTACT:

Jennifer Pilat, Manufacturing Council Executive Secretariat, Room 4043, 1401 Constitution Avenue, NW., Washington, DC 20230, *telephone:* 202-482-4501, *e-mail:* jennifer.pilat@trade.gov.

SUPPLEMENTARY INFORMATION: The Office of Advisory Committees is accepting applications for two vacant positions on the Council for the current two-year charter term that began April 8, 2010. The member shall serve until the Council's charter expires on April 8, 2012. The member will be selected, in accordance with applicable Department of Commerce guidelines, based on his or her ability to advise the Secretary of Commerce on matters relating to the U.S. manufacturing sector, to act as a liaison among the stakeholders represented by the membership and to provide a forum for those stakeholders on current and emerging issues in the manufacturing sector. The Council's membership shall reflect the diversity of American manufacturing by representing a balanced cross-section of the U.S. manufacturing industry in terms of industry sectors, geographic locations, demographics, and company size, particularly seeking the representation of small- and medium-sized enterprises. Based on the diversity of the manufacturing industry currently represented on the Council for this charter term, the Department is particularly encouraging applicants from the high-tech or bio-tech manufacturing and alternative energy manufacturing sectors. Additional factors that may be considered in the selection of these Council members include the candidate's proven experience in promoting, developing and marketing programs in support of manufacturing industries, in job creation in the manufacturing sector, and the candidate's proven abilities to manage manufacturing organizations. Given the duties and objectives of the Council, the Department particularly seeks applicants who are active manufacturing executives (Chief Executive Officer, President, or a comparable level of responsibility) and who are leaders within their local manufacturing communities and industries.

Each Council member serves as the representative of a U.S. entity in the manufacturing sector. For the purposes of eligibility, a U.S. entity is defined as a firm incorporated in the United States (or an unincorporated firm with its

principal place of business in the United States) that is controlled by U.S. citizens or by another U.S. entity. An entity is not a U.S. entity if 50 percent plus one share of its stock (if a corporation, or a similar ownership interest of an unincorporated entity) is controlled, directly or indirectly, by non-U.S. citizens or non-U.S. entities.

Appointments to the Council will be made by the Secretary of Commerce. All Council members serve at the discretion of the Secretary of Commerce. Council members shall serve in a representative capacity, representing the views and interests of their particular subsector within the manufacturing sector. Council members are not Special Government Employees.

Council members receive no compensation for their participation in Council activities. Members participating in Council meetings and events are responsible for their travel, living and other personal expenses. Meetings are held regularly and not less than annually, usually in Washington, DC. Members are required to attend a majority of the Council's meetings. The current Council last met on April 7, 2011 in Washington, DC. The next meeting is scheduled to take place in July 2011 in Oregon.

To be considered for membership, please provide the following:

1. Name and title of the individual requesting consideration. A sponsor letter from the applicant on his or her entity's letterhead or, if the applicant is to represent an entity other than his or her employer, a letter from the entity to be represented, containing a brief statement of why the applicant should be considered for membership on the Council. This sponsor letter should also address the applicant's manufacturing-related experience, including any manufacturing trade policy experience.
2. The applicant's personal resume.
3. An affirmative statement that the applicant meets all eligibility criteria.
4. An affirmative statement that the applicant is not required to register as a foreign agent under the Foreign Agents Registration Act of 1938, as amended.
5. An affirmative statement that the applicant is not a federally registered lobbyist, and that the applicant understands that, if appointed, the applicant will not be allowed to continue to serve as a Council member if the applicant becomes a federally registered lobbyist.
6. Information regarding the control of the entity to be represented, including the governing structure and stock holdings, as appropriate, signifying compliance with the criteria set forth above.

Information regarding the control of the entity to be represented, including the governing structure and stock holdings, as appropriate, signifying compliance with the criteria set forth above.

microns; (iv) having a carbon segregation per heat average of 3.0 or better using European Method NFA 04–114; (v) having a surface quality with no surface defects of a length greater than 0.2 mm; (vi) capable of being drawn to a diameter of 0.78 mm or larger with 0.5 or fewer breaks per ton; and (vii) containing by weight the following elements in the proportions shown: (1) 0.78 percent or more of carbon, (2) less than 0.01 percent of soluble aluminum, (3) 0.040 percent or less, in the aggregate, of phosphorus and sulfur, (4) 0.008 percent or less of nitrogen, and (5) either not more than 0.15 percent, in the aggregate, of copper, nickel and chromium (if chromium is not specified), or not more than 0.10 percent in the aggregate of copper and nickel and a chromium content of 0.24 to 0.30 percent (if chromium is specified).

For purposes of the grade 1080 tire cord quality wire rod and the grade 1080 tire bead quality wire rod, an inclusion will be considered to be deformable if its ratio of length (measured along the axis—that is, the direction of rolling—of the rod) over thickness (measured on the same inclusion in a direction perpendicular to the axis of the rod) is equal to or greater than three. The size of an inclusion for purposes of the 20 microns and 35 microns limitations is the measurement of the largest dimension observed on a longitudinal section measured in a direction perpendicular to the axis of the rod. This measurement methodology applies only to inclusions on certain grade 1080 tire cord quality wire rod and certain grade 1080 tire bead quality wire rod that are entered, or withdrawn from warehouse, for consumption on or after July 24, 2003. See *Notice of Final Result of Changed Circumstances Review of the Antidumping Duty and Countervailing Duty Orders, and Intent To Revoke Orders in Part*, 68 FR 64079 (November 12, 2003).

The designation of the products as “tire cord quality” or “tire bead quality” indicates the acceptability of the product for use in the production of tire cord, tire bead, or wire for use in other rubber reinforcement applications such as hose wire. These quality designations are presumed to indicate that these products are being used in tire cord, tire bead, and other rubber reinforcement applications, and such merchandise intended for the tire cord, tire bead, or other rubber reinforcement applications is not included in the scope. However, should the petitioners or other interested parties provide a reasonable basis to believe or suspect that there exists a pattern of importation of such

products for other than those applications; end-use certification for the importation of such products may be required. Under such circumstances, only the importers of record would normally be required to certify the end use of the imported merchandise.

All products meeting the physical description of subject merchandise that are not specifically excluded are included in this scope.

The products subject to this order are currently classifiable under subheadings 7213.91.3011, 7213.91.3015, 7213.91.3092, 7213.91.4500, 7213.91.6000, 7213.99.0030, 7213.99.0090, 7227.20.0000, 7227.90.6010, and 7227.90.6080 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this changed circumstances review are addressed in the *Issues and Decision Memorandum*, which is hereby adopted by this notice. A list of the issues which parties have raised, and to which we have responded in the *Issues and Decision Memorandum*, is attached to this notice as an Appendix. The *Issues and Decision Memorandum* is available in the Central Records Unit, room 7046, of the main Commerce building. In addition, a complete version of the *Issues and Decision Memorandum* can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the *Issues and Decision Memorandum* are identical in content.

Final Results of Changed Circumstances Review

In accordance with 19 CFR 351.221(c)(3)(i), we have determined that AMLT is the successor-in-interest to Sicartsa and should be accorded the same antidumping treatment as Sicartsa. We will instruct U.S. Customs and Border Protection that a cash deposit rate of 1.26 percent will be effective for AMLT’s shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of these final results. For the cash deposit rate calculated for Sicartsa, see *Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod From Mexico*, 71 FR 27989 (May 15, 2006).

Notification

This notice serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.306. Timely written notification of the 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 sanctionable violation.

This notice is published in accordance with sections 751(b)(1) and 777(i) of the Act and 19 CFR 351.216 and 351.221.

Dated: July 22, 2011.

Ronald K. Lorentzen,

Deputy Assistant Secretary for Import Administration.

APPENDIX

Comment 1 Date of Sicartsa’s Acquisition
 Comment 2 Management
 Comment 3 Supplier Base
 Comment 4 Customer Base
 Comment 5 Production Facilities

[FR Doc. 2011–19292 Filed 7–28–11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–806, A–570–815]

Sulfanilic Acid From India and the People’s Republic of China; Final Results of Third Expedited Sunset Reviews of Antidumping Duty Orders

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

SUMMARY: On April 1, 2011, the Department of Commerce (“the Department”) initiated the third sunset reviews of the antidumping duty orders on sulfanilic acid from India and the People’s Republic of China (“the PRC”), 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 responses filed on behalf of domestic interested parties, as well as lack of response from respondent interested parties, the Department conducted expedited (120-day) sunset reviews. As a result of these sunset reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping. The dumping margins are identified in the Final

Results of Reviews section of this notice.

DATES: *Effective Date:* July 29, 2011.

FOR FURTHER INFORMATION CONTACT: Laurel LaCivita or Eugene Degnan, Office 8, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; *telephone:* (202) 482-4243 or (202) 482-0414.

SUPPLEMENTARY INFORMATION:

Background

On April 1, 2011, the Department published the notice of initiation of the sunset reviews of the antidumping duty orders on sulfanilic acid from India and the PRC.¹ On April 7, 2011, the Department received a notice of intent to participate from Nation Ford Chemical Company (“NFC”), the domestic interested party, within the deadline specified in section 315.218(d)(1)(i) of the Department’s regulations. NFC claimed interested party status under section 771(9)(C) of the Act, as a producer of the domestic-like product in the United States. On April 29, 2011, the Department received a complete substantive response from NFC within the deadline specified in section 351.218(d)(3)(i) of the Department’s regulations. We did not receive responses from any respondent interested parties to these proceedings. As a result, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department’s regulations, the Department determined to conduct expedited reviews of these orders.

Scope of the Orders

Imports covered by the antidumping duty orders are all grades of sulfanilic acid, which include technical (or crude) sulfanilic acid, refined (or purified) sulfanilic acid and sodium salt of sulfanilic acid.

Sulfanilic acid is a synthetic organic chemical produced from the direct sulfonation of aniline with sulfuric acid. Sulfanilic acid is used as a raw material in the production of optical brighteners, food colors, specialty dyes, and concrete additives. The principal differences between the grades are the undesirable quantities of residual aniline and alkali insoluble materials present in the sulfanilic acid. All grades are available as dry, free flowing powders.

Technical sulfanilic acid, classifiable under the subheading 2921.42.22 of the

Harmonized Tariff Schedule (“HTS”), contains 96 percent minimum sulfanilic acid, 1.0 percent maximum aniline, and 1.0 percent maximum alkali insoluble materials. Refined sulfanilic acid, also classifiable under the subheading 2921.42.22 of the HTS, contains 98 percent minimum sulfanilic acid, 0.5 percent maximum aniline and 0.25 percent maximum alkali insoluble materials.

Sodium salt (sodium sulfanilate), classifiable under the HTS subheading 2921.42.90, is a powder, granular or crystalline material which contains 75 percent minimum equivalent sulfanilic acid, 0.5 percent maximum aniline based on the equivalent sulfanilic acid content, and 0.25 percent maximum alkali insoluble materials based on the equivalent sulfanilic acid content.

Although the HTS subheadings are provided for convenience and customs purposes, our written description of the scope of these proceedings is dispositive.

Analysis of Comments Received

All issues raised in these reviews are addressed in the “Issues and Decision Memorandum” (“Decision Memorandum”) from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Deputy Assistant Secretary for Import Administration, dated concurrently with this notice, which is hereby adopted by this notice. The issues discussed in the Decision Memorandum include the likelihood of continuation or recurrence of dumping and the magnitude of the margins likely to prevail if the orders were revoked. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum which is on file in room 7046 of the main Commerce building.

In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov/frn/index.html>, under the heading “July 2011.” The paper copy and electronic version of the Decision Memorandum are identical in content.

Final Results of Reviews

We determine that revocation of the antidumping duty orders on sulfanilic acid from India and the PRC would likely lead to continuation or recurrence of dumping at the following weighted-average percentage margins:

Manufacturers/exporters/producers	Weighted average margin (percent)
India:	
All Indian Manufacturers and Exporters	≈ 114.80
The PRC
China National Chemicals I&E Corporation, Hebei Branch	19.14
PRC-Wide Entity	85.20

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

We are issuing and publishing the results and notice in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: July 25, 2011.

Ronald K. Lorentzen,
Deputy Assistant Secretary for Import Administration.

[FR Doc. 2011-19308 Filed 7-28-11; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-423-808]

Stainless Steel Plate in Coils From Belgium: Notice of Initiation of Antidumping Duty Changed Circumstances Review

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

² The Department published its final affirmative determination of sales at less than fair value with respect to imports of sulfanilic acid from India on January 8, 1993. See *Final Determination of Sales at Less Than Fair Value: Sulfanilic Acid from India*, 58 FR 3251 (January 8, 1993). In this determination, the Department published a weighted-average dumping margin for all manufacturers/producers/exporters of 114.80 percent. However, consistent with section 772(d)(1)(D) of the Act, which prohibits assessing antidumping duties on the portion of the margin attributable to an export subsidy, we established an estimated antidumping duty deposit rate of 71.09 percent for duty deposit purposes. The Department issued its antidumping duty order on sulfanilic acid from India on March 2, 1993. See *Notice of Antidumping Duty Order: Sulfanilic Acid from India*, 58 FR 12025 (March 2, 1993). The Department has not conducted an administrative review of this order since its imposition.

¹ See *Initiation of Five-Year (“Sunset”) Review*, 76 FR 18163 (April 1, 2011) (“*Initiation Notice*”).

Secretary of Commerce on August 10, 2011. The views of the Commission are contained in USITC Publication 4250 (August 2011), entitled *Heavy Forged Hand Tools From China: Investigation Nos. 731-TA-457-A-D (Third Review)*.

Issued: August 10, 2011.

By order of the Commission.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. 2011-20731 Filed 8-15-11; 8:45 am]

BILLING CODE P

INTERNATIONAL TRADE COMMISSION

Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *In Re Certain Devices for Improving Uniformity Used in a Backlight Module and Products Containing the Same*, DN 2839; the Commission is soliciting comments on any public interest issues raised by the complaint.

FOR FURTHER INFORMATION CONTACT: James R. Holbein, Secretary to the Commission, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000. The public version of the complaint can be accessed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>, and will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (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) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint filed on behalf of Industrial Technology Research Institute and ITRI International on August 10, 2011. The complaint alleges violations of section

337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain devices for improving uniformity used in a backlight module and products containing the same. The complaint names as respondents LG Corporation of South Korea; LG Electronics, Inc. of South Korea; and LG Electronics, U.S.A., Inc. of NJ.

The complainant, proposed respondents, other interested parties, and members of the public are invited to file comments, not to exceed five pages in length, on any public interest issues raised by the complaint. Comments should address whether issuance of an exclusion order and/or a cease and desist order in this investigation would negatively affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

- (i) Explain how the articles potentially subject to the orders are used in the United States;
- (ii) identify any public health, safety, or welfare concerns in the United States relating to the potential orders;
- (iii) indicate the extent to which like or directly competitive articles are produced in the United States or are otherwise available in the United States, with respect to the articles potentially subject to the orders; and
- (iv) indicate whether Complainant, Complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to an exclusion order and a cease and desist order within a commercially reasonable time.

Written submissions must be filed no later than by close of business, five business days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation.

Persons filing written submissions must file the original document and 12 true copies thereof on or before the deadlines stated above with the Office of the Secretary. Submissions should refer to the docket number ("Docket No. 2839") in a prominent place on the cover page and/or the first page. The Commission's rules authorize filing submissions with the Secretary by facsimile or electronic means only to the

extent permitted by section 201.8 of the rules (see Handbook for Electronic Filing Procedures, http://www.usitc.gov/secretary/fed_reg_notices/rules/documents/handbook_on_electronic_filing.pdf). Persons with questions regarding electronic filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50(a)(4) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.50(a)(4)).

Issued: August 10, 2011.

By order of the Commission.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. 2011-20762 Filed 8-15-11; 8:45 am]

BILLING CODE P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-318, 731-TA-538 and 561; Third Review]

Sulfanilic Acid From China and India

Scheduling of expedited five-year reviews concerning the countervailing duty order and antidumping duty orders on sulfanilic acid from China and India. **AGENCY:** United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice of the scheduling of expedited reviews pursuant to section 751(c)(3) of the Tariff Act of 1930 (19 U.S.C. 1675(c)(3)) (the Act) to determine whether revocation of the countervailing duty order and antidumping duty orders on sulfanilic acid from China and India would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of these reviews 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).

DATES: *Effective Date:* July 14, 2011.

FOR FURTHER INFORMATION CONTACT:

Elizabeth Haines (202-205-3200), 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 these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On July 5, 2011, the Commission determined that the domestic interested party group response to its notice of institution (76 FR 18248, April 1, 2011) of the subject five-year reviews was adequate and that the respondent interested party group response was inadequate. The Commission did not find any other circumstances that would warrant conducting full reviews.¹ Accordingly, the Commission determined that it would conduct expedited reviews pursuant to section 751(c)(3) of the Act.

Staff report. A staff report containing information concerning the subject matter of the reviews will be placed in the nonpublic record on August 26, 2011, and made available to persons on the Administrative Protective Order service list for these reviews. A public version will be issued thereafter, pursuant to section 207.62(d)(4) of the Commission's rules.

Written submissions. As provided in section 207.62(d) of the Commission's rules, interested parties that are parties to the reviews and that have provided individually adequate responses to the notice of institution,² and any party other than an interested party to the reviews may file written comments with

the Secretary on what determinations the Commission should reach in the reviews. Comments are due on or before August 31, 2011 and may not contain new factual information. Any person that is neither a party to the five-year reviews nor an interested party may submit a brief written statement (which shall not contain any new factual information) pertinent to the reviews by August 31, 2011. However, should the Department of Commerce extend the time limit for its completion of the final results of its reviews, the deadline for comments (which may not contain new factual information) on Commerce's final results is three business days after the issuance of Commerce's results. If comments contain business proprietary information (BPI), they must conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Even where electronic filing of a document is permitted, certain documents must also be filed in paper form, as specified in II (C) of the Commission's Handbook on Electronic Filing Procedures, 67 FR 68168, 68173 (November 8, 2002).

In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the reviews must be served on all other parties to the reviews (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.

Determination. The Commission has determined to exercise its authority to extend the reviews period by up to 90 days pursuant to 19 U.S.C. 1675(c)(5)(B).

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.62 of the Commission's rules.

Issued: August 11, 2011.

By order of the Commission.

William R. Bishop,

Acting Secretary to the Commission.

[FR Doc. 2011-20790 Filed 8-15-11; 8:45 am]

BILLING CODE P

DEPARTMENT OF JUSTICE

Notice of Lodging of a Consent Decree Under the Clean Water Act

Notice is hereby given that on August 10, 2011 a proposed Consent Decree in *United States and the State of West Virginia v. City of Elkins*, Civil Action No. 2:11cv61, was lodged with the United States District Court for the Northern District of West Virginia. In this action the United States and the State seeks civil penalties and injunctive relief for violations of the Clean Water Act, 33 U.S.C. 1251 *et seq.*, in connection with the City of Elkins' operation of its municipal wastewater and sewer system.

Under the proposed Consent Decree, Elkins is required to: (1) Implement injunctive measures through a long term control plan ("LTCP") to eliminate dry weather overflows ("DWOs") and reduce combined sewer overflows ("CSOs") by March 2023 by completing sewer separation projects and upgrades at an approximate cost of \$4.2 million; (2) pay the United States a civil penalty of \$32,400; (3) pay the State a civil penalty of \$32,400 and (3) establish and operate a yard waste pick-up and recycling program for Elkins' residents as a Supplemental Environmental Project ("SEP").

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments relating to the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and either e-mailed to pubcomment-ees.enrd@usdoj.gov or mailed to P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611, and should refer to *United States and West Virginia Department of Environmental Protection v. City of Elkins*, D.J. Ref. 90-5-1-1-09043. The proposed Consent Decree may be examined at the Office of the United States Attorney, Northern District of West Virginia, Elkins Branch, Federal Building, 300 Third Street, Suite 300, Elkins, WV and at the U.S. Environmental Protection Agency, Region 3, 1650 Arch Street, Philadelphia, PA 19103.

During the public comment period, the proposed Consent Decree may also be examined on the following Department of Justice Web site, to <http://www.usdoj.gov/enrd/ConsentDecrees.html>. A copy of the proposed consent decree may also be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC

¹ A record of the Commissioners' votes, the Commission's statement on adequacy, and any individual Commissioner's statements will be available from the Office of the Secretary and at the Commission's Web site.

² The Commission has found the response submitted by Nation Ford Chemical Co. to be individually adequate. Comments from other interested parties will not be accepted (*see* 19 CFR 207.62(d)(2)).

APPENDIX B

STATEMENT ON ADEQUACY

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Certain Polyester Staple Fiber from Korea and Taiwan
Inv. Nos. 731-TA-825 and 826 (Second Review)

On June 6, 2011, the Commission determined to conduct expedited reviews in the subject five-year reviews pursuant to section 751(c)(3)(b) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(3)(b).

The Commission received a joint response filed on behalf of domestic interested parties DAK Americas LLC, Palmetto Synthetics LLC, U.S. Fibers, and Wellman Plastics Recycling LLC, which are domestic producers of certain polyester staple fiber ("PSF"). The Commission found this joint response to the Commission's notice of institution to be individually adequate for each of the responding firms. The Commission further determined that the domestic interested party group response was adequate under the circumstances of this particular industry.

The Commission did not receive a response from any respondent interested party in either of the reviews and, therefore, determined that the respondent interested party group responses were inadequate for both reviews.

The Commission did not find any circumstances that would warrant conducting a full review of either order. The Commission, therefore, determined to conduct an expedited review of both orders.

A record of the Commissioners' votes is available from the Office of the Secretary and the Commission's web site (<http://www.usitc.gov>).

APPENDIX C

SUMMARY DATA

Table I-3 Sulfanilic acid: Summary data from the original investigations, the first expedited five-year reviews, and the current (second) full five-year reviews, 1989-91, January-September 1991, January-September 1992, 1998, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds; value=1,000 dollars; unit values, unit labor costs, and unit financial data are per pound)

Item	1989	1990	1991	Jan.-Sept.		1998	1999	2000	2001	2002	2003	2004	Jan.-Sept.	
				1991	1992								2004	2005
U.S. consumption quantity: Amount	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Producers' share ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Importer's share: China ¹	***	***	***	***	***	***	***	***	0.0	0.0	***	***	***	***
India ¹	***	(²)	***	***	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other countries ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
U.S. consumption value: Amount	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Producers' share ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Importer's share: China ¹	***	***	***	***	***	***	***	***	0.0	0.0	***	***	***	***
India ¹	***	(²)	***	***	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Other countries ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports ¹	***	***	***	***	***	***	***	***	***	***	***	***	***	***
U.S. imports from--														
China: Quantity	***	***	***	***	1,048	3,498	2,475	0	0	0	447	239	200	3
Value	***	***	***	***	531	1,638	1,116	0	0	0	207	111	87	3
Unit value	***	***	***	***	\$0.51	0.47	0.45	(³)	(³)	(³)	0.46	0.46	0.43	0.86

Table continued on following page.

Table I-3--Continued
Sulfanilic acid: Summary data from the original investigations, the first expedited five-year reviews, and the current (second) full five-year reviews, 1989-91, January-September 1991, January-September 1992, 1998, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds; value=1,000 dollars; unit values, unit labor costs, and unit financial data are per pound)

Item	1989	1990	1991	Jan.-Sept.		1998	1999	2000	2001	2002	2003	2004	Jan.-Sept.	
				1991	1992								2004	2005
U.S. imports from- India: Quantity	***	***	***	***	***	0	0	0	0	0	0	0	0	0
Value	***	***	***	***	***	0	0	0	0	0	0	0	0	0
Unit value	***	***	***	***	***	(^a)	(^a)	(^a)	(^a)	(^a)	(^a)	(^a)	(^a)	(^a)
All other countries: ⁴ Quantity	***5	***	***	***	***	1,972	722	2,296	3,977	795	633	843	449	1,147
Value	***5	***	***	***	***	1,221	350	1,460	2,266	440	378	611	228	924
Unit value	***5	***	***	***	***	\$0.62	0.49	0.64	0.57	0.55	0.60	0.73	0.51	0.81
All countries: Quantity	***	***	***	***	***	3,020	4,221	4,771	3,977	795	1,079	1,082	648	1,150
Value	***	***	***	***	***	1,752	1,988	2,576	2,266	440	585	722	315	927
Unit value	***	***	***	***	***	\$0.58	0.47	0.54	0.57	0.55	0.54	0.67	0.49	0.81
U.S. producers' - Capacity quantity ⁵	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Production quantity ⁵	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Capacity utilization ⁶	***	***	***	***	***	***	***	***	***	***	***	***	***	***
U.S. shipments: Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***

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Table I-3--Continued
Sulfamic acid: Summary data from the original investigations, the first expedited five-year reviews, and the current (second) full five-year reviews, 1989-91, January-September 1991, January-September 1998, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds; value=1,000 dollars; unit values, unit labor costs, and unit financial data are per pound)

Item	1989	1990	1991	Jan.-Sept.		1998	1999	2000	2001	2002	2003	2004	Jan.-Sept.	
				1991	1992								2004	2005
U.S. producers' Ending inventory quantity	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Inventories/total shipments ¹	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Production workers	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Hours worked (1,000 hours)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Wages paid (1,000 dollars)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Hourly wages	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Productivity (1,000 pounds per hour)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Net sales:														
Quantity	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Cost of goods sold ("COGS")	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	(¹)	***	***	***	***	***	***	***	***

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Table I-3--Continued

Sulfanilic acid: Summary data from the original investigations, the first expedited five-year reviews, and the current (second) full five-year reviews, 1989-91, January-September 1991, January-September 1992, 1998, 1999-2004, January-September 2004, and January-September 2005

(Quantity=1,000 pounds; value=1,000 dollars; unit values, unit labor costs, and unit financial data are per pound)

Item	1989	1990	1991	Jan.-Sept.		1998	1999	2000	2001	2002	2003	2004	Jan.-Sept.	
				1991	1992								2004	2005
COGS/sales ¹	***	***	***	***	***	(⁷)	***	***	***	***	***	***	***	***
Operating income or (loss)/sales ¹	***	***	***	***	***	(⁷)	***	***	***	***	***	***	***	***
¹ In percent. ² *** ³ Not applicable. ⁴ Nonsubject countries from which there were reported U.S. imports during the review period were France, Germany, Hungary, Italy, Japan, Korea, Poland, Portugal, Switzerland, Taiwan, and the United Kingdom. ⁵ Nonsubject imports are believed to be understated for 1989. ⁶ NFC reported in its questionnaire response in these current five-year reviews that its production capacity "****." ⁷ Not available.														
Source: <i>Staff Report</i> , February 3, 1993 (INV-P-016), tables 1, 2, 3, 4, 5, 7, 8, 14, and 16 for 1989, 1990, 1991, January-September 1991, and January-September 1992; <i>Staff Report</i> , April 17, 2000 (INV-X-079), tables I-1, I-2, and I-3, for 1998. Data for 1999-2004, January-September 2004, and January-September 2005 were compiled in response to Commission questionnaires and from official Commerce statistics.														