EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

Color Picture Tubes from Canada, Japan, Korea, and Singapore, Inv. Nos. 731-TA-367-370 (Review)

On June 3, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(C)(5) of the Act.

Regarding domestic interested parties, the Commission received responses from two producers of color picture tubes, and two recognized unions that are representative of an industry engaged in the production of color picture tubes. Regarding respondent interested parties, the Commission received a response from three producers that account for most Japanese production of color picture tubes and all of the imports of subject merchandise from Japan.[1] In the reviews concerning Canada, Korea, and Singapore, the Commission did not receive a response from any respondent interested parties.[2] [3]

The Commission determined that the domestic interested party group response and respondent interested party group response for Japan were adequate and that it should proceed to a full review for *Color Picture Tubes from Japan*. Because no respondent interested party responded to the notice of institution in the reviews concerning Canada, Korea, and Singapore, the Commission determined that the respondent interested party group responses for those reviews were inadequate. However, the Commission determined to conduct full reviews for these three countries to promote administrative efficiency in light of the Commission's decision to conduct a full review with respect to *Color Picture Tubes from Japan*. Commissioner Crawford dissented from the Commission's decision to conduct full reviews with respect to Canada, Korea, and Singapore, and determined that the Commission should conduct expedited reviews of the orders covering those countries.

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[1]The Commission determined that the Electronic Industries Association of Japan ("EIAJ") is not an interested party because a majority of its members are not producers or exporters of the subject merchandise. 19 U.S.C. § 1677(9)(A). The EIAJ is alternatively identified as the "Electronics Industry Association of Japan" in certain filings with the Commission.

[2]The Commission received a submission from the Electronic Industries Association of Korea ("EIAK"), but determined that the EIAK is not an interested party because a majority of its members are not producers or exporters of the subject merchandise. 19 U.S.C. § 1677(9)(A).

[3]Commissioner Askey agrees that the EIAK is not an "interested party" under the terms of the statute. Nevertheless, she notes that all Korean color picture tube manufacturers responded to the Commission's notice of institution through the EIAK and that they provided all information requested. In effect, then, the Commission received information from all Korean interested parties, though not in appropriate form. She remains concerned that focusing on "individual adequacy" and "group adequacy" may obscure the purpose behind requesting responses to the notice of institution, which is to determine whether participation in a full review is likely to be sufficient to warrant the expenditure of Commission resources in conducting it. The Commission engaged in similar analysis in the adequacy decisions in the fresh cut flowers cases, in which it determined that several domestic interested parties failed to respond adequately to notices of institution, but considered that their attempt to respond indicated a likely willingness to participate in the reviews at issue. *See*, Commission Statement on Adequacy, *Fresh Cut Flowers from Ecuador and Mexico*, Inv. Nos. 731-TA-331& 333 (Review); *Standard Carnations from Chile*, Inv. Nos. 701-TA-276 and 731-TA-328 (Review); and *Pompom Chrysanthemums from Peru*, Inv. No. 303-TA-18 (Review).