

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Barium Chloride from China
Inv. No. 731-TA-149 (Third Review)

On October 5, 2009, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(5) of the Tariff Act of 1930 (as amended 19 U.S.C. § 1675(c)(5)).

The Commission received a single response to its notice of institution. The response, which contained company-specific data, was filed on behalf of Chemical Products Corporation, a domestic producer accounting for an overwhelming majority of domestic production of barium chloride. The Commission found the individual response of the domestic producer adequate. The Commission also determined that the domestic interested party group response to its notice of institution was adequate.

No responses were received from any respondent interested parties. Consequently, the Commission determined that the respondent interested party group response was inadequate.

Notwithstanding the Commission's determination that the respondent interested party group response was inadequate, the Commission determined to conduct a full review in light of information regarding possible changes in conditions of competition.¹ These include possible changes in market conditions and an increase in non-subject imports of barium chloride since the second five-year review.

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

¹ Commissioners Lane, Williamson, and Pinkert voted to conduct an expedited review, citing both the lack of adequate respondent participation and their finding that the record in this adequacy phase did not indicate sufficient changes in the conditions of competition since the original investigation and the first and second five-year reviews to warrant conducting a full review.