

CHAIRMAN LYNN M. BRAGG
EXPLANATORY STATEMENT OF VIEWS ON ADEQUACY
POLYCHLOROPRENE RUBBER FROM JAPAN NO. AA1921-129 (REVIEW)

November 5, 1998

Upon careful consideration of the various interested party responses to the Federal Register notice instituting this review investigation, I find that both domestic and foreign producer/importer interested parties have provided adequate group responses. Accordingly, I determine that a full review investigation is warranted.

GENERAL VIEWS ON ADEQUACY

I note that there are no definitive quantitative or qualitative prerequisites for determining whether individual or group responses are adequate. Indeed, what is adequate in one review investigation may not be adequate in another. Similarly, one Commissioner's adequacy may be another's basis for determining that an expedited review investigation is appropriate. Individual Commissioners may find certain information more indicative of a party's or group's willingness to participate in a review (see 19 U.S.C. § 1675(c)(2)(A)) than other information.

SPECIFIC ADEQUACY ISSUES IN THIS REVIEW INVESTIGATION

In this review investigation, DuPont Dow Elastomers has argued that the foreign interested party response is inadequate because the response of Denka, a large Japanese producer, is inadequate and because Denka was the only Japanese producer to respond. I disagree. First, I note that I find Denka's individual response to be adequate. Any alleged deficiencies of Denka's response to the notice of institution were either remedied or the responses to particular questions were sufficiently complete initially for the purpose of participating in this review investigation. Secondly, I believe the foreign interested party response as a group is adequate, regardless of the adequacy of Denka's response, because the responding parties' share of subject imports is sufficiently high to constitute an adequate group importers' response.