

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Fresh Garlic from the People's Republic of China, Inv. No. 731-TA-683 (Review)

On March 3, 2000, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(3)(B) of the Act, as amended, 19 U.S.C. § 1675(c)(3)(B).

The Commission determined that the domestic interested party group response was adequate. In this regard, the Commission received a response from an association all of whose members are producers of the domestic like product. That response contained company specific data from ten participating domestic producers who collectively account for the majority of domestic fresh garlic production.

The Commission also determined that the respondent interested party group response was adequate.¹ In this regard, the Commission received a joint response from five Chinese exporters of fresh garlic.²

In light of the adequate responses, the Commission determined to proceed to a full review of *Fresh Garlic from the People's Republic of China*.

A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's web site.

¹Commissioner Hillman found the respondent interested party response inadequate, but exercises her discretion to proceed to a full review. She notes that the five Chinese exporters have not exported to the United States since the original investigation at the present antidumping duty of 376.67 percent and that in their response to the notice of institution expressed their willingness to participate in a full review.

²As set forth in previous adequacy determinations, Chairman Bragg generally finds a respondent interested party group response to be inadequate when no foreign producer subject to the order has responded to the Commission's notice of institution. In the absence of foreign producer participation, a full review is unlikely to produce a significantly improved or different record from the original investigation. See Helical Spring Lock Washers from China and Taiwan, Inv. Nos. 731-TA-624-625 (Reviews), Explanation of Commission Determinations on Adequacy (February 2000). However, in the instant review Chairman Bragg finds that due to the fragmented nature of the Chinese garlic producing industry, the responding Chinese garlic exporters are in the best position of any respondent interested party to provide useful information in a full investigation. Accordingly, Chairman Bragg finds the respondent interested party group response to be adequate.