

## FACT SHEET

### **Large Newspaper Printing Presses and Components Thereof from Japan: Final Results of Changed Circumstances Review**

On March 2, the Department of Commerce (the Department) announced the final results of the changed circumstances review of the revoked order on large newspaper printing presses and components thereof (LNPPs) from Japan. The Department affirmed the September 13, 2005, preliminary results to apply an adverse facts available rate of 59.67 percent to Tokyo Kikai Seisakusho, Ltd. (TKS), a Japanese producer/exporter, for the 1997-1998 administrative review. The Department also rescinded the revocation of the order with respect to TKS for the year before the entire order was terminated. Finally, the Department determined that it will reconsider the sunset review that resulted in revocation of the entire order.

TKS' deliberate misconduct led the Department to conduct this changed circumstances review to protect the integrity of its proceedings. Although the AFA rate of 59.67 percent for TKS for the 1997-1998 administrative review has no effect on current imports of LNPPs from Japan, it replaces the zero margin TKS had received in that review and, as a result, TKS no longer has three consecutive administrative reviews resulting in zero margins – a requirement for revocation from the antidumping order.

In rescinding the revocation with respect to TKS, the Department is not reinstating the order on LNPPs from Japan. As the order was revoked under the sunset review provision, to reinstate it, the Department first needs to reconsider the sunset review. If, in the sunset review, the Department finds a likelihood of continuation of dumping, the International Trade Commission will then need to conduct its own sunset review regarding injury to the domestic industry and make its own affirmative finding before the order can be reinstated.

#### **Background:**

Based on information obtained from a 2004 Iowa federal court decision, the Department learned that TKS submitted false pricing information to the Department in the 1997-1998 antidumping administrative review of LNPPs from Japan in an apparent attempt to avoid antidumping duties.

On May 10, 2005, the Department self-initiated a changed circumstances review of the antidumping order to consider the court's findings and what appropriate actions it should take.

On September 13, 2005, the Department published the preliminary results of the changed circumstances review and determined the following with respect to TKS:

- Because TKS provided false and incomplete information in the context of its only sale in the 1997-1998 administrative review in which the calculated rate was zero, a new antidumping duty rate for the 1997-1998 review should be applied based on adverse facts available.
- TKS no longer qualifies for revocation from the order based on three consecutive administrative reviews resulting in zero dumping margins; therefore, the company-specific revocation for TKS should be rescinded.

- Because of TKS' actions, the Department should also reconsider the full revocation of the order under the sunset review provision of the statute to determine whether the antidumping order should be reinstated.

These findings have been affirmed in the final results.

**Next Steps:** The Department will reopen for reconsideration a sunset review approximately 30 days after publication of these final results.