

as synthetic indigo and those of its derivatives designated commercially as "Vat Blue 1." Included are Vat Blue 1 (synthetic indigo), Color Index No. 73000, and its derivatives, pre-reduced indigo or indigo white (Color Index No. 73001) and solubilized indigo (Color Index No. 73002). The subject merchandise may be sold in any form (e.g., powder, granular, paste, liquid, or solution) and in any strength. Synthetic indigo and its derivatives subject to this order are currently classifiable under subheadings 3204.15.10.00, 3204.15.40.00 or 3204.15.80.00 of the Harmonized Tariff Schedule of the United States ("HTSUS"). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise under the order is dispositive.

#### Background

On June 19, 2000, the Department issued an AD order on synthetic indigo from the PRC. See *Notice of Amendment of Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Synthetic Indigo from the People's Republic of China*, 65 FR 37961, amended by *Notice of Amendment of Antidumping Duty Order: Synthetic Indigo from the People's Republic of China*, 65 FR 39128 (June 23, 2000). Pursuant to section 751(c) of the Act and 19 CFR 351.218, the Department initiated and the ITC instituted the sunset review of this order by publishing the notice of the initiation in the **Federal Register** (70 FR 22632 (May 2, 2005) and 70 FR 22701 (May 2, 2005)). As a result of its review, the Department found that revocation of the AD order would likely lead to continuation or recurrence of dumping and notified the ITC of the magnitude of the margin likely to prevail were the order to be revoked. See *Synthetic Indigo: Notice of Final Results of Expedited Sunset Review of Antidumping Duty Order*, 70 FR 53165 (September 7, 2005). On March 23, 2006, the ITC determined that revocation of the AD order on synthetic indigo from the PRC would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time, pursuant to section 751(c) of the Act. See *Synthetic Indigo from China*, 71 FR 26109 (May 3, 2006) and USITC Publication 3846 (April 2006), Investigation No. 731-TA-851 (Review).

#### Determination to Revoke

As a result of the determination by the ITC that revocation of this AD order is not likely to lead to continuation or

recurrence of material injury to an industry in the United States, the Department is revoking the AD order on synthetic indigo from the PRC, pursuant to section 751(d) of the Act. Pursuant to section 751(d)(2) of the Act and 19 CFR 351.222(i)(2)(i), the effective date of revocation is June 19, 2005 (i.e., the fifth anniversary of the date of publication in the **Federal Register** of the notice of the AD order). The Department will notify U.S. Customs and Border Protection to discontinue suspension of liquidation and collection of cash deposits on entries of the subject merchandise entered or withdrawn from warehouse on or after June 19, 2005, the effective date of revocation of the AD order. The Department will complete any pending administrative reviews of these findings or order and will conduct administrative reviews of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

This five-year sunset review and notice are in accordance with section 751(d)(2) and published pursuant to section 777(i)(1) of the Act.

Dated: May 11, 2006.

**David M. Spooner,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement, Article 1904; NAFTA Panel Reviews; Notice of Suspension of Extraordinary Challenge Committee

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of suspension of Extraordinary Challenge Committee to review the binational NAFTA Panel decisions of August 13, 2003; June 7, 2004; Second Remand of December 1, 2004; Third Remand of May 23, 2005; Fourth Remand of October 5, 2005; Fifth Remand of March 17, 2006; and Notice of Final Panel Action of March 28, 2006 in the matter of Certain Softwood Lumber Products from Canada, Final Affirmative Countervailing Duty Determination, Secretariat File No. USA/CDA-2002-1904-03.

**SUMMARY:** On April 27, 2006, the Office of the United States Trade Representative filed a Request for an

Extraordinary Challenge Committee to review decisions as stated above with the United States Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Committee review was requested of the final affirmative countervailing duty determination made by the International Trade Administration, respecting Certain Softwood Lumber Products From Canada. These determinations were published in the **Federal Register**. An agreement to suspend the proceedings was filed with the NAFTA Secretariat on May 11, 2006 on behalf of the United States and Canadian Governments. The NAFTA Secretariat Case Number ECC-2006-1904-01USA was assigned to this request.

#### FOR FURTHER INFORMATION CONTACT:

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A Request for an Extraordinary Challenge Committee was filed with the United States Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on April 27, 2006, requesting panel review of the final affirmative countervailing duty determination as described above. An agreement to suspend the requested ECC was filed on May 11, 2006 on behalf of the United States and Canadian Governments.

Dated: May 12, 2006.

**Caratina L. Alston,**

*U.S. Secretary, NAFTA Secretariat.*

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