

**INTERNATIONAL TRADE COMMISSION**

[Investigation 332-393]

**Ammonium Nitrate: A Comparative Analysis of Factors Affecting Global Trade****AGENCY:** United States International Trade Commission.**ACTION:** Institution of investigation and scheduling of public hearing.**EFFECTIVE DATE:** April 27, 1998.**SUMMARY:** Following receipt of a request on April 2, 1998, from the Senate Committee on Finance, the Commission instituted investigation No. 332-393, Ammonium Nitrate: A Comparative Analysis of Factors Affecting Global Trade, under section 332(g) of the Tariff Act of 1930 (19 U.S.C. 1332(g)).**FOR FURTHER INFORMATION CONTACT:** Industry-specific information may be obtained from Ms. Elizabeth Nesbitt (202-205-3355), Office of Industries, U.S. International Trade Commission, Washington, DC 20436. For information on the legal aspects of this investigation contact Mr. William Gearhart of the Office of the General Counsel (202-205-3091). Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202) 205-1810.**Background:**

In its report, the Commission will, as requested by the Committee in its letter, provide a comparative analysis of factors affecting global trade in ammonium nitrate, with special emphasis on the industries in the United States, the European Union, and Russia. As requested, the Commission will provide the following information, to the extent information is available, with data presented for the most recent five-year period, or except as noted:

- An overview of the world ammonium nitrate market, including examination of consumption (for the most recent 10-year period), import, and export trends, and information on future consumption in the major markets;
- Industry profiles of the principal manufacturers and traders, their pattern of ownership and investment, including the extent to which government programs may affect production and may impede trade in ammonium nitrate between the specified countries. Examples of such programs cited by the Committee are farm policies, industrial policies, economic policies, trade policies, and other governmental measures that may affect the cost of raw materials and transportation;

- An overview of the ammonium nitrate production process, with information on costs of production, including those of its major raw material components, and the principal sources of these feedstocks; and

- Information on trends in domestic and export prices of ammonium nitrate.

In its request letter the Committee noted that the United States is a major producer and consumer of nitrogenous fertilizers, including urea and ammonium nitrate. The Committee stated that it has recently come to its attention that U.S. ammonium nitrate producers have concerns about competitive conditions affecting their industry, including increased imports of ammonium nitrate from Russia. The producers believe that these increased imports are the indirect result of the European Union's (EU) imposition of an antidumping order in 1995 on EU imports of ammonium nitrate from Russia. The letter continues by stating that moreover, the producers are concerned about additional imports of Russian ammonium nitrate into the United States as a result of the EU's recent institution of a review of the original order.

**Public Hearing**

A public hearing in connection with the investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m. on June 16, 1998. All persons shall have the right to appear, by counsel or in person, to present information and to be heard. Requests to appear at the public hearing should be filed with the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, no later than 5:15 p.m., June 2, 1998. Any prehearing briefs (original and 14 copies) should be filed not later than 5:15 p.m., June 4, 1998; the deadline for filing post-hearing briefs or statements is 5:15 p.m., June 30, 1998. In the event that, as of the close of business on June 2, no witnesses are scheduled to appear at the hearing, the hearing will be canceled. Any person interested in attending the hearing as an observer or non-participant may call the Secretary of the Commission (202-205-1816) after June 2, 1998, to determine whether the hearing will be held.

**Written Submissions**

In lieu of or in addition to participating in the hearing, interested parties are invited to submit written statements concerning the matters to be addressed by the Commission in its report on this investigation. Commercial or financial information that a submitter

desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of section § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submissions, except for confidential business information, will be made available in the Office of the Secretary of the Commission for inspection by interested parties. To be assured of consideration by the Commission, written statements relating to the Commission's report should be submitted to the Commission at the earliest practical date and should be received no later than 5:15 p.m. on June 30, 1998. All submissions should be addressed to the Secretary, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

**List of Subjects**

Ammonium nitrate, ammonia, natural gas, urea.

Issued: April 28, 1998.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 98-12012 Filed 5-5-98; 8:45 am]

BILLING CODE 7020-02-P

**INTERNATIONAL TRADE COMMISSION**

[Investigation No. 753-TA-34]

**In the Matter of Extruded Rubber Thread from Malaysia; Notice of Commission Determination to Conduct a Portion of the Hearing in Camera****AGENCY:** U.S. International Trade Commission.**ACTION:** Closure of a portion of a Commission hearing to the public.

**SUMMARY:** Upon request of respondents in the above-captioned investigation, the Commission has determined to conduct a portion of its hearing scheduled for May 5, 1998 in camera. See Commission rules 207.23(d), 201.13(m) and 201.35(b)(3) (19 CFR 207.23(d), 201.13(m) and 201.35(b)(3)). The remainder of the hearing will be open to the public. The Commission has

determined that the seven-day advance notice of the change to a meeting was not possible. See Commission rule 201.35(a), (c)(1) (19 CFR 201.35(a), (c)(1)).

**FOR FURTHER INFORMATION CONTACT:**

Marc A. Bernstein, Office of General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3087, e-mail mbernstein@usitc.gov. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:**

The Commission believes that the respondents have justified the need for a closed session. A full discussion of information relating to the condition of the domestic industry, domestic and subject import shipment data, and pricing can only occur if a portion of the hearing is held in camera. Because much of this information is not publicly available, any discussion of issues relating to this information will necessitate disclosure of business proprietary information (BPI). Thus, such discussions can only occur if a portion of the hearing is held in camera. In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will include the usual public presentations by petitioner and by respondents, with questions from the Commission. In addition, the hearing will include an in camera session for a confidential presentation by respondents and for questions from the Commission relating to the BPI, followed by an in camera rebuttal presentation by petitioner. For any in camera session the room will be cleared of all persons except those who have been granted access to BPI under a Commission administrative protective order (APO) and are included on the Commission's APO service list in this investigation. See 19 CFR 201.35(b)(1), (2). The time for the parties' presentations and rebuttals in the in camera session will be taken from their respective overall allotments for the hearing. All persons planning to attend the in camera portions of the hearing should be prepared to present proper identification.

**Authority:** The General Counsel has certified, pursuant to Commission Rule 201.39 (19 CFR 201.39) that, in her opinion, a portion of the Commission's hearing in Extruded Rubber Thread from Malaysia, Inv. No. 753-TA-34, may be closed to the public to prevent the disclosure of BPI.

Issued: May 1, 1998.

By order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 98-12014 Filed 5-5-98; 8:45 am]

BILLING CODE 7020-02-P

**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-383 (Bond Forfeiture/ Return Proceeding)]

**In the Matter of Certain Hardware Logic Emulation Systems and Components Thereof; Notice of Referral to Administrative Law Judge of Complainant's Motion for Forfeiture of Respondents' Bonds and Respondents' Motion for Return of Their Bonds**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the Commission has referred to the presiding administrative law judge complainant's motion for forfeiture of respondents' bonds posted during the temporary relief and Presidential review periods, and respondents' motion for return of those bonds in the above-captioned investigation.

**FOR FURTHER INFORMATION CONTACT:**

Peter L. Sultan, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3152. General information concerning the Commission may also be obtained by accessing the Commission's Internet server (<http://www.usitc.gov>)

**SUPPLEMENTARY INFORMATION:** This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. 1337, and Commission rule 210.50, 19 CFR 210.50.

This patent-based section 337 investigation was instituted on March 8, 1996, based upon a complaint and motion for temporary relief filed on January 26, 1996, by Quickturn Design Systems, Inc. ("Quickturn"). 61 FR 9486. The respondents are Mentor Graphics Corporation ("Mentor") and Meta Systems ("Meta") (collectively "respondents"). On July 8, 1996, the presiding administrative law judge ("ALJ") issued an initial determination ("ID") granting Quickturn's motion for temporary relief. On August 5, 1996, the Commission determined not to modify or vacate the ID, issued a temporary limited exclusion order against respondents and a temporary cease and desist order against Mentor, and determined that the amount of

respondents' bond during the pendency of temporary relief should be 43 percent of the entered value of imported hardware logic emulation systems and components thereof. On September 24, 1997, the Commission determined to modify respondents' temporary relief bond. Respondents' temporary relief bond remained at 43 percent of the entered value of the subject imported articles when the articles are appraised at transaction value (as defined in applicable U.S. Customs Service regulations), but increased to 180 percent of the entered value of the subject imported articles when the articles are appraised at other than transaction value.

On July 31, 1997, the ALJ issued a final ID finding that respondents have violated section 337 by infringing claims of all five of Quickturn's asserted patents. On that same date, the ALJ issued a recommended determination ("RD") recommending the issuance of a permanent exclusion order and a cease and desist order. On October 2, 1997, the Commission issued its notice of the decision not to review the ALJ's final ID, thereby finding that respondents are in violation of section 337. On December 3, 1997, the Commission issued a permanent limited exclusion order directed to Meta and a permanent cease and desist order against domestic respondent Mentor.

On February 26, 1998, Quickturn filed a motion for forfeiture of respondents' temporary relief bonds. On March 13, 1998, respondents filed an opposition to Quickturn's motion and a motion for the return of their bonds. On that same date, the Commission investigative attorneys filed a response in support of Quickturn's motion. The Commission has referred these motions to Administrative Law Judge Paul Luckern for adjudication in an initial determination to be issued within nine months. Pursuant to rule 210.50(d) (19 CFR 210.50(d)), the ALJ's initial determination shall have a 45-day effective date and shall be subject to review under the provisions of Commission rules 210.42 through 210.45, 19 CFR 210.42-210.45.

Copies of all nonconfidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information