

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Fresh Garlic From China

Inv. No. 731-TA-683 (Second Review)

On May 8, 2006, the Commission determined that it should proceed to an expedited review in the subject five-year review pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(3)(B).¹

The Commission determined that the domestic interested party group response to the notice of institution was adequate. The Commission received responses to the notice of institution from the Fresh Garlic Producers Association (“FGPA”) and its four individual members: Christopher Ranch L.L.C. (“Christopher Ranch”), The Garlic Co. (“Garlic Co.”), Valley Garlic, Inc. (“Valley Garlic”), and Vessey and Co., Inc. (“Vessey”). Because the Commission received adequate responses from FGPA’s members, who represent the overwhelming majority of domestic production, the Commission determined that the domestic interested party group response was adequate.

The Commission did not receive a response from any respondent interested party, and therefore determined that the respondent interested party group response to the notice of institution was inadequate. In the absence of an adequate respondent interested party group response, or any other circumstances that warranted a full review, the Commission determined to conduct an expedited review.² A record of the Commissioners’ votes is available from the Office of the Secretary and the Commission’s web site (<http://www.usitc.gov>).

¹Commissioner Daniel R. Pearson voted to conduct a full review.

²Commissioner Daniel R. Pearson determined that circumstances warranted conducting a full review of the order.