

## EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

in

### *Gray Portland Cement and Cement Clinker from Japan, Mexico, and Venezuela* Inv. Nos. 303-TA-21 and 731-TA-451, 461, and 519 (Review)

On November 4, 1999, the Commission determined that it should proceed to full reviews in the subject five-year reviews pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(5).<sup>1</sup>

Regarding domestic interested parties, the Commission received an adequate joint response containing company specific information for each domestic producer represented and broken out by the three separate regional domestic industries defined in the original investigations, as follows: The Committee For Fairly Traded Mexican Cement (an *ad hoc* coalition of 21 Southern Tier U.S. producers of the domestic like product); The Committee For Fairly Traded Japanese Cement (an *ad hoc* association of five Southern California U.S. producers of the domestic like product); and The Committee For Fairly Traded Venezuelan Cement (an *ad hoc* association of four Florida U.S. producers of the domestic like product); as well as three labor unions representing workers engaged in the production of the domestic like product (the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, the Paper, Allied-Industrial Chemical and Energy Workers International Union, and the International Union of Operating Engineers). The Commission also received adequate responses from two other regional U.S. producers of the domestic like product (Rio Grande Portland Cement Corporation, and Sunbelt Cement of Texas, LP). These responding parties account for a significant share of production of the domestic like product.

With regard to respondent interested parties, the Commission received adequate responses from Cementos Apasco, S.A. de C.V. (a Mexican producer of subject merchandise); CEMEX, S.A. de C.V. (a Mexican producer and exporter of subject merchandise), jointly with its wholly owned subsidiary, Sunbelt Cement of Texas, LP (a U.S. producer and the exclusive U.S. importer of Mexican and Venezuelan subject merchandise for CEMEX) and its subsidiary Corporacion Venezolana de Cementos, S.A. de C.A. (a Venezuelan producer of subject merchandise); Cementos de Chihuahua, S.A. de C.V. (“CDC”) (a Mexican producer of the subject merchandise); Rio Grande Portland Cement Corporation (a U.S. affiliate of CDC, a U.S. producer and U.S. importer of the subject merchandise from Mexico); and Cementos Caribe, C.A. (a Venezuelan producer and exporter of the

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<sup>1</sup> Chairman Bragg is not participating in these five-year reviews.

subject merchandise). These companies account for a significant share of production, exports, and/or imports of subject merchandise, as the case may be, from Mexico and Venezuela. The Commission did not receive a response from any respondent interested party in the review concerning Japan.

The Commission determined that the domestic interested party group responses to its notice of institution and respondent interested party group responses in *Gray Portland Cement and Cement Clinker from Mexico* and in *Gray Portland Cement and Cement Clinker from Venezuela* were adequate and therefore determined to conduct full reviews. Because no respondent interested party responded to the notice of institution, the Commission determined that the respondent interested party group response for the review concerning Japan was inadequate. However, the Commission determined to conduct a full review to promote administrative efficiency in light of the Commission's decision to conduct full reviews with respect to *Gray Portland Cement and Cement Clinker from Mexico* and *Gray Portland Cement and Cement Clinker from Venezuela*.