quotation. The petitioners also made a packing adjustment and a difference-in-merchandise adjustment to normal value. We reviewed the normal value information provided and have determined that it represents information reasonably available to the petitioners and have reviewed it for adequacy and accuracy. See Initiation Checklist.

Based on comparisons of export price to normal value, the estimated dumping margins for PRCBs from Malaysia range from 81.55 percent to 101.74 percent.

Export Price and Normal Value - Thailand

The petitioners based export price on the price of Thai-manufactured PRCBs from a Thai producer. We reviewed the information provided regarding export price and have determined that it represents information reasonably available to the petitioners and have reviewed it for adequacy and accuracy. See Initiation Checklist.

The petitioners based normal value on the price of Thai-manufactured PRCBs produced by the same company from which they obtained the export prices. The petitioners made adjustments for imputed credit expenses, packing, and difference-in-merchandise to normal value. We reviewed the information provided regarding normal value and have determined that it represents information reasonably available to the petitioners and have reviewed it for adequacy and accuracy. See Initiation Checklist.

Based on comparisons of export price to normal value, the estimated dumping margins for PRCBs from Thailand range from 34.84 percent to 122.88 percent.

Fair-Value Comparison

Based on the data provided by the petitioners, there is reason to believe that imports of PRCBs from the PRC, Malaysia, and Thailand are being, or are likely to be, sold in the United States at less than fair value.

Allegations and Evidence of Material Injury and Causation

The petition alleges that the U.S. industry producing the domestic like product is being materially injured and is threatened with material injury by reason of the imports of the subject merchandise sold at less than normal value. The petitioners contend that the industry's injured condition is evidenced by declining trends in market share, pricing, production levels, profits, sales, and utilization of capacity. Furthermore, the petitioners contend that injury and threat of injury is evidenced by negative effects on its cash flow, ability to raise capital, and growth.

These allegations are supported by relevant evidence including import data, lost sales, lost revenue and pricing information. The Department assessed the allegations and supporting evidence regarding material injury and causation and determined that these allegations are supported by accurate and adequate evidence and meet the statutory requirements for initiation (see Initiation Checklist dated July 10, 2003, Re: Material Injury).

Initiation of Antidumping Investigations

Based upon the examination of the petition on PRCBs from the PRC, Malaysia, and Thailand, and other information reasonably available to the Department, we find that the petition meets the requirements of section 732 of the Act. Therefore, we are initiating antidumping duty investigations to determine whether imports of PRCBs from the PRC, Malaysia, and Thailand are being, or are likely to be, sold in the United States at less than fair value. Unless postponed, we will make our preliminary determinations no later than 140 days after the date of this initiation.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, a copy of the public version of the petition has been provided to the representatives of the governments of the PRC, Malaysia, and Thailand. We will attempt to provide a copy of the public version of the petition to each producer named in the petition, as appropriate.

International Trade Commission Notification

We have notified the ITC of our initiations, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will preliminarily determine, no later than August 4, 2003, whether there is a reasonable indication that imports of PRCBs from the PRC, Malaysia, and Thailand are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination for any country will result in the investigation being terminated with respect to that country; otherwise, these investigations will proceed according to statutory and regulatory time limits.

This notice is issued and published pursuant to section 777(i) of the Act.

Dated: July 10, 2003.

Jeffrey May,

Acting Assistant Secretary for Grant Aldonas, Under Secretary.

[FR Doc. 03–18017 Filed 7–15–03; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–814]

Pure Magnesium from Canada: NAFTA Panel Decision

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of NAFTA Panel decision.

SUMMARY: On April 28, 2003, the North American Free Trade Agreement (''NAFTA'') Panel remanded an affirmative determination by the Department of Commerce (the ''Department'') in the sunset review of the antidumping duty order on pure magnesium from Canada. *See Pure Magnesium from Canada*, Secretariat File No. USA-CDA-00–1904–06, as modified by the NAFTA Panel's June 24, 2003 Order[1] (''*Pure Magnesium from Canada, Third Remand*''). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co. V. United States*, 893 F.2d 337 (Fed. Cir. 1990) (Timken), the Department is notifying the public that *Pure Magnesium from Canada, Third Remand* and the NAFTA Panel's earlier opinions in this case, discussed below, were ''not in harmony'' with the Department's original results.

EFFECTIVE DATE: July 16, 2003.

FOR FURTHER INFORMATION CONTACT: Martha Douthit or Kelly Parkhill, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW, Washington, D.C. 20230; telephone: (202) 482–5050 or (202) 482–3791, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 5, 2000, the Department published a notice of the final results of the sunset review of the antidumping duty order on pure magnesium from Canada. *See Pure Magnesium From Canada; Final Results of Full Sunset Review*, 65 FR 41436, July 5, 2000.

[1] *See Pure Magnesium from Canada*, Secretariat File No. USA-CDA-00-1904-06 (June 24, 2003).

Subsequent to the Department's *Final Results*, respondents filed a complaint before the NAFTA Panel challenging these results. Thereafter, the NAFTA Panel issued an Order and Opinion dated March 27, 2002. *See Pure Magnesium from Canada*, Secretariat File No. USA-CDA-00–1904–06, (''*First Remand*''). On May 28, 2002, the Department released final results of determination pursuant to NAFTA Panel remand of the sunset review of the antidumping duty order on pure magnesium from Canada. On October 15, 2002, the NAFTA Panel issued its second remand redetermination in the Canadian magnesium antidumping order sunset case concerning two issues. *See Decision of the Panel Concerning the Remand Determination by the Department of Commerce, Pure Magnesium From Canada*, File USA-CDA-00–1904–07 (Oct. 15, 2002), at 3, (''*Second Remand*''). On January 28, 2003, the Department's filed its second redetermination on remand with the NAFTA Secretariat. On April 28, 2003, the NAFTA Panel remanded an affirmative determination by the Department with instructions to revoke the antidumping order on pure magnesium from Canada. On June 24, 2003, the NAFTA Panel modified the Panel's Decision and Order issued on April 28, 2003.

Timken Notice

In its decision in *Timken*, the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish notice of a CIT decision which is ''not in harmony'' with the Department's results. *Timken*, 893 F.2d at 340. Because NAFTA panels step into the shoes of the courts they are replacing, they must apply the law of the national court that would otherwise review the administrative determination. Therefore, we are publishing notice that the NAFTA Panel's decision in *Pure Magnesium from Canada, Third Remand* is ''not in harmony'' with the Department's sunset results. Publication of this notice fulfills the obligation imposed upon the Department by the decision in *Timken*. In addition, this notice will serve to continue the suspension of liquidation. If an Extraordinary Challenge Committee panel request (''ECC panel request'') is not filed, or if an ECC panel request is filed, and the NAFTA panel's decision is upheld, the Department will publish amended final sunset review results revoking the antidumping order on pure magnesium from Canada.

Dated: July 10, 2003.

Jeffrey A. May,

Acting Assistant Secretary for Grant Aldonas, Under Secretary.

[FR Doc. 03–18016 Filed 7–15–03; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

[A–533–809]

Certain Forged Stainless Steel Flanges From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of final results and partial rescission of antidumping duty administrative review of certain forged stainless steel flanges from India.

SUMMARY: The Department of Commerce (''the Department'') has conducted an administrative review of the antidumping duty order on certain forged stainless steel flanges from India (A-533–809) produced and/or exported by Echjay Forgings Pvt. Ltd. (''Echjay''), Viraj Forgings Ltd. (''Viraj''), Snowdrop Trading Pvt. Ltd. (''Snowdrop''), Bhansali Ferromet Pvt. Ltd. (''Bhansali''), Panchmahal Steel Ltd. (''Panchmahal''), Metal Forgings Rings & Bearings Pvt. Ltd. (''MF''), and Patheja Forgings and Auto Parts, Ltd. (''Patheja''). The period of review (POR) is February 1, 2001, through January 31, 2002. Based on our analysis of comments received, these final results differ from the Preliminary Results for Echjay. The final results are listed below in the ''Final Results of Review'' section.

EFFECTIVE DATE: July 16, 2003.

FOR FURTHER INFORMATION CONTACT: Helen Kramer at (202) 482–0405 (Snowdrop), Shireen Pasha at (202) 482–0193 (Echjay), or Dena Aliadinov at (202) 482–3362 (Viraj), Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On March 10, 2003, the Department published the preliminary results and partial rescission of its administrative review of the antidumping duty order on certain forged stainless steel flanges (''SS flanges'') from India. *See Notice Of Preliminary Results And Partial Rescission Of Antidumping Duty Administrative Review*, 68 FR 11361 (March 10, 2003) (''*Preliminary Results*'').

We invited parties to comment on the *Preliminary Results*. On April 9, 2002, we received case briefs from Echjay and Snowdrop. On April 15, 2003, we returned the case brief submitted by Echjay to its counsel, requesting that Echjay delete all new information and resubmit the brief by 8:30 a.m. on April 16, 2003. On April 16, 2003, the Department received the revised case brief from counsel on behalf of Echjay. A public hearing was held on April 16, 2003. We note that Viraj did not submit a brief.

Partial Rescission

In our preliminary results, we announced our preliminary decision to rescind the review with respect to Bhansali, Panchmahal, MF, and Patheja, because these companies apparently had no entries of SS flanges from India during the POR. *See Preliminary Results* 68 FR at 11362. We have received no new information contradicting the decision. Therefore, we are rescinding the administrative review with respect to Bhansali, Panchmahal, MF and Patheja.

Scope of the Review

The products under review are certain forged stainless steel flanges, both finished and not finished, generally manufactured to specification ASTM A-182, and made in alloys such as 304, 304L, 316, and 316L. The scope includes five general types of flanges. They are weld-neck, used for butt-weld line connection; threaded, used for threaded line connections; slip-on and lap joint, used with stub-ends/butt-weld line connections; socket weld, used to fit pipe into a machined recession; and blind, used to seal off a line. The sizes of the flanges within the scope range generally from one to six inches; however, all sizes of the above-described merchandise are included in the scope. Specifically excluded from the scope of this order are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM A-351. The flanges subject to this order are currently classifiable under subheadings 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule (HTS). Although the HTS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive of whether or not the merchandise is covered by the review.