DEPARTMENT OF COMMERCE

International Trade Administration

[A–274–804]

Carbon and Certain Alloy Steel Wire Rod from Trinidad & Tobago: Amended Notice of Court Decision Not In Harmony with Final Results of Antidumping Duty Administrative Review

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

SUMMARY: On August 8, 2007, the United States Court of International Trade (''CIT'') affirmed the final remand results made by the Department of Commerce (''the Department'') pursuant to the CIT's remand of the final results of antidumping duty administrative review of the antidumping order on carbon and certain alloy steel wire rod from Trinidad & Tobago. *See Mittal Steel Point Lisas Ltd. v. United States*, Slip Op. 07–120, (Ct. Int'l Trade) (August 8, 2007). This case arises out of the Department's final results in the administrative review covering the period October 1, 2003, through September 30, 2004. *See Notice of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Trinidad and Tobago*, 70 FR 69512 (November 16, 2005) (''*Final Results*''). The judgment in this case was not in harmony with the Department's *Final Results*. As a result of an inadvertent error, the version of this notice released on Wednesday, August 15, 2007, contained a typographical error to the recalculated margin for these final remand results. This amended notice corrects this error. Because this error was discovered prior to publication in the **Federal Register**, this amendment is being published in place of the original version released on August 15, 2007.

EFFECTIVE DATE: August 18, 2007.

FOR FURTHER INFORMATION CONTACT: Dennis McClure or Stephanie Moore, AD/CVD Operations, Office 3, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone: (202) 482–5973 or (202) 482–3692, respectively.

SUPPLEMENTARY INFORMATION: In *Mittal Steel Point Lisas Ltd. v. United States*, Slip Op. 07–60, (Ct. Int'l Trade) (April 24, 2007), the CIT remanded the underlying *Final Results* to the Department to re–examine its decision regarding its calculation of credit expenses and inventory costs used to calculate constructed export price, given the treatment of the date of invoice as the date of sale in this review.

On May 21, 2007, the Department released a draft of the final remand results to interested parties and requested that they submit comments by May 29, 2007. On May 25, 2007, respondent submitted comments. Petitioners did not submit comments. On June 15, 2007, the Department issued to the CIT its final remand results. In the final remand results the Department made a change to the credit expenses used in the constructed export price calculation. The Department also changed the inventory costs used in its constructed export calculation to reflect the date of invoice as the date of sale. Thus, the Department recalculated the antidumping duty rates applicable to applicable to Mittal Steel Point Lisas, Ltd. On August 8, 2007, the CIT sustained the Department's final remand results. The recalculated margin for these final remand results is 4.08 percent.

In its decision in *Timken Co., v. United States*, 893 F.2d 337, 341 (Fed. Cir. 1990) (''*Timken*''), the United States Court of Appeals for the Federal Circuit (''CAFC'') held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended (''the Act''), the Department must publish a notice of a court decision that is not ''in harmony'' with a Department determination, and must suspend liquidation of entries pending a ''conclusive'' court decision. The CIT's decision in this case on August 8, 2007, constitutes a decision of the court that is not in harmony with the Department's *Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*. Accordingly, the Department will continue the suspension of liquidation of the subject merchandise pending the expiration of the period of appeal or, if appealed, pending a final and conclusive court decision. In the event the CIT's ruling is not appealed or, if appealed, upheld by the CAFC, the Department will instruct U.S. Customs and Border Protection to revise the cash deposit rate covering the subject merchandise.

This notice is issued and published in accordance with section 516A(c)(1) of the Act.

Dated: August 30, 2007.

David M. Spooner,

Assistant Secretary for Import Administration.

[FR Doc. E7–17701 Filed 9–6–07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–122–840]

Partial Rescission of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Canada

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

EFFECTIVE DATE: September 7, 2007.

FOR FURTHER INFORMATION CONTACT: Steve Bezirganian or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–1131 or (202) 482–0649, respectively.

SUPPLEMENTARY INFORMATION:

Background

On October 2, 2006, the Department issued a notice of opportunity to request an administrative review of this order for the October 1, 2005 through September 30, 2006 period of review (POR). *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 71 FR 57920 (October 2, 2006). On October 31, 2006, Mittal Canada Inc. (formerly Ispat Sidbec Inc.) requested an administrative review of its entries that were subject to the antidumping duty order for this period. On that same date, the Department also received requests from petitioners for a review of Ivaco, Inc. and Ivaco Rolling Mills L.P., and from Ivaco Rolling Mills 2004 L.P. and Sivaco Ontario, a division of Sivaco Wire Group 2004 L.P., for a review of those companies. On November 27, 2006, the Department published the notice of initiation of this antidumping duty administrative review, covering Ivaco Rolling Mills 2004 L.P., Mittal Canada Inc. (formerly Ispat Sidbec Inc.), and Sivaco Ontario Processing (a division of Sivaco Wire Group 2004 L.P.). *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 71 FR 68535 (November 27, 2006).[1]

[1] Note that the Department recently concluded a changed circumstance review, in which it determined that, as of the publication of that final changed circumstance review, ''(1) Ivaco Rolling Mills 2004 L.P. is the successor-in-interest to Ivaco Rolling Mills L.P.; and (2) Sivaco Ontario, a division of Sivaco Wire Group 2004 L.P., is the successor-in-interest to Ivaco Inc. for antidumping duty cash deposit purposes.'' *See Notice of Final*

Partial Rescission of Review

On February 20, 2007, Mittal Canada Inc. (formerly Ispat Sidbec Inc.) withdrew its request for an administrative review of its entries during the above–referenced period. Pursuant to 19 CFR 351.213(d)(1), the Secretary will rescind an administrative review, in whole or in part, if the party who requested the review withdraws the request within 90 days of the date of publication of notice of initiation of the requested review. Because Mittal Canada Inc. (formerly Ispat Sidbec Inc.) withdrew its request for review within the 90-day period and no other party requested a review of its entries, in accordance with 19 CFR 351.213(d)(1), we are rescinding this review with respect to Mittal Canada Inc. (formerly Ispat Sidbec Inc.).

The Department will issue appropriate assessment instructions directly to the U.S. Customs and Border Protection (CBP) 15 days after the publication of this notice. The Department will direct CBP to assess antidumping duties at the cash deposit rate in effect on the date of entry for entries of subject merchandise produced and/or exported by Mittal Canada Inc. (formerly Ispat Sidbec Inc.) during the period October 1, 2005, through September 30, 2006.

This notice is published in accordance with section 777(i)(1) of the Tariff Act of 1930, as amended, and 19 CFR 351.213(d)(4).

Dated: August 31, 2007.

Gary Taverman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E7–17705 Filed 9–6–07; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A–570–868]

Folding Metal Tables and Chairs from the People's Republic of China: Notice of Final Results of Expedited Sunset Review of Antidumping Duty Order

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

EFFECTIVE DATE: September 7, 2007.

FOR FURTHER INFORMATION CONTACT: Matthew Quigley at (202) 482–4551, AD/CVD Operations, Office 8, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUMMARY: On May 1, 2007, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping duty order on folding metal tables and chairs from the People's Republic of China (''PRC''). On the basis of a notice of intent to participate, and an adequate substantive response filed on behalf of domestic interested parties, as well as a lack of response from respondent interested parties, the Department conducted an expedited (120-day) sunset review. As a result of the sunset review, the Department finds that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping. The dumping margins are identified in the Final Results of Review section of this notice.

SUPPLEMENTARY INFORMATION:

Background:

On May 1, 2007, the Department published the notice of initiation of the sunset review of the antidumping duty order on folding metal tables and chairs from the PRC pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). *See Initiation of Five-year (''Sunset'') Reviews*, 72 FR 23799 (May 1, 2007) (''*Initiation Notice*''). On May 16, 2007, the Department received a notice of intent to participate from domestic interested parties, Meco Corporation (''Meco'') and KI, within the deadline specified in section 315.218(d)(1)(i) of the Department's regulations. Meco and KI claimed interested party status under section 771(9)(C) of the Act, as domestic producers of folding metal tables and chairs in the United States. On May 31, 2007, the Department received a substantive response from domestic interested parties within the deadline specified in section 351.218(d)(3)(i) of the Department's regulations. We did not receive responses from any respondent interested parties to this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and section 351.218(e)(1)(ii)(C)(2) of the Department's regulations, the Department determined to conduct an expedited review of the order.

Scope of the Order:

The products covered by this order consist of assembled and unassembled folding tables and folding chairs made primarily or exclusively from steel or other metal, as described below:

1) Assembled and unassembled folding tables made primarily or exclusively from steel or other metal (folding metal tables). Folding metal tables include square, round, rectangular, and any other shapes with legs affixed with rivets, welds, or any other type of fastener, and which are made most commonly, but not exclusively, with a hardboard top covered with vinyl or fabric. Folding metal tables have legs that mechanically fold independently of one another, and not as a set. The subject merchandise is commonly, but not exclusively, packed singly, in multiple packs of the same item, or in five piece sets consisting of four chairs and one table. Specifically excluded from the scope of the order regarding folding metal tables are the following:

a. Lawn furniture;
b. Trays commonly referred to as ''TV trays'';
c. Side tables;
d. Child–sized tables;
e. Portable counter sets consisting of rectangular tables 36'' high and matching stools; and,
f. Banquet tables. A banquet table is a rectangular table with a plastic or laminated wood table top approximately 28'' to 36'' wide by 48'' to 96'' long and with a set of folding legs at each end of the table. One set of legs is composed of two individual legs that are affixed together by one or more cross–braces using welds or fastening hardware. In contrast, folding metal tables have legs that mechanically fold independently of one another, and not as a set.

2) Assembled and unassembled folding chairs made primarily or exclusively from steel or other metal (folding metal chairs). Folding metal chairs include chairs with one or more cross–braces, regardless of shape or size, affixed to the front and/or rear legs with rivets, welds or any other type of fastener. Folding metal chairs include: those that are made solely of steel or other metal; those that have a back pad, a seat pad, or both a back pad and a seat pad; and those that have seats or backs made of plastic or other materials. The subject merchandise is commonly, but not exclusively, packed singly, in multiple packs of the same item, or in five piece sets consisting of four chairs and one table. Specifically excluded from the scope of the order regarding folding metal chairs are the following:

a. Folding metal chairs with a wooden back or seat, or both;
b. Lawn furniture;
c. Stools;
d. Chairs with arms; and
e. Child–sized chairs.

Results of Antidumping Duty Changed Circumstances Review: Carbon and Certain Alloy Steel Wire Rod from Canada, 72 FR 15102, 15103 (March 30, 2007).