

7, has made application to the Board for authority to establish special-purpose subzone status at the pharmaceutical manufacturing plant of MOVA Pharmaceutical Corporation, located in Manatí, Puerto Rico (FTZ Docket 38–2007, filed 8/14/07);

Whereas, notice inviting public comment has been given in the **Federal Register** (72 FR 49255, 8/28/07); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status for activity related to pharmaceutical manufacturing at the MOVA Pharmaceutical Corporation, facility located in Manatí, Puerto Rico (Subzone 7L), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 19th day of March, 2008.

David M. Spooner,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. E8–6708 Filed 3–31–08; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

A–570–803

13th Administrative Review of Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China: Notice of Amended Final Results of Sales at Less Than Fair Value and Antidumping Duty Order Pursuant to Court Decision

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

EFFECTIVE DATE: April 1, 2008.

FOR FURTHER INFORMATION CONTACT: Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: 202- 482–0413.

SUPPLEMENTARY INFORMATION:

Background

This matter arose from a challenge to the results in the Department of Commerce's (the "Department") *Heavy*

Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China: Final Results of Antidumping Duty Administrative Reviews and Final Rescission and Partial Rescission of Antidumping Duty Administrative Reviews, 70 FR 54897 (September 19, 2005) ("*Final Results*"), and accompanying Issues and Decisions Memorandum, covering the period of review ("POR"), February 1, 2003 January 31, 2004. Following publication of the *Final Results*, the Petitioner, Ames True Temper Inc. ("Ames"), filed a lawsuit with the Court of International Trade ("CIT") challenging the Department's *Final Results*. Ames contested several aspects of the *Final Results*, including the Department's decision to only use certain factors of production ("FOPs") to value Shandong Huarong Machinery Co., Ltd.'s self-produced, metal pallets.

On August 31, 2007 the CIT directed the Department to reopen the record and obtain additional evidence regarding Huarong's production of metal pallets. See *Ames True Temper v. United States*, 2007 Ct. Int'l Trade LEXIS 131, Slip Op. 2007–133 (CIT 2007) ("*Ames*").

Pursuant to the CIT's remand instructions, we issued supplemental questionnaires on September 19, 2007 and October 19, 2007. Huarong responded to the questionnaires on October 17, 2007 and October 26, 2007, respectively. In the supplemental questionnaires the Department requested: (a) consumption ratios for all factors of production ("FOPs") associated with the production of pallets used in packing and shipping heavy forged hand tools; (b) information to select surrogate values for any unreported pallet making FOPs; and, (c) supplier distances for any unreported pallet making FOPs.

The Department released the *Draft Results of Redetermination Pursuant to Court Remand* to Ames and Huarong for comment on November 16, 2007. No party submitted comments. On November 28, 2007 the Department filed its final results of redetermination pursuant to remand in *Ames* with the CIT. See *Final Results of Redetermination Pursuant to Court Remand*, Court No. 05–00581 (November 28, 2007) ("*Final Redetermination*"), found at <http://ia.ita.doc.gov/remands/07–133.pdf>. In the remand redetermination, the Department determined that welding wire was consumed in Huarong's pallet making process and that welding wire should have been reported by Huarong as a FOP during the thirteenth review. The Department valued welding wire

using publicly available Indian import statistics for February 2003 - January 2004 from the *World Trade Atlas* ("WTA"). Thus, the Department included the cost of welding wire in Huarong's normal value, including freight costs associated with Huarong's purchases of the welding wire. On January 18, 2008 the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT's remand of the *Final Results*. See *Ames True Temper v. United States*, Slip Op. 08–8 (CIT 2008).

On January 30, 2008, consistent with the decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the Court's decision was not in harmony with the Department's final results. See *Heavy Forged Hand Tools from the People's Republic of China: Notice of Court Decision Not In Harmony With Final Results of Administrative Review*, 73 FR 5514 (January 30, 2008). No party appealed the CIT's decision. As there is now a final and conclusive court decision in this case, we are amending our *Final Results*.

Amended Final Results

As the litigation in this case has concluded, the Department is amending the *Final Results* to reflect the results of our remand determination. The revised dumping margin for the order on axes/adzes in the amended final results is as follows:

| Exporter | Margin |
|---|---------|
| Shandong Huarong Machinery Co., Ltd. | 175.04% |

The PRC-wide rate continues to be 175.04 percent as determined in the Department's *Final Results*. The Department intends to issue instructions to U.S. Customs and Border Protection ("CBP") fifteen days after publication of this notice, to revise the cash deposit rates for the company listed above, effective as of the publication date of this notice. Because Huarong obtained a preliminary injunction, we will also instruct CBP to liquidate all entries at the appropriate rate.¹

This notice is published in accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended.

¹ We will not issue liquidation instructions with respect to any other heavy forged handtools order, i.e., bars/wedges, picks/mattocks and hammers/sledges.

Dated: March 14, 2008.
David M. Spooner,
Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

FOR FURTHER INFORMATION CONTACT: Sheila E. Forbes, Office of AD/CVD Operations, Customs Unit, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-4697.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213 (2007) of the Department of

Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Opportunity To Request a Review: Not later than the last day of April 2008,¹ interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in April for the following periods:

| | Period |
|--|------------------|
| Antidumping Duty Proceedings | |
| France: Sorbitol A-427-001 | 4/1/07-3/31/08 |
| Norway: Fresh and Chilled Atlantic Salmon, A-403-801 | 4/1/07-3/31/08 |
| The People's Republic of China: | |
| Activated Carbon, A-570-904 | 10/11/06-3/31/08 |
| Automotive Replacement Glass Windshields, A-570-867 | 4/1/07-4/3/07 |
| Brake Rotors, A-570-846 | 4/1/07-3/31/08 |
| Magnesium Metal, A-570-896 | 4/1/07-3/31/08 |
| Non-Malleable Cast Iron Pipe Fittings, A-570-875 | 4/1/07-3/31/08 |
| Russia: Magnesium Metal, A-821-819 | 4/1/07-3/31/08 |
| Turkey: Certain Steel Concrete Reinforcing Bars, A-489-807 | 4/1/07-3/31/08 |
| Countervailing Duty Proceedings | |
| Norway: Fresh and Chilled Atlantic Salmon, C-403-802 | 1/1/07-12/31/07 |

Suspension Agreements

None

In accordance with section 351.213(b) of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify the individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement for which it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters.² If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then

the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

Please note that, for any party the Department was unable to locate in prior segments, the Department will not accept a request for an administrative review of that party absent new information as to the party's location. Moreover, if the interested party who files a request for review is unable to locate the producer or exporter for which it requested the review, the interested party must provide an explanation of the attempts it made to locate the producer or exporter at the same time it files its request for review, in order for the Secretary to determine if the interested party's attempts were reasonable, pursuant to 19 CFR 351.303(f)(3)(ii).

As explained in *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68

FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders. See also the Import Administration Web site at <http://ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230. The Department also asks parties to serve a copy of their requests to the Office of Antidumping/Countervailing Operations, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i)

¹ Or the next business day, if the deadline falls on a weekend, federal holiday or any other day when the Department is closed.

² If the review request involves a non-market economy and the parties subject to the review request do not qualify for separate rates, all other exporters of subject merchandise from the non-

market economy country who do not have a separate rate will be covered by the review as part of the single entity of which the named firms are a part.