

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, D.C.**

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<b>In the Matter of</b>	)	
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<b>CERTAIN LENS-FITTED</b>	)	<b>Investigation No. 337-TA-406</b>
<b>FILM PACKAGES</b>	)	<b>Enforcement Proceedings (II)</b>
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**NOTICE OF COMMISSION DECISION NOT TO REVIEW AN  
INITIAL DETERMINATION THAT SUSPENDS THE DATE FOR ISSUANCE OF THE  
ADMINISTRATIVE LAW JUDGE’S ENFORCEMENT INITIAL DETERMINATION**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 103) of the presiding administrative law judge (“ALJ”) styled “Initial Determination Suspending Procedural Schedules (With Certain Exceptions) Set In Order Nos. 86 And 99, Suspending The September 27, 2003 Due Date For The EID And Requiring Fuji To Notify The Administrative Law Judge Regarding SARS.”

**FOR FURTHER INFORMATION CONTACT:** Mark B. Rees, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3116. Copies of the ALJ’s ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:** The Commission instituted enforcement proceedings as to respondent Jazz Photo Corp. (“Jazz”) and two individuals associated with Jazz on September 27, 2002, *see* 67 *Fed. Reg.* 61152 (Sept. 27, 2002), and, by accompanying order, certified the matter to the ALJ to conduct any necessary proceedings and to issue an enforcement initial determination (“EID”) within twelve months. *In the Matter of Certain Lens-Fitted Film Packages*, Inv. No. 337-TA-406, Commission Order at 3-4 (Sept. 24, 2002) (requiring ALJ’s EID within twelve months of the date of publication of the notice of the order in the *Federal Register*). The ALJ issued a scheduling order on October 17, 2002, Order No. 86, that ordered, *inter alia*, the completion of discovery by May 9, 2003, and the hearing to take place the week of June 16, 2003.

On April 7, 2003, complainant Fuji Photo Film Co., Ltd. (“Fuji”) moved to amend the scheduling order on the grounds that the outbreak of the infectious respiratory disease known as “SARS” (Severe Acute Respiratory Syndrome) necessitated the delay of certain discovery in the People’s Republic of China. By order dated April 11, 2003, Order No. 99, the ALJ agreed to certain extensions of time but declined to move the hearing date. Fuji moved for reconsideration of Order No. 99 and, on a more fully developed record, the ALJ issued the subject ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337) and in section 210.75 of the Commission’s Rules of Practice and Procedure (19 C.F.R. § 210.75).

By order of the Commission.

Marilyn R. Abbott  
Secretary to the Commission

Issued: May 20, 2003