

**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 731-TA-698 (Remand)]

**Magnesium From Ukraine; Notice and Scheduling of Remand Proceedings**

AGENCY: United States International Trade Commission.

ACTION: Notice.

**SUMMARY:** The U.S. International Trade Commission (the Commission) hereby gives notice of the remand of its final antidumping investigation No. 731-TA-698 (Final) for reconsideration in light of the order of the Court of International Trade.

EFFECTIVE DATE: June 4, 1998.

**FOR FURTHER INFORMATION CONTACT:** Olympia Hand, Office of Investigations, telephone 202-205-3193, Michael Diehl, Office of General Counsel, telephone 202-205-3095, or Rhonda M. Hughes, Office of General Counsel, telephone 202-205-3083, U.S. International Trade Commission. Hearing-impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

**SUPPLEMENTARY INFORMATION:****Background**

On April 28, 1998, the Court of International Trade issued a remand Order to the Commission in *Gerald Metals, Inc. v. United States*, Ct. No. 95-06-00782, Slip. Op. 98-56. The case involved review of the Commission's May 1995 affirmative material injury determination in *Magnesium from Ukraine*, Inv. No. 731-TA-698 (Final). The CIT ordered the Commission to reconsider its final determination in a way that is consistent with the legal standard articulated by the Court of Appeals for the Federal Circuit ("CAFC") in *Gerald Metals, Inc. v. United States*, 132 F.3d 716 (Fed. Cir. 1997) and that takes into account the fairly traded Russian imports of pure magnesium and the increase in the market share of those imports during the period of review.

**Reopening Record**

In order to assist it in making its determination on remand, the Commission is reopening the record on remand in this investigation to seek information regarding imports of fairly traded Russian pure magnesium, and to permit parties to file briefs.

**Participation in the Proceedings**

Only those persons who were interested parties to the original

administrative proceedings (i.e., persons listed on the Commission Secretary's service list) may participate in these remand proceedings.

**Limited Disclosure of Business Proprietary Information (BPI) Under an Administrative Protective Order (APO) and BPI Service List**

Information obtained during the remand investigation will be released to parties under the administrative protective order ("APO") in effect in the original investigation. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make business proprietary information gathered in the final investigation and this remand investigation available to additional authorized applicants, that are not covered under the original APO, provided that the application is made not later than seven (7) days after publication of the Commission's notice of reopening the record on remand in the **Federal Register**. Applications must be filed for persons on the Judicial Protective Order in the related CIT case, but not covered under the original APO. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO in this remand investigation.

**Written Submissions**

Briefs should be concise, and thoroughly referenced to information on the record in the original investigation or information obtained during the remand investigation. The briefs should be limited to the following issues: (1) the legal standard articulated by the CAFC in *Gerald Metals v. United States*, 132 F.3d 716 (Fed. Cir. 1997); and (2) the extent and significance of the substitutability of the fairly traded and LTFV Russian imports. Written briefs shall be limited to twenty (20) pages, and must be filed no later than close of business on June 12, 1998. No further submissions will be permitted unless otherwise ordered by the Commission.

All written submissions must conform with the provisions of section 201.8 of the Commission's rules; any submissions that contain business proprietary information (BPI) must also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission's rules. In accordance with sections 201.16(c) and 207.3 of the rules, each document filed by a party to the investigation must be served on all other parties to the investigation (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

**Authority:** This action is taken under the authority of the Tariff Act of 1930, title VII. Issued: May 29, 1998.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 98-14866 Filed 6-3-98; 8:45 am]

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**INTERNATIONAL TRADE COMMISSION**

[Inv. No. 337-TA-411]

**Certain Organic Photoconductor Drums and Products Containing the Same; Notice of Investigation**

AGENCY: U.S. International Trade Commission.

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337.

**SUMMARY:** Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on April 30, 1998, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Mitsubishi Chemical Corporation, 5-2, Marunouchi, 2-chome, Chiyoda-ku, Tokyo 100 Japan, and Mitsubishi Chemical America, Inc., One North Lexington Avenue, White Plains, New York 10601. Supplements to the complaint were filed on May 18 and May 28, 1998, and a letter withdrawing the complaint as to two of the proposed respondents was filed on May 26, 1998. The complaint, as supplemented, alleges violations of section 337 in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain organic photoconductor drums and products containing the same that infringe claim 1 of U.S. Letters Patent 4,680,246 and claims 1, 2, 3, 5, and 7 of U.S. Letters Patent 4,396,696. The complaint further alleges that there exists an industry in the United States as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after a hearing, issue a permanent exclusion order and permanent cease and desist orders.

**ADDRESSES:** The complaint and supplement, except for any confidential information contained therein, are 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., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired individuals are