

at the hearing. All parties and nonparties desiring to appear at the hearing and make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on June 3, 2002, at the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted at the public hearing are governed by sections 201.6(b)(2), 201.13(f), and 207.24 of the Commission's rules. Parties must submit any request to present a portion of their hearing testimony in camera no later than 7 days prior to the date of the hearing. Parties may also file written testimony in connection with their presentation at the hearing, as provided in section 207.24 of the Commission's rules. Written witness testimony must be filed no later than three days before the hearing. Hearing testimony and presentations shall address only those matters within the scope of the reconsideration proceeding.

Posthearing Brief. Parties to the investigation may file posthearing briefs, which must conform with the provisions of section 207.25 of the Commission's rules. The deadline for filing posthearing briefs is June 13, 2002. In addition, any person who has not entered an appearance as a party to the investigations may submit a written statement of information pertinent to the subject of the investigations on or before June 13, 2002. Posthearing submissions shall address only those matters within the scope of the reconsideration proceeding.

Final Comments. On a date after the submission of prehearing briefs to be announced, the Commission will make available to parties all information on which they have not had an opportunity to comment. Parties may subsequently submit final comments on this information on a date to be announced. Such final comments must not contain new factual information and must otherwise comply with section 207.30 of the Commission's rules. General Information on Written Submissions. 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. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means. In accordance with sections 201.16(c) and 207.3 of the Commission's 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. Parties are also advised to consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subpart A (19 CFR part 207) for provisions of general applicability concerning written submissions to the Commission.

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

Information obtained during the remand proceedings will be released to parties under the Administrative Protective Order (APO) in effect during the previous reconsideration proceedings. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make business proprietary information gathered in the previous reconsideration proceedings and this remand proceeding 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 APO in these remand proceedings.

**Authority:** This action is taken under the authority of title VII of the Tariff Act of 1930 as amended.

Issued: April 11, 2002.

By order of the Commission.

**Marilyn R. Abbott,**  
*Secretary.*

[FR Doc. 02-9238 Filed 4-15-02; 8:45 am]  
**BILLING CODE 7020-02-P**

## **INTERNATIONAL TRADE COMMISSION**

**[Investigation No. 731-TA-925 (Final)]**

### **Greenhouse Tomatoes From Canada Determination**

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission (Commission) determines,<sup>2</sup> pursuant to

<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> Commissioner Lynn M. Bragg dissenting.

section 735(b) of the Tariff Act of 1930 (19 U.S.C. 1673d(b)) (the Act), that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded, by reason of imports from Canada of greenhouse tomatoes, provided for in subheadings 0702.00.20, 0702.00.40, and 0702.00.60 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be sold in the United States at less than fair value (LTFV).

#### **Background**

The Commission instituted this investigation effective March 28, 2001, following receipt of a petition filed with the Commission and Commerce by Carolina Hydroponic Growers Inc., Leland, NC; Eurofresh, Inc., Willcox, AZ; Hydro Age, Cocoa Beach, FL; Sun Blest Management, Fort Lupton, CO; Sun Blest Farms, Peyton, CO; and Village Farms, LP, Eatontown, NJ. The final phase of the investigation was scheduled by the Commission following notification of a preliminary determination by Commerce that imports of greenhouse tomatoes from Canada were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigation and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of November 14, 2001 (66 FR 57112). The hearing was held in Washington, DC, on February 21, 2002, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on April 11, 2002. The views of the Commission are contained in USITC Publication 3499 (April 2002), entitled *Greenhouse Tomatoes from Canada: Investigation No. 731-TA-925 (Final)*.

Issued: April 10, 2002.

By order of the Commission.

**Marilyn R. Abbott,**  
*Secretary.*

[FR Doc. 02-9229 Filed 4-15-02; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-990 (Preliminary)]

### Non-Malleable Cast Iron Pipe Fittings From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission unanimously determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China of non-malleable cast iron pipe fittings, provided for in subheadings 7307.11.00 and 7307.19.30 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission's rules, upon notice from the Department of Commerce of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation.

#### Background

On February 21, 2002, a petition was filed with the Commission and Commerce by Anvil International, Inc., Portsmouth, NH, and Ward Manufacturing, Inc., Blossburg, PA, alleging that an industry in the United States is materially injured or

threatened with material injury by reason of LTFV imports of non-malleable cast iron pipe fittings from China. Accordingly, effective February 21, 2002, the Commission instituted antidumping duty investigation No. 731-TA-990 (Preliminary).

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of February 27, 2002 (67 FR 9004). The conference was held in Washington, DC, on March 14, 2002, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on April 8, 2002. The views of the Commission are contained in USITC Publication 3500 (April 2002), entitled *Non-Malleable Cast Iron Pipe Fittings from China: Investigation No. 731-TA-990 (Preliminary)*.

Issued: April 9, 2002.

By order of the Commission.

**Marilyn R. Abbott**,  
Secretary.

[FR Doc. 02-9231 Filed 4-15-02; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-466]

### In the Matter of Certain Organizer Racks and Products Containing Same; Notice of Commission Decision Not To Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") terminating the above-captioned investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Tim Yaworski, *Esq.*, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 2053096. Copies of the public versions of the ID and all other nonconfidential

documents in the record of 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, SW., Washington, DC 20436, telephone (202) 205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810. 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://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on December 26, 2001, based on a complaint filed by Spectrum Concepts, Inc. ("Spectrum") against Bryan Plastics Ltd. ("Bryan"). The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and/or sale within the United States after importations, of certain organizer racks or products containing same by reason of infringement of claims, 1, 6, 8, 11, 12, 13, and 24 of U.S. Letters Patent 5,740,924. 66 FR 66425 (2001)

On February 1, 2002, Spectrum filed a motion to terminate the investigation on the basis of a settlement agreement. On February 12, 2002, the Commission investigative attorney filed a response supporting the motion. On February 13, 2002, the presiding ALJ issued an ID (Order No. 6) granting the motion and, on February 19, 2002, issued another ID (Order No. 7) with an *erratum*, providing additional reasoning in support of his granting of the motion. No party petitioned for review of the ID. This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: April 4, 2002.

By order of the Commission.

**Marilyn R. Abbott**,  
Secretary.

[FR Doc. 02-9232 Filed 4-15-02; 8:45 am]

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<sup>1</sup> The record is defined in sec. 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).