

Dated: July 31, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary*

[FR Doc. 03-20045 Filed 8-5-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-803]

#### Notice of Decision of the Court of International Trade: Heavy Forged Hand Tools From the People's Republic of China

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

**ACTION:** Notice of decision of the Court of International Trade.

**SUMMARY:** On July 28, 2003, the United States Court of International Trade (CIT) affirmed the Department of Commerce's results of redetermination on remand of the final results of the seventh administrative review of the antidumping duty orders on heavy forged hand tools from the People's Republic of China. *See Fujian Machinery and Equipment Import & Export Corporation, et al. v. United States*, Slip Op. 03-92 (CIT July 28, 2003) (*Fujian II*). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department is notifying the public that *Fujian II* and the CIT's earlier opinion in this case, discussed below, were "not in harmony" with the Department's original results.

**EFFECTIVE DATE:** August 6, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Thomas Martin AD/CVD Enforcement, Office 4, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave., NW., Washington, DC 20230; telephone: (202) 482-3936.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 11, 1999, the Department of Commerce (the Department) published a notice of the final results of the seventh administrative review of the antidumping duty order on heavy forged hand tools from the People's Republic of China. *See Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China; Final Results and Partial Rescission of Antidumping Duty*

*Administrative Reviews*, 64 FR 43659 (August 11, 1999) (Final Results). Subsequent to the Department's *Final Results*, the respondent filed a lawsuit with the CIT challenging these results. Thereafter, the CIT issued an Order and Opinion dated July 17, 2000, in *Fujian Machinery and Equipment Import & Export Corporation, et al. v. United States*, 178 F. Supp. 2d 1305 (Ct. Int'l Trade 2001) (*Fujian I*), remanding several issues to the Department. Pursuant to *Fujian I*, the Department filed its remand results on February 20, 2002. The CIT reviewed and affirmed the Department's final results of redetermination in *Fujian Machinery and Equipment Import & Export Corporation, et al. v. United States*, Slip Op. 03-92 (CIT July 28, 2003) (*Fujian II*).

#### Timken Notice

In its decision in *Timken*, the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish notice of a decision of the CIT which is "not in harmony" with the Department's results. The CIT's decision in *Fujian II* was not in harmony with the Department's final antidumping duty results of review. Therefore, publication of this notice fulfills the obligation imposed upon the Department by the decision in *Timken*. In addition, this notice will serve to continue the suspension of liquidation. If this decision is not appealed, or if appealed, if it is upheld, the Department will publish amended final antidumping duty results.

Dated: August 1, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Grant Aldonas, Under Secretary.*

[FR Doc. 03-20047 Filed 8-5-03; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-583-831]

#### Stainless Steel Sheet and Strip in Coils From Taiwan: Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review

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

**ACTION:** Notice of preliminary results and partial rescission of antidumping duty administrative review of stainless steel sheet and strip in coils from Taiwan.

**SUMMARY:** The Department of Commerce ("the Department") is conducting an administrative review of the antidumping duty order on stainless steel sheet and strip in coils ("SSSS") from Taiwan in response to requests from respondents Yieh United Steel Corporation ("YUSCO") and Chia Far Industrial Factory Co., Ltd. ("Chia Far"), and petitioners<sup>1</sup> who requested a review of YUSCO, Tung Mung Development Co., Ltd. ("Tung Mung"), Ta Chen Stainless Pipe Company Ltd. ("Ta Chen"), and Chia Far and any of their affiliates in accordance with section 351.213 of the Department's regulations. This review covers imports of subject merchandise from YUSCO, Tung Mung, Ta Chen, and Chia Far. The period of review ("POR") is July 1, 2001 through June 30, 2002.

Our preliminary results of review indicate that Chia Far and YUSCO have sold subject merchandise at less than normal value ("NV") during the POR. Additionally, Tung Mung did not participate in this review. Therefore, we are applying an adverse facts available ("AFA") rate to all sales and entries of Tung Mung's subject merchandise during the POR. Lastly, we have preliminarily determined to rescind the review with respect to Ta Chen, because the evidence on the record indicates that it had no shipments of subject merchandise to the United States during the POR. If these preliminary results are adopted in our final results of this administrative review, we will instruct the U.S. Bureau of Customs and Border Protection ("Customs") to assess antidumping duties on entries of YUSCO's, Chia Far's and Tung Mung's merchandise during the POR, in accordance with 751(a)(2)(C) of the Tariff Act of 1930 ("The Act"), and sections 351.106(c) and 351.212(b) of the Department's regulations.

We invite interested parties to comment on these preliminary results. We will issue the final results no later than 120 days from the date of publication of this notice.

**EFFECTIVE DATE:** August 6, 2003.

#### FOR FURTHER INFORMATION CONTACT:

Laurel LaCivita (Ta Chen, Tung Mung); Lilit Astvatsatrian (Chia Far); Peter Mueller (YUSCO); or Bob Bolling, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230;

<sup>1</sup> Allegheny Ludlum, AK Steel Corporation (formerly Armco, Inc.) J&L Speciality Steel, Inc., North American Stainless, Butler-Armco Independent Union, Zanesville Armco Independent Union, and the United Steelworkers of America, AFL-CIO/CLC.