of this order and may be classified under HTSUS subheadings 4418.90.40.90, 4421.90.70.40, and 4421.90.98.40. Due to changes in the 2002 HTSUS whereby subheading 4418.90.40.90 and 4421.90.98.40 were changed to 4418.90.45.90 and 4421.90.97.40, respectively, we are adding these subheadings as well.

In addition, this scope language has been further clarified to now specify that all softwood lumber products entered from Canada claiming non-subject status based on U.S. country of origin will be treated as non-subject U.S.-origin merchandise under the antidumping and countervailing duty orders, provided that these softwood lumber products meet the following conditions: upon entry, the importer, exporter, Canadian processor and/or original U.S. producer establish to CBP that all softwood lumber products entered from Canada claiming non-subject status based on U.S.-origin lumber on file in the Central Records Unit, Room B-099 of the main Commerce Building.

DEPARTMENT OF COMMERCE

International Trade Administration

[C–475–821]

Certain Stainless Steel Wire Rod from Italy: Amended Final Countervailing Duty Determination in Accordance with Decision upon Remand

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

EFFECTIVE DATE: June 21, 2005.


SUPPLEMENTARY INFORMATION: Following publication of the Final Affirmative Countervailing Duty Determination: Certain Stainless Steel Wire Rod from Italy, 63 FR 40474 (July 29, 1998) (Final Determination), and Notice of Countervailing Duty Order: Stainless Steel Wire Rod from Italy, 63 FR 49334 (September 15, 1998) (CVD Order), AL Tech Specialty Steel Corp., Carpenter Technology Corp., Republic Engineered Steels, Talley Metals Technology, Inc. and United Steel Workers of America, AFL–CIO/CLC (collectively, AL Tech), the petitioners in this case, and the respondents, Acciaierie Valbruna S.r.l. and Acciaierie Di Bolzano S.p.A. (collectively, Valbruna/Bolzano), challenged the Department’s Final Determination before the U.S. Court of International Trade (CIT).

The Draft Final Results Pursuant to Remand (Draft Results) were released to parties on October 22, 2004. On October 27, 2004, the Department responded to the CIT’s Order of Remand by filing the Remand Results. As a result of the remand redetermination, the net subsidy rate for Valbruna/Bolzano was revised from 1.28 to 0.65 percent ad valorem, which is de minimis.

On December 1, 2004, the CIT received comments from petitioners and respondents. On December 21, 2004, the Department responded to these comments. On March 9, 2005, the CIT affirmed the Department’s findings in the Remand Results. See AL Tech II, Slip Op. 05–30 (CIT March 9, 2005).

Amended Final Determination

As a result, we have recalculated the ad valorem subsidy rate for stainless steel wire rod from Italy for the period January 1, 1996, through December 31, 1996, for Valbruna/Bolzano. The revised net subsidy rate is 0.65 percent ad valorem, which is de minimis.

The Department has been enjoined from issuing any liquidation instructions to the U.S. Customs and Border Protection (CBP) until the conclusion of litigation of this case. Litigation has been completed, and, therefore, the Department will now instruct CBP to liquidate all relevant entries from Acciaierie Valbruna S.r.l. (Valbruna) and Acciaierie Di Bolzano S.p.A. (Bolzano) without regard to countervailing duties. The Department will issue liquidation instructions directly to CBP.

This amendment to the final countervailing duty determination is in accordance with section 705(d) of the Tariff Act of 1930, as amended (19 U.S.C. 1671d(d)), and § 351.210(c) of the Department’s regulations.

Dated: June 15, 2005.

Joseph A. Spetrini,
Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Timing of Assessment Instructions for Antidumping Duty Orders Involving Non–Market Economy Countries

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

ACTION: Request for comments.

See the scope clarification message (3034202), dated February 3, 2003, to CBP, regarding treatment of U.S.-origin lumber on file in the Central Records Unit, Room B-099 of the main Commerce Building.