(9) If you are a U.S. producer of the Domestic Like Product, provide the following information on your firm's operations on that product during calendar year 2010, except as noted (report quantity data in pounds and value data in U.S. dollars, f.o.b. plant).

If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the Domestic Like Product accounted for by your firm's production;

(b) Capacity (quantity) of your firm to produce the Domestic Like Product (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) the quantity and value of U.S. commercial shipments of the Domestic Like Product produced in your U.S. plant(s);

(d) the quantity and value of U.S. internal consumption/company transfers of the Domestic Like Product produced in your U.S. plant(s); and

(e) the value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the Domestic Like Product produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S. importers of the Subject Merchandise from the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2010 (report quantity data in pounds and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping and/or countervailing duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. commercial shipments of Subject Merchandise imported from the Subject Country; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping and/or countervailing duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from the Subject Country.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2010 (report quantity data in pounds and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping or countervailing duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in the Subject Country accounted for by your firm’s(s’) production;

(b) Capacity (quantity) of your firm to produce the Subject Merchandise in the Subject Country (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) the quantity and value of your firm’s(s’) exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) exports.

(12) Identify significant changes, if any, in the supply and demand conditions or business cycle for the Domestic Like Product that have occurred in the United States or in the market for the Subject Merchandise in the Subject Country after 2004, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Product produced in the United States, Subject Merchandise produced in the Subject Country, and such merchandise from other countries.

(13) (Optional) A statement of whether you agree with the above definitions of the Domestic Like Product and Domestic Industry; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission’s rules.

By order of the Commission.


Marilyn R. Abbott,
Secretary to the Commission.

[FR Doc. 2010–12697 Filed 12–30–10; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731–TA–457–A–D (Third Review)]

Heavy Forged Hand Tools From China


ACTION: Institution of five-year reviews concerning the antidumping duty orders on heavy forged hand tools from China.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty orders on heavy forged hand tools from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission:

1 No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 11–5–235, expiration date June 30, 2011. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade
be assured of consideration, the
deadline for responses is February 2,
2011. Comments on the adequacy of
responses may be filed with the
Commission by March 18, 2011. For
further information concerning the
conduct of these reviews and rules of
general application, consult the
Commission’s Rules of Practice and
Procedure, part 201, subparts A through
E (19 CFR part 201), and part 207,
subparts A, D, E, and F (19 CFR part
207), as most recently amended at 74 FR
2847 (January 16, 2009).

DATES: Effective Date: January 3, 2011.

FOR FURTHER INFORMATION CONTACT:
Mary Messer (202–205–3193), Office of
Investigations, U.S. International Trade
Commission, 500 E Street, SW.,
Washington, DC 20436. Hearing-
impaired persons can obtain
information on this matter by contacting
the Commission’s TDD terminal on
202–205–1810. Persons with mobility
impairments who will need special
assistance in gaining access to the
Commission should contact the Office

General information concerning the
Commission may also be obtained by
accessing its Internet server (http://
www.usitc.gov). The public record for
these reviews may be viewed on the
Commission’s electronic docket (EDIS)

SUPPLEMENTARY INFORMATION:
Background.—On February 19, 1991,
the Department of Commerce
(“Commerce”) issued antidumping duty
orders on imports of the following
classes or kinds of heavy forged hand
tools from China: (1) Axes and adzes,
(2) bars and wedges, (3) hammers and
sledges, and (4) picks and mattocks (56
FR 6622). Following the first five-year
reviews by Commerce and the
Commission, effective August 10, 2000,
Commerce issued a continuation of the
antidumping duty order on imports of
heavy forged hand tools from China (65
FR 48962). Following second five-year
reviews by Commerce and the
Commission, effective February 16,
2006, Commerce issued a continuation of
the antidumping duty orders on
imports of heavy forged hand tools from
China (71 FR 8276). The Commission is
now conducting third reviews to
determine whether revocation of the
orders would be likely to lead to
continuation or recurrence of material
injury to the domestic industry within
a reasonably foreseeable time. It will
assess the adequacy of interested party
responses to this notice of institution to
determine whether to conduct full
reviews or expedited reviews. The
Commission’s determinations in any
expedited reviews will be based on the
facts available, which may include
information provided in response to this
notice.

Definitions.—The following
definitions apply to these reviews:
(1) Subject Merchandise is the class or
kind of merchandise that is within the
scope of the five-year reviews, as
defined by Commerce.
(2) The Subject Country in these
reviews is China.
(3) The Domestic Like Product is the
domestically produced product or
products which are like, or in the
absence of like, most similar in
characteristics and uses with, the
Subject Merchandise. In its original
determinations, its full first five-year
review determinations, and its
expedited second five-year review
determinations, the Commission found
four Domestic Like Products: (1) Axes,
adzes, and hewing tools, other than
machetes, with or without handles;
(2) bar tools, track tools, and wedges;
(3) hammers and sledges, with heads
weighing two pounds or more, with or
without handles; and (4) picks and
mattocks, with or without handles.
(4) The Domestic Industry is the U.S.
producers as a whole of the Domestic
Like Product, or those producers whose
collective output of the Domestic Like
Product constitutes a major proportion
of the total domestic production of the
product. In its original determinations,
its full first five-year review
determinations, and its expedited
second five-year review determinations,
the Commission found four Domestic
Industries: (1) Domestic producers of
axes, adzes and hewing tools, other than
machetes, with or without handles;
(2) domestic producers of bar tools,
track tools, and wedges; (3) domestic
producers of hammers and sledges, with
heads weighing two pounds or more,
with or without handles; and (4)
domestic producers of picks and
mattocks, with or without handles.
The Commission excluded from the
Domestic Industries companies that do
not m ore than assemble imported heads
with handles purchased from a
domestic manufacturer. In the original
determinations, the Commission also
excluded one domestic producer,
Madison Mill, from the Domestic
Industries under the related parties
provision. In the first reviews, the
Commission did not find that Madison
Mill engaged in activities to considered a
domestic producer.

(5) An Importer is any person or firm
engaged, either directly or through a
parent company or subsidiary, in
importing the Subject Merchandise into
the United States from a foreign
manufacturer or through its selling
agent.

Participation in the reviews and
public service list.—Persons, including
industrial users of the Subject
Merchandise and, if the merchandise is
sold at the retail level, representative
consumer organizations, wishing to
participate in the reviews as parties
must file an entry of appearance with
the Secretary to the Commission, as
provided in section 201.11(b)(4) of the
Commission’s rules, no later than 21
days after publication of this notice in
the Federal Register. The Secretary will
maintain a public service list containing
the names and addresses of all persons,
or their representatives, who are parties
to the reviews.

Former Commission employees who
are seeking to appear in Commission
five-year reviews are advised that they
may appear in a review even if they
participated personally and
substantially in the corresponding
underlying original investigation. The
Commission’s designated agency ethics
official has advised that a five-year
review is not considered the “same
particular matter” as the corresponding
underlying original investigation for
purposes of 18 U.S.C. 207, the post
employment statute for Federal
employees, and Commission rule
201.15(b) (19 CFR 201.15(b)), 73 FR
24609 (May 5, 2008). This advice was
developed in consultation with the
Office of Government Ethics.

Consequently, former employees are not
required to seek Commission approval
to appear in a review under Commission
rule 19 CFR 201.15, even if the
Corresponding underlying original
investigation was pending when they
were Commission employees. For
further ethics advice on this matter,
contact Carol McCue Verratti, Deputy
Agency Ethics Official, at 202–205–
3088.

Limited disclosure of business
proprietary information (BPI) under an
administrative protective order (APO)
and APO service list.—Pursuant to
section 207.7(a) of the Commission’s
rules, the Secretary will make BPI
submitted in these reviews available to
authorized applicants under the APO
issued in the reviews, provided that the
application is made no later than 21
days after publication of this notice in
the Federal Register. Authorized
applicants must represent interested
parties, as defined in 19 U.S.C. 1677(9),
who are parties to the reviews. A
separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification.—Pursuant to section 207.3 of the Commission’s rules, any person submitting information to the Commission in connection with these reviews must certify that the information is accurate and complete to the best of the submitter’s knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions.—Pursuant to section 207.61 of the Commission’s rules, any party response to this notice must provide the information specified below. The deadline for filing such responses is February 2, 2011. Pursuant to section 207.62(b) of the Commission’s rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is March 18, 2011. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission’s rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 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, except to the extent permitted by section 201.8 of the Commission’s rules, as amended, 67 FR 68036 (November 8, 2002). Also, in accordance with sections 201.16(c) and 207.3 of the Commission’s rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the reviews you do not need to serve your response).

Inability to provide requested information.—Pursuant to section 207.61(c) of the Commission’s rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determinations in the reviews.

Information to be Provided in Response to this Notice of Institution: Please provide the requested information separately for each Domestic Like Product, as defined by the Commission in its determinations, and for each of the products identified by Commerce as Subject Merchandise. As used below, the term “firm” includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address, if any) and the name, telephone number, fax number, and e-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the Domestic Like Products, a U.S. union or worker group, a U.S. importer of the Subject Merchandise, a foreign producer or exporter of the Subject Merchandise, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in these reviews by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty orders on the Domestic Industries in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of Subject Merchandise on the Domestic Industries.

(5) A list of all known and currently operating U.S. producers of the Domestic Like Products. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the Subject Merchandise and producers of the Subject Merchandise in the Subject Country that currently export or have exported Subject Merchandise to the United States or other countries after 2004.

(7) A list of 3–5 leading purchasers in the U.S. market for the Domestic Like Products and the Subject Merchandise (including street address, World Wide Web address, and the name, telephone number, fax number, and e-mail address of a responsible official at each firm).

(8) A list of known sources of information on national or regional prices for the Domestic Like Products or the Subject Merchandise in the U.S. or other markets.

(9) If you are a U.S. producer of the Domestic Like Products, provide the following information on your firm’s operations on that product during calendar year 2010, except as noted (report quantity data in units and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the Domestic Like Products accounted for by your firm(s)’ production;

(b) Capacity (quantity) of your firm to produce the Domestic Like Products (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix);

(c) The quantity and value of U.S. commercial shipments of the Domestic Like Products produced in your U.S. plant(s);

(d) The quantity and value of U.S. internal consumption/company transfers of the Domestic Like Products produced in your U.S. plant(s) and the Domestic Industries; and

(e) The value of (i) net sales, (ii) cost of goods sold (COGS), (iii) gross profit, (iv) selling, general and administrative (SG&A) expenses, and (v) operating income of the Domestic Like Products produced in your U.S. plant(s) (include both U.S. and export commercial sales, internal consumption, and company transfers) for your most recently completed fiscal year (identify the date on which your fiscal year ends).

(10) If you are a U.S. importer or a trade/business association of U.S.
importers of the Subject Merchandise from the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2010 (report quantity data in units and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) imports;

(b) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of Subject Merchandise imported from the Subject Country; and

(c) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of Subject Merchandise imported from the Subject Country.

(11) If you are a producer, an exporter, or a trade/business association of producers or exporters of the Subject Merchandise in the Subject Country, provide the following information on your firm’s(s’) operations on that product during calendar year 2010 (report quantity data in units and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of Subject Merchandise in the Subject Country accounted for by your firm’s(s’) production;

(b) Capacity (quantity) of your firm to produce the Subject Merchandise in the Subject Country (i.e., the level of production that your establishment(s) could reasonably have expected to attain during the year, assuming normal operating conditions (using equipment and machinery in place and ready to operate), normal operating levels (hours per week/weeks per year), time for downtime, maintenance, repair, and cleanup, and a typical or representative product mix); and

(c) The quantity and value of your firm’s(s’) exports to the United States of Subject Merchandise and, if known, an estimate of the percentage of total exports to the United States of Subject Merchandise from the Subject Country accounted for by your firm’s(s’) exports.

(12) Identify significant changes, if any, in the supply and demand, conditions or business cycle for the Domestic Like Products that have occurred in the United States or in the market for the Subject Merchandise in the Subject Country after 2004, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the Domestic Like Products produced in the United States, Subject Merchandise produced in the Subject Country, and such merchandise from other countries.

(13) (Optional) A statement of whether you agree with the above definitions of the Domestic Like Products and Domestic Industries; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission’s rules.

By order of the Commission.


Marilyn R. Abbott,
Secretary to the Commission.

[FR Doc. 2010–32699 Filed 12–30–10; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

INVESTIGATION NO. 731–TA–663 (THIRD REVIEW)

PAPER CLIPS FROM CHINA


ACTION: Institution of a five-year review concerning the antidumping duty order on paper clips from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on paper clips from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; 1 to be assured of consideration, the deadline for responses is February 2, 2011. Comments on the adequacy of responses may be filed with the Commission by March 18, 2011. For further information concerning the conduct of this review and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207), as most recently amended at 74 FR 2847 (January 16, 2009).

DATES: Effective Date: January 3, 2011.

FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission’s TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 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 review may be viewed on the Commission’s electronic docket (EDIS) at http://edis.usitc.gov.

SUPPLEMENTARY INFORMATION:

Background.—On November 25, 1994, the Department of Commerce (“Commerce”) issued an antidumping duty order on imports of paper clips from China (59 FR 60606). Following five-year reviews by Commerce and the Commission, effective August 15, 2000, Commerce issued a continuation of the antidumping duty order on imports of paper clips from China (65 FR 49784). Following second five-year reviews by Commerce and the Commission, effective February 7, 2006, Commerce issued a continuation of the antidumping duty order on imports of paper clips from China (71 Fed. Reg. 16755). Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission; 1 to be assured of consideration, the deadline for responses is February 2, 2011. Comments on the adequacy of responses may be filed with the Commission by March 18, 2011. For further information concerning the conduct of this review and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207), as most recently amended at 74 FR 2847 (January 16, 2009).

1 No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 11–5–237, expiration date June 30, 2011. Public reporting burden for the request is estimated to average 15 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.