

before the 150th day of the filing of the petition, as opposed to the 120th day. Having made the determination on January 15, 1999, the Commission met the statutory requirement that it make such determination before the 100th day after the petition was filed. Under the revised schedule, the vote on injury in the investigation will be announced in a separate **Federal Register** notice. The dates for the hearing in the remedy phase, should this phase be necessary, and for filing prehearing and posthearing briefs and other submissions relating to remedy, are the same as previously announced.

EFFECTIVE DATE: January 15, 1999.

FOR FURTHER INFORMATION CONTACT: Valerie Newkirk (202-205-3190), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the TDD terminal on (202-205-1810).

Notice of institution of the investigation and scheduling was published in the **Federal Register** of October 23, 1998 (63 FR 56940).

Issued: January 19, 1999.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 99-1634 Filed 1-22-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigations Nos. 701-TA-386 and 731-TA-812-813 (Preliminary)]

Live Cattle From Canada and Mexico Determinations

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission determines, pursuant to sections 703(a) and 733(a) of the Tariff Act of 1930 (19 U.S.C. 1671b(a) and 19 U.S.C. 1673b(a)), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of live cattle, provided for in subheading 0102.90.40 of the Harmonized Tariff Schedule of the United States, with the exception of statistical reporting numbers 0102.90.40.72 and 0102.90.40.74, that are alleged to be subsidized by the Government of Canada, and by imports of live cattle from Canada that are

alleged to be sold in the United States at less than fair value (LTFV).² The Commission determines that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of imports of live cattle from Mexico that are alleged to be sold in the United States at LTFV.³

Commencement of Final Phase Investigations

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of the investigations on Canada. The Commission will issue a final phase notice of scheduling that 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 (Commerce) of affirmative preliminary determinations in these investigations under sections 703(b) and 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in these investigations under sections 703(b) and 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of these investigations need not enter a separate appearance for the final phase of these investigations. 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 investigations.

Background

On November 12, 1998, a petition was filed with the Commission and the Department of Commerce by the Ranchers-Cattlemen Action Legal Foundation ("R-Calf"), Columbus, MT, alleging that an industry in the United States is materially injured by reason of imports from Canada of live cattle that are alleged to be subsidized by the Government of Canada, and imports from Canada and Mexico of live cattle that are alleged to be sold at LTFV. Accordingly, effective November 12, 1998, the Commission instituted countervailing and antidumping

investigations Nos. 701-TA-386 and 731-TA-812-813 (Preliminary).

Notice of the institution of the Commission's investigations 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 November 19, 1998 (63 FR 64277). The conference was held in Washington, DC, on December 2, 1998, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in these investigations to the Secretary of Commerce on January 19, 1999. The views of the Commission are contained in USITC Publication 3155 (February 1999), entitled Live Cattle from Canada and Mexico: Investigations Nos. 701-TA-386 and 731-TA-812-813 (Preliminary).

Issued: January 20, 1999.

By order of the Commission.

Donna R. Koehnke,
Secretary.

[FR Doc. 99-1635 Filed 1-22-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-418]

Certain Rodent Bait Stations and Components Thereof; 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 December 23, 1998, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, on behalf of Bell Laboratories, Inc., 3699 Kinsman Blvd., Madison, Wisconsin 53704. A supplement to the complaint was filed on January 11, 1999. 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 rodent bait stations and components thereof by reason of infringement of claims 19 and 22 of U.S. Letters Patent 5,040,327, and claims 4, 5, 6, 7, and 8 of U.S. Letters Patent 5,448,852. The complaint further alleges that there exists an industry in

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

² Commissioners Carol T. Crawford and Thelma J. Askey dissenting.

³ Chairman Lynn M. Bragg dissenting.

the United States as required by subsection (a)(2) of section 337.

The complainant requests 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 advised that information on this matter can be obtained 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 be obtained by accessing its internet server (<http://www.usitc.gov>).

FOR FURTHER INFORMATION CONTACT: Steven A. Glazer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone 202-205-2577.

SUPPLEMENTARY INFORMATION:

Authority

The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (1998).

Scope of Investigation

Having considered the complaint, the U.S. International Trade Commission, on January 20, 1999, Ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain rodent bait stations or components thereof by reason of infringement of claims 19 or 22 of U.S. Letters Patent 5,040,327, or claims 4, 5, 6, 7, or 8 of U.S. Letters Patent 5,448,852, and whether there exists an industry in the United States as required by subsection (a)(2) of section 337.

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which

this notice of investigation shall be served:

(a) The complainant is—Bell Laboratories, Inc., 3699 Kinsman Blvd., Madison, Wisconsin 53704.

(b) The respondents are the following companies alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Aegis Research Ltd., U.K., International Headquarters, Unit 2, Cologne Court, Brooklands Close, Windmill Road, Sunbury-On-Thames TW16 7EB, United Kingdom.
Aegis Research Ltd., U.S., Suite 4, 101 Weston Drive, Dover, Delaware 19904-2764.

(c) Steven A. Glazer, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Room 401-K, Washington, D.C. 20436, who shall be the Commission investigative attorney, party to this investigation; and

(3) For the investigation so instituted, the Honorable Paul J. Luckern is designated as the presiding administrative law judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with § 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(d) and 210.13(a) of the Commission's Rules, such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter both an initial determination and a final determination containing such findings, and may result in the issuance of a limited exclusion order or a cease and desist order or both directed against such respondent.

By order of the Commission.

Issued: January 20, 1999.

Donna R. Koehnke,

Secretary.

[FR Doc. 99-1638 Filed 1-22-99; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-750 (Final) (Remand)]

Vector Supercomputers From Japan; 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 court-ordered remand of its final antidumping investigation No. 731-TA-750 (Final).

EFFECTIVE DATE: January 19, 1999.

FOR FURTHER INFORMATION CONTACT:

Valerie Newkirk, Office of Investigations, telephone 202-205-3190 or Cynthia P. Johnson, Office of General Counsel, telephone 202-205-3098, 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. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>).

SUPPLEMENTARY INFORMATION

Background

On December 15, 1998, the United States Court of International Trade ("CIT") issued a remand Order to the Commission in NEC Corporation and HSNX Supercomputers, Inc., and Fujitsu Limited and Fujitsu America, Inc., v. Department of Commerce & U.S. International Trade Commission, Consol. Ct. No. 97-11-01967, Slip. Op. 98-164. That case involved review of the Commission's October 1997 affirmative determination in Vector Supercomputers from Japan, Inv. No. 731-TA-750 (Final). The CIT held that it could not uphold the Supercomputers determination because the Commission "may have adopted" reasoning that "is contradictory to the 'by reason of' standard adopted by the Federal Circuit." NEC, Slip Op. 98-164 at 30. In addition, the CIT held that the Commission "did not apply the analysis mandated by the Federal Circuit" in examining the price effects of future imports. Id. at 31. Accordingly, the CIT remanded the Commission's threat of material injury determination for further explanation or reconsideration.

Participation in the Proceedings

Only those persons who were parties to the original administrative