

7, has made application to the Board for authority to establish special-purpose subzone status at the pharmaceutical manufacturing plant of MOVA Pharmaceutical Corporation, located in Manatí, Puerto Rico (FTZ Docket 38–2007, filed 8/14/07);

Whereas, notice inviting public comment has been given in the **Federal Register** (72 FR 49255, 8/28/07); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants authority for subzone status for activity related to pharmaceutical manufacturing at the MOVA Pharmaceutical Corporation, facility located in Manatí, Puerto Rico (Subzone 7L), as described in the application and **Federal Register** notice, and subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 19th day of March, 2008.

David M. Spooner,

Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.

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DEPARTMENT OF COMMERCE

International Trade Administration

A–570–803

13th Administrative Review of Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, from the People's Republic of China: Notice of Amended Final Results of Sales at Less Than Fair Value and Antidumping Duty Order Pursuant to Court Decision

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

EFFECTIVE DATE: April 1, 2008.

FOR FURTHER INFORMATION CONTACT: Paul Walker, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: 202- 482–0413.

SUPPLEMENTARY INFORMATION:

Background

This matter arose from a challenge to the results in the Department of Commerce's (the "Department") *Heavy*

Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China: Final Results of Antidumping Duty Administrative Reviews and Final Rescission and Partial Rescission of Antidumping Duty Administrative Reviews, 70 FR 54897 (September 19, 2005) ("Final Results"), and accompanying Issues and Decisions Memorandum, covering the period of review ("POR"), February 1, 2003 January 31, 2004. Following publication of the *Final Results*, the Petitioner, Ames True Temper Inc. ("Ames"), filed a lawsuit with the Court of International Trade ("CIT") challenging the Department's *Final Results*. Ames contested several aspects of the *Final Results*, including the Department's decision to only use certain factors of production ("FOPs") to value Shandong Huarong Machinery Co., Ltd.'s self-produced, metal pallets.

On August 31, 2007 the CIT directed the Department to reopen the record and obtain additional evidence regarding Huarong's production of metal pallets. See *Ames True Temper v. United States*, 2007 Ct. Int'l Trade LEXIS 131, Slip Op. 2007–133 (CIT 2007) ("Ames").

Pursuant to the CIT's remand instructions, we issued supplemental questionnaires on September 19, 2007 and October 19, 2007. Huarong responded to the questionnaires on October 17, 2007 and October 26, 2007, respectively. In the supplemental questionnaires the Department requested: (a) consumption ratios for all factors of production ("FOPs") associated with the production of pallets used in packing and shipping heavy forged hand tools; (b) information to select surrogate values for any unreported pallet making FOPs; and, (c) supplier distances for any unreported pallet making FOPs.

The Department released the *Draft Results of Redetermination Pursuant to Court Remand* to Ames and Huarong for comment on November 16, 2007. No party submitted comments. On November 28, 2007 the Department filed its final results of redetermination pursuant to remand in *Ames* with the CIT. See *Final Results of Redetermination Pursuant to Court Remand*, Court No. 05–00581 (November 28, 2007) ("Final Redetermination"), found at <http://ia.ita.doc.gov/remands/07–133.pdf>. In the remand redetermination, the Department determined that welding wire was consumed in Huarong's pallet making process and that welding wire should have been reported by Huarong as a FOP during the thirteenth review. The Department valued welding wire

using publicly available Indian import statistics for February 2003 - January 2004 from the *World Trade Atlas* ("WTA"). Thus, the Department included the cost of welding wire in Huarong's normal value, including freight costs associated with Huarong's purchases of the welding wire. On January 18, 2008 the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT's remand of the *Final Results*. See *Ames True Temper v. United States*, Slip Op. 08–8 (CIT 2008).

On January 30, 2008, consistent with the decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the Court's decision was not in harmony with the Department's final results. See *Heavy Forged Hand Tools from the People's Republic of China: Notice of Court Decision Not In Harmony With Final Results of Administrative Review*, 73 FR 5514 (January 30, 2008). No party appealed the CIT's decision. As there is now a final and conclusive court decision in this case, we are amending our *Final Results*.

Amended Final Results

As the litigation in this case has concluded, the Department is amending the *Final Results* to reflect the results of our remand determination. The revised dumping margin for the order on axes/adzes in the amended final results is as follows:

Exporter	Margin
Shandong Huarong Machinery Co., Ltd.	175.04%

The PRC-wide rate continues to be 175.04 percent as determined in the Department's *Final Results*. The Department intends to issue instructions to U.S. Customs and Border Protection ("CBP") fifteen days after publication of this notice, to revise the cash deposit rates for the company listed above, effective as of the publication date of this notice. Because Huarong obtained a preliminary injunction, we will also instruct CBP to liquidate all entries at the appropriate rate.¹

This notice is published in accordance with sections 735(d) and 777(i) of the Tariff Act of 1930, as amended.

¹ We will not issue liquidation instructions with respect to any other heavy forged handtools order, i.e., bars/wedges, picks/mattocks and hammers/sledges.

Dated: March 14, 2008.

David M. Spooner,

Assistant Secretary for Import
Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity To Request Administrative Review

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

FOR FURTHER INFORMATION CONTACT:

Sheila E. Forbes, Office of AD/CVD
Operations, Customs Unit, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution
Avenue, NW., Washington, DC 20230,
telephone: (202) 482-4697.

Background

Each year during the anniversary
month of the publication of an
antidumping or countervailing duty
order, finding, or suspension of
investigation, an interested party, as
defined in section 771(9) of the Tariff
Act of 1930, as amended (the Act), may
request, in accordance with section
351.213 (2007) of the Department of

Commerce (the Department)
Regulations, that the Department
conduct an administrative review of that
antidumping or countervailing duty
order, finding, or suspended
investigation.

Opportunity To Request a Review: Not
later than the last day of April 2008,¹
interested parties may request
administrative review of the following
orders, findings, or suspended
investigations, with anniversary dates in
April for the following periods:

	Period
Antidumping Duty Proceedings	
France: Sorbitol A-427-001	4/1/07-3/31/08
Norway: Fresh and Chilled Atlantic Salmon, A-403-801	4/1/07-3/31/08
The People's Republic of China:	
Activated Carbon, A-570-904	10/11/06-3/31/08
Automotive Replacement Glass Windshields, A-570-867	4/1/07-4/3/07
Brake Rotors, A-570-846	4/1/07-3/31/08
Magnesium Metal, A-570-896	4/1/07-3/31/08
Non-Malleable Cast Iron Pipe Fittings, A-570-875	4/1/07-3/31/08
Russia: Magnesium Metal, A-821-819	4/1/07-3/31/08
Turkey: Certain Steel Concrete Reinforcing Bars, A-489-807	4/1/07-3/31/08
Countervailing Duty Proceedings	
Norway: Fresh and Chilled Atlantic Salmon, C-403-802	1/1/07-12/31/07

Suspension Agreements

None

In accordance with section 351.213(b)
of the regulations, an interested party as
defined by section 771(9) of the Act may
request in writing that the Secretary
conduct an administrative review. For
both antidumping and countervailing
duty reviews, the interested party must
specify the individual producers or
exporters covered by an antidumping
finding or an antidumping or
countervailing duty order or suspension
agreement for which it is requesting a
review, and the requesting party must
state why it desires the Secretary to
review those particular producers or
exporters.² If the interested party
intends for the Secretary to review sales
of merchandise by an exporter (or a
producer if that producer also exports
merchandise from other suppliers)
which were produced in more than one
country of origin and each country of
origin is subject to a separate order, then

the interested party must state
specifically, on an order-by-order basis,
which exporter(s) the request is
intended to cover.

Please note that, for any party the
Department was unable to locate in
prior segments, the Department will not
accept a request for an administrative
review of that party absent new
information as to the party's location.
Moreover, if the interested party who
files a request for review is unable to
locate the producer or exporter for
which it requested the review, the
interested party must provide an
explanation of the attempts it made to
locate the producer or exporter at the
same time it files its request for review,
in order for the Secretary to determine
if the interested party's attempts were
reasonable, pursuant to 19 CFR
351.303(f)(3)(ii).

As explained in *Antidumping and
Countervailing Duty Proceedings:
Assessment of Antidumping Duties*, 68

FR 23954 (May 6, 2003), the Department
has clarified its practice with respect to
the collection of final antidumping
duties on imports of merchandise where
intermediate firms are involved. The
public should be aware of this
clarification in determining whether to
request an administrative review of
merchandise subject to antidumping
findings and orders. See also the Import
Administration Web site at [http://
ia.ita.doc.gov](http://ia.ita.doc.gov).

Six copies of the request should be
submitted to the Assistant Secretary for
Import Administration, International
Trade Administration, Room 1870, U.S.
Department of Commerce, 14th Street &
Constitution Avenue, NW., Washington,
DC 20230. The Department also asks
parties to serve a copy of their requests
to the Office of Antidumping/
Countervailing Operations, Attention:
Sheila Forbes, in room 3065 of the main
Commerce Building. Further, in
accordance with section 351.303(f)(1)(i)

¹ Or the next business day, if the deadline falls
on a weekend, federal holiday or any other day
when the Department is closed.

² If the review request involves a non-market
economy and the parties subject to the review
request do not qualify for separate rates, all other
exporters of subject merchandise from the non-

market economy country who do not have a
separate rate will be covered by the review as part
of the single entity of which the named firms are
a part.