

Subsequent to the Department's *Final Results*, respondents filed a complaint before the NAFTA Panel challenging these results. Thereafter, the NAFTA Panel issued an Order and Opinion dated March 27, 2002. See *Pure Magnesium from Canada*, Secretariat File No. USA-CDA-00-1904-06, ("First Remand"). On May 28, 2002, the Department released final results of determination pursuant to NAFTA Panel remand of the sunset review of the antidumping duty order on pure magnesium from Canada. On October 15, 2002, the NAFTA Panel issued its second remand redetermination in the Canadian magnesium antidumping order sunset case concerning two issues. See *Decision of the Panel Concerning the Remand Determination by the Department of Commerce, Pure Magnesium From Canada*, File USA-CDA-00-1904-07 (Oct. 15, 2002), at 3, ("Second Remand"). On January 28, 2003, the Department's filed its second redetermination on remand with the NAFTA Secretariat. On April 28, 2003, the NAFTA Panel remanded an affirmative determination by the Department with instructions to revoke the antidumping order on pure magnesium from Canada. On June 24, 2003, the NAFTA Panel modified the Panel's Decision and Order issued on April 28, 2003.

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 CIT decision which is "not in harmony" with the Department's results. *Timken*, 893 F.2d at 340. Because NAFTA panels step into the shoes of the courts they are replacing, they must apply the law of the national court that would otherwise review the administrative determination. Therefore, we are publishing notice that the NAFTA Panel's decision in *Pure Magnesium from Canada, Third Remand* is "not in harmony" with the Department's sunset results. 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 an Extraordinary Challenge Committee panel request ("ECC panel request") is not filed, or if an ECC panel request is filed, and the NAFTA panel's decision is upheld, the Department will publish amended final sunset review results revoking the antidumping order on pure magnesium from Canada.

Dated: July 10, 2003.

Jeffrey A. May,

Acting Assistant Secretary for Grant Aldonas,
Under Secretary.

[FR Doc. 03-18016 Filed 7-15-03; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-809]

Certain Forged Stainless Steel Flanges From India: Final Results and Partial Rescission of Antidumping Duty Administrative Review

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

ACTION: Notice of final results and partial rescission of antidumping duty administrative review of certain forged stainless steel flanges from India.

SUMMARY: The Department of Commerce ("the Department") has conducted an administrative review of the antidumping duty order on certain forged stainless steel flanges from India (A-533-809) produced and/or exported by Echjay Forgings Pvt. Ltd. ("Echjay"), Viraj Forgings Ltd. ("Viraj"), Snowdrop Trading Pvt. Ltd. ("Snowdrop"), Bhansali Ferromet Pvt. Ltd. ("Bhansali"), Panchmahal Steel Ltd. ("Panchmahal"), Metal Forgings Rings & Bearings Pvt. Ltd. ("MF"), and Patheja Forgings and Auto Parts, Ltd. ("Patheja"). The period of review (POR) is February 1, 2001, through January 31, 2002. Based on our analysis of comments received, these final results differ from the Preliminary Results for Echjay. The final results are listed below in the "Final Results of Review" section.

EFFECTIVE DATE: July 16, 2003.

FOR FURTHER INFORMATION CONTACT:

Helen Kramer at (202) 482-0405 (Snowdrop), Shireen Pasha at (202) 482-0193 (Echjay), or Dena Aliadinov at (202) 482-3362 (Viraj), Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Ave, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On March 10, 2003, the Department published the preliminary results and partial rescission of its administrative review of the antidumping duty order on certain forged stainless steel flanges ("SS flanges") from India. See *Notice Of Preliminary Results And Partial*

Rescission Of Antidumping Duty Administrative Review, 68 FR 11361 (March 10, 2003) ("Preliminary Results").

We invited parties to comment on the *Preliminary Results*. On April 9, 2002, we received case briefs from Echjay and Snowdrop. On April 15, 2003, we returned the case brief submitted by Echjay to its counsel, requesting that Echjay delete all new information and resubmit the brief by 8:30 a.m. on April 16, 2003. On April 16, 2003, the Department received the revised case brief from counsel on behalf of Echjay. A public hearing was held on April 16, 2003. We note that Viraj did not submit a brief.

Partial Rescission

In our preliminary results, we announced our preliminary decision to rescind the review with respect to Bhansali, Panchmahal, MF, and Patheja, because these companies apparently had no entries of SS flanges from India during the POR. See *Preliminary Results* 68 FR at 11362. We have received no new information contradicting the decision. Therefore, we are rescinding the administrative review with respect to Bhansali, Panchmahal, MF and Patheja.

Scope of the Review

The products under review are certain forged stainless steel flanges, both finished and not finished, generally manufactured to specification ASTM A-182, and made in alloys such as 304, 304L, 316, and 316L. The scope includes five general types of flanges. They are weld-neck, used for butt-weld line connection; threaded, used for threaded line connections; slip-on and lap joint, used with stub-ends/butt-weld line connections; socket weld, used to fit pipe into a machined recession; and blind, used to seal off a line. The sizes of the flanges within the scope range generally from one to six inches; however, all sizes of the above-described merchandise are included in the scope. Specifically excluded from the scope of this order are cast stainless steel flanges. Cast stainless steel flanges generally are manufactured to specification ASTM A-351. The flanges subject to this order are currently classifiable under subheadings 7307.21.1000 and 7307.21.5000 of the Harmonized Tariff Schedule (HTS). Although the HTS subheadings are provided for convenience and customs purposes, the written description of the merchandise under review is dispositive of whether or not the merchandise is covered by the review.