

questionnaires which delayed the planned verification schedules and, therefore, will not allow sufficient time to complete the preliminary results by the scheduled deadline of December 31, 2003.

Because it is not practicable to complete this review within the time specified under the Act, we are extending the time period for issuing the preliminary results of review by 60 days until February 29, 2004, in accordance with section 751(a)(3)(A) of the Act. The final results continue to be due 120 days after the publication of the preliminary results.

Dated: October 17, 2003.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration, Group III.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-421-807]

Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands: Notice of Final Court Decision and Suspension of Liquidation

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

ACTION: Notice of Final Court Decision and Suspension of Liquidation.

SUMMARY: On September 29, 2003, in *Corus Staal BV et al. v. United States III*, Consol. Court No. 02-00003, Slip Op. 03-127 (CIT 2003), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) remand determination and entered a final judgment order in regards to *Notice of Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 50408 (October 3, 2001) and accompanying Issues and Decision Memorandum, *as amended*, *Notice of Amended Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 55637 (November 2, 2001) and *Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 59565 (November 29, 2001). In its remand determination the Department explained its practice in calculating the provisional measures time period, *i.e.*, explained its interpretation of the term "6 months" in section 733(d) of the

Tariff Act of 1930, as amended (the Tariff Act). *See* "Final Results of Redetermination Pursuant to Court Remand: Certain Hot-Rolled Carbon Steel Flat Products from the Netherlands," Consol. Court No. 02-00003, Slip Op. 03-25 (CIT 2003) (Final Results of Redetermination).

As a result of the remand determination, the Department will amend the antidumping duty order on certain hot-rolled carbon steel flat products (hot-rolled steel) from the Netherlands to lift suspension of liquidation 180 days from the date of publication of the preliminary determination in the **Federal Register**. Because the preliminary determination was published on May 3, 2001, the amended antidumping duty order will indicate October 30, 2001 as the date of termination of suspension of liquidation in this case. In addition, as a result of the remand determination, the Department will inform the Bureau of Customs and Border Protection (Customs) to lift suspension of liquidation on October 30, 2001, and to resume collection of definitive duties on November 29, 2001, the date of publication of the antidumping duty order in the **Federal Register**.

Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department will continue to order the suspension of liquidation of the subject merchandise until there is a conclusive decision in this case. If this case is not appealed, or if it is affirmed on appeal, the Department will publish an amended antidumping duty order for hot-rolled steel from the Netherlands in accord with its redetermination, and instruct Customs to terminate the suspension of liquidation for the period October 30, 2001 through November 28, 2001 and to resume collection of cash deposits on November 29, 2001.

EFFECTIVE DATE: October 24, 2003.

FOR FURTHER INFORMATION CONTACT: Deborah Scott at (202) 482-2657 or Robert James at (202) 482-0649, Antidumping and Countervailing Duty Enforcement Group III, Office Eight, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On October 3, 2001, the Department published in the **Federal Register** its notice of final determination that sales

of hot-rolled steel from the Netherlands were being sold at less than fair value (LTFV) in the United States, and on November 2, 2001 the Department published an amended final determination regarding the sale of hot-rolled steel from the Netherlands at LTFV in the United States. *See Notice of Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 50408 (October 3, 2001) and accompanying Issues and Decision Memorandum, *as amended*, *Notice of Amended Final Determination of Sales at Less Than Fair Value; Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 55637 (November 2, 2001) (collectively, *Final Determination*). On November 15, 2001, the International Trade Commission (the Commission) published its final determination that an industry in the United States is materially injured by reason of LTFV imports of hot-rolled steel from the Netherlands. *See Hot Rolled Steel Products From China, India, Indonesia, Kazakhstan, The Netherlands, Romania, South Africa, Taiwan, Thailand, and Ukraine*, 66 FR 57482 (November 15, 2001). On November 29, 2001, the Department published the antidumping duty order on hot-rolled steel from the Netherlands. *See Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products From The Netherlands*, 66 FR 59565 (November 29, 2001).

Subsequent to the publication of the Department's antidumping duty order, the petitioners (National Steel Corporation, Bethlehem Steel Corporation, and United States Steel Corporation) and the respondent (Corus Staal BV and Corus Steel USA Inc. (collectively, Corus)) challenged certain aspects of the Department's *Final Determination* before the Court. In addition, the Department requested a voluntary remand with respect to the inadvertent omission of the proper language from the antidumping duty order to cease collection of provisional measures six months after the publication of the preliminary determination, in accordance with section 733(d) of the Tariff Act. Corus also raised this issue, but argued the Department had interpreted the six month provisional measures period as constituting 180 days, as opposed to six calendar months. This issue arose due to the following chain of events: In the underlying investigation, the Department published its preliminary determination on May 3, 2001. *See Notice of Preliminary Determination of Sales at Less Than Fair Value: Certain*