

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-122-840]

**Notice of Extension of Final Results of Antidumping Duty Administrative Review: Carbon and Certain Alloy Steel Wire Rod from Canada**

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

**EFFECTIVE DATE:** October 13, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Salim Bhabhrawala or David Neubacher, at (202) 482-1784 or (202) 482-5823, respectively; AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW., Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:****Statutory Time Limits**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department of Commerce (the Department) to issue (1) the preliminary results of a review within 245 days after the last day of the month in which occurs the anniversary of the date of publication of an order or finding for which a review is requested, and (2) the final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within that time period, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary results to a maximum of 365 days and the final results to a maximum of 180 days (or 300 days if the Department does not extend the time limit for the preliminary results) from the date of the publication of the preliminary results. *See also* 19 CFR 351.213(h)(2).

**Extension of Final Results of Review**

The preliminary results of this review were published on July 20, 2005. We determine that it is not practicable to complete the final results of this review within the original time limits. Due to the complexity of issues present in this administrative review, such as the issues of interest expense and a request to split the reporting period for cost of production, the Department needs more time to address these items and evaluate the issues more thoroughly. Therefore, we are extending the deadline for the final results of the above-referenced review by 60 days and the final results will be issued no later than, Monday,

January 16, 2006. This extension is in accordance with section 751(a)(3)(A) of the Act and 19 CFR 351.213(h)(2).

Dated: October 6, 2005.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5-5605 Filed 10-12-05; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****International Trade Administration****Postponement of Preliminary Determinations of Antidumping Duty Investigations: Diamond Sawblades and Parts Thereof from the People's Republic of China (A-570-900) and the Republic of Korea (A-580-855)**

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

**EFFECTIVE DATE:** October 13, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Carrie Blozy (People's Republic of China) or Mark Manning (Republic of Korea), Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230; telephone: (202) 482-5403 or (202) 482-5253, respectively.

**SUPPLEMENTARY INFORMATION:****Postponement of Preliminary Determinations**

On June 21, 2005, the Department of Commerce ("Department") published the initiation of the antidumping duty investigations of imports of diamond sawblades and parts thereof from the People's Republic of China and the Republic of Korea. *See Initiation of Antidumping Duty Investigations: Diamond Sawblades and Parts Thereof from the People's Republic of China and the Republic of Korea*, 70 FR 35625 (June 21, 2005). The notice of initiation stated that the Department would make its preliminary determinations for these antidumping duty investigations no later than 140 days after the date of issuance of the initiation.

On September 26, 2005, the Diamond Sawblade Manufacturers' Coalition and its individual members ("Petitioners") made timely requests pursuant to 19 CFR 351.205(e) for a fifty-day postponement of these preliminary determinations, until December 20, 2005. Petitioners requested postponement of these preliminary determinations to allow the Department additional time in which to review the

responses and issue requests for clarification and additional information.

For the reasons identified by the Petitioners, and because there are no compelling reasons to deny the request, the Department is postponing these preliminary determinations under section 733(c)(1)(A) of the Tariff Act of 1930, as amended ("the Act"), by fifty days to December 20, 2005. The deadline for these final determinations will continue to be 75 days after the date of these preliminary determinations, unless extended.

This notice is issued and published pursuant to sections 733(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: October 6, 2005.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. E5-5600 Filed 10-12-05; 8:45 am]

**BILLING CODE 3510-DS-S**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-533-809]

**Notice of Extension of Time Limit for Preliminary Results of Antidumping Duty Administrative Review and Notice of Partial Rescission: Certain Forged Stainless Steel Flanges from India**

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

**EFFECTIVE DATE:** October 13, 2005.

**FOR FURTHER INFORMATION CONTACT:**

David Cordell or Robert James, AD/CVD Operations, Office 7, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0408 and (202) 482-0649, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

The Department of Commerce (the Department) published an antidumping duty order on certain forged stainless steel flanges from India on February 9, 1994. *See Amended Final Determination and Antidumping Duty Order; Certain Forged Stainless Steel Flanges from India*, 59 FR 5994 (February 9, 1994). On February 28, 2005, Echjay Forgings, Ltd. (Echjay), Hilton Forge India (Hilton Forge), Paramount Forge Ltd./Ganguly Associates (Paramount), and Viraj Forgings, Ltd. (Viraj), Indian producers of subject merchandise, requested that the Department conduct an

administrative review. On March 23, 2005, the Department initiated this administrative review. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part*, 70 FR 14643 (March 23, 2005).

#### Partial Rescission

On April 18, 2005, respondents Viraj and Hilton Forge withdrew their requests for review. *See Letter from Respondents to the Department dated April 18, 2005*, which is on file in the Central Records Unit (CRU), room B-099, of the main Commerce Department building. The applicable regulation, 19 CFR 351.213(d)(1), states that if a party who requested an administrative review withdraws the request within 90 days of the publication of the notice of initiation of the requested review, the Secretary will rescind the review. Viraj and Hilton Forge withdrew their requests within the 90-day deadline, in accordance with 19 CFR 351.213(d)(1). No other party requested an administrative review of Viraj and Hilton Forge. Therefore, for Viraj and Hilton Forge, we are rescinding this review of the antidumping duty order on certain forged stainless steel flanges from India covering the period March 1, 2004, through February 28, 2005.

#### Extension of Time Limit for Preliminary Results

Pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Tariff Act), the deadlines for preliminary and final results of this administrative review are October 31, 2005, and February 28, 2006, respectively. The Department, however, may extend the deadline for completion of the preliminary results of a review if it determines it is not practicable to complete the preliminary results within the statutory time limit. *See* section 751(a)(3)(A) of the Tariff Act and 19 CFR 351.213(h)(2). In this case, the Department has determined it is not practicable to complete this review within the statutory time limit because of significant issues that require additional time to evaluate. These include potential affiliation issues and questions concerning the questionnaire responses that may require additional supplemental questionnaires. Therefore, the Department is extending the time limit for completion of the preliminary results for Echjay and Paramount until February 28, 2006, in accordance with section 751(a)(3)(A) of the Tariff Act. The deadline for the final results of this review will be 120 days after publication of the preliminary results in the **Federal Register**. *See* section

751(a)(3)(A) of the Tariff Act; 19 CFR 351.213(h)(2).

This notice is issued and published in accordance with sections 751(a)(3)(A), 751(a)(1) and 777(i)(1) of the Tariff Act and 19 CFR 351.213(d)(4).

Dated: September 29, 2005.

**Barbara E. Tillman,**

*Acting Deputy Assistant Secretary for Import Administration.*

[FR Doc. E5-5604 Filed 10-12-05; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-803]

#### Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles, From the People's Republic of China: Notice of Court Decision Not in Harmony

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

**SUMMARY:** On September 22, 2005, in *Tianjin Machinery Import & Export Corp., v. United States and Ames True Temper*, Slip Op. 05-127, the Court of International Trade (CIT) affirmed the Results of Redetermination Pursuant to Court Remand released by the Department of Commerce (the Department) on July 20, 2004. Consistent with the decision of the U.S. Court of Appeals for the Federal Circuit (CAFC) 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, where appropriate, until there is a "conclusive" decision in this case. If the case is not appealed, or if it is affirmed on appeal, the Department will instruct U.S. Customs and Border Protection (CBP) to liquidate all relevant entries from Tianjin Machinery Import & Export Corporation (TMC), as appropriate.

**EFFECTIVE DATE:** October 13, 2005.

**FOR FURTHER INFORMATION CONTACT:** Thomas Martin, AD/CVD Operations, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230, telephone 202-482-3936, fax 202-482-5105.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 22, 2003, the Department issued its final scope ruling in which we determined that the cast picks imported by TMC are included

within the scope of the antidumping duty order on picks/mattocks. *See Memorandum to the File from Thomas Futtner, Acting Office Director, to Holly A. Kuga, Acting Deputy Assistant Secretary for Group II, "Final Scope Ruling - Request by Tianjin Machinery Import & Export Corporation for a Ruling on Cast Picks," dated September 22, 2003 (TMC Scope Ruling)*. TMC filed a summons and complaint with the CIT on October 8 and 17, 2003, respectively, challenging the TMC Scope Ruling. In response to TMC's motion for judgment on the administrative record, the Department moved for and obtained from the CIT an order for a voluntary remand to reconsider the determination made in the TMC Scope Ruling in view of the decision of the CAFC in *Duferco Steel, Inc. v. United States*, 296 F.3d 1087 (Fed. Cir. 2002). On April 7, 2004, the CIT granted the Department's unopposed motion for a voluntary remand. The Department filed its redetermination pursuant to the CIT's remand on July 20, 2004, in which the Department reconsidered the determination set forth in the TMC Scope Ruling and concluded that the cast picks at issue do not fall within the scope of the picks/mattocks order. *See Results of Redetermination Pursuant to Court Remand for Tianjin Machinery Import & Export Corporation v. United States and Ames True Temper at 1 (July 20, 2004)*. On September 22, 2005, the CIT affirmed the Department's redetermination.

#### Suspension of Liquidation

The CAFC, in *Timken*, held that the Department must publish notice of a decision of the CIT or the CAFC which is not in harmony with the Department's determination. Publication of this notice fulfills that obligation. The CAFC also held that the Department must suspend liquidation of the subject merchandise until there is a "conclusive" decision in the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation of unliquidated entries pending the expiration of the period to appeal the CIT's September 22, 2005, decision affirming the Department's remand results or pending a final decision of the CAFC if that decision is appealed. The Department will instruct CBP to liquidate relevant unliquidated entries of the subject merchandise without regard to antidumping duties in the event that the CIT's ruling is not appealed, or if appealed and upheld by the CAFC.

We are issuing and publishing this notice in accordance with section