

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-990  
(Preliminary)]

### Non-Malleable Cast Iron Pipe Fittings From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission unanimously determines, pursuant to section 733(a) of the Tariff Act of 1930 (19 U.S.C. 1673b(a)) (the Act), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from China of non-malleable cast iron pipe fittings, provided for in subheadings 7307.11.00 and 7307.19.30 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

Pursuant to section 207.18 of the Commission's rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which 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 of an affirmative preliminary determination in the investigation under section 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under section 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. 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 investigation.

#### Background

On February 21, 2002, a petition was filed with the Commission and Commerce by Anvil International, Inc., Portsmouth, NH, and Ward Manufacturing, Inc., Blossburg, PA, alleging that an industry in the United States is materially injured or

threatened with material injury by reason of LTFV imports of non-malleable cast iron pipe fittings from China. Accordingly, effective February 21, 2002, the Commission instituted antidumping duty investigation No. 731-TA-990 (Preliminary).

Notice of the institution of the Commission's investigation 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 February 27, 2002 (67 FR 9004). The conference was held in Washington, DC, on March 14, 2002, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on April 8, 2002. The views of the Commission are contained in USITC Publication 3500 (April 2002), entitled *Non-Malleable Cast Iron Pipe Fittings from China: Investigation No. 731-TA-990 (Preliminary)*.

Issued: April 9, 2002.

By order of the Commission.

**Marilyn R. Abbott,**  
Secretary.

[FR Doc. 02-9231 Filed 4-15-02; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-466]

### In the Matter of Certain Organizer Racks and Products Containing Same; Notice of Commission Decision Not To Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's ("ALJ's") initial determination ("ID") terminating the above-captioned investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Tim Yaworski, *Esq.*, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 2053096. Copies of the public versions of the ID and all other nonconfidential

documents in the record of this investigation are or will be 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, SW., Washington, DC 20436, telephone (202) 205-2000. Hearing-impaired persons 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>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on December 26, 2001, based on a complaint filed by Spectrum Concepts, Inc. ("Spectrum") against Bryan Plastics Ltd. ("Bryan"). The complaint alleged violations of section 337 of the Tariff Act of 1930 in the importation into the United States, sale for importation, and/or sale within the United States after importations, of certain organizer racks or products containing same by reason of infringement of claims, 1, 6, 8, 11, 12, 13, and 24 of U.S. Letters Patent 5,740,924. 66 FR 66425 (2001)

On February 1, 2002, Spectrum filed a motion to terminate the investigation on the basis of a settlement agreement. On February 12, 2002, the Commission investigative attorney filed a response supporting the motion. On February 13, 2002, the presiding ALJ issued an ID (Order No. 6) granting the motion and, on February 19, 2002, issued another ID (Order No. 7) with an *erratum*, providing additional reasoning in support of his granting of the motion. No party petitioned for review of the ID. This action is taken under the authority of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and section 210.42 of the Commission's Rules of Practice and Procedure (19 CFR 210.42).

Issued: April 4, 2002.

By order of the Commission.

**Marilyn R. Abbott,**  
Secretary.

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