UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of
CERTAIN HEMOSTATIC PRODUCTS AND COMPONENTS THEREOF

Inv. No. 337-TA-913

NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION GRANTING COMPLAINANTS’ MOTION FOR SUMMARY DETERMINATION THAT THE ECONOMIC PRONG OF THE DOMESTIC INDUSTRY REQUIREMENT IS SATISFIED


ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 26) issued by the presiding administrative law judge (“ALJ”) on November 13, 2014, granting complainants’ motion for summary determination that the economic prong of the domestic industry requirement is satisfied in the above-identified investigation.

FOR FURTHER INFORMATION CONTACT: Cathy Chen, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2392. Copies of non-confidential documents filed in connection with 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, S.W., Washington, D.C. 20436, telephone (202) 205-2000. 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) at http://edis.usitc.gov. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

On October 20, 2014, Baxter moved for a summary determination that it satisfies the economic prong of the domestic industry requirement. In its motion, Baxter asserted that Ethicon and Ferrosan have stipulated not to contest that Baxter has satisfied the economic prong of the domestic industry requirement. Baxter acknowledges that Ethicon and Ferrosan continue to contest whether Baxter’s FLOSEAL hemostatic products meet the technical prong of the domestic industry requirement. OUII filed a response in support of the motion.

On November 13, 2014, the ALJ issued the subject ID, granting the motion for summary determination. The ALJ found that there is no dispute that Baxter has a significant investment in plant and equipment and significant employment of labor and capital for FLOSEAL hemostatic products at its Hayward manufacturing facility in California. No petitions for review were filed.

The Commission has determined not to review the subject ID.


By order of the Commission.

Lisa R. Barton
Secretary to the Commission

Issued: December 11, 2014