8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.10, 8482.99.35, 8482.99.6590, 8482.99.70, 8483.20.40, 8483.20.80, 8483.50.8040, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.80, 8708.70.6060, 8708.70.8050, 8708.93.30, 8708.93.5000, 8708.93.6000, 8708.93.75, 8708.99.06, 8708.99.31, 8708.99.4960, 8708.99.50, 8708.99.5800, 8708.99.8080, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, 8803.90.90.

The size or precision grade of a bearing does not influence whether the bearing is covered by the order. For a further discussion of the scope of the order being reviewed, including recent scope determinations, *see Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et al.; Final Results of Antidumping Duty Administrative Reviews, Partial Termination of Administrative Reviews, and Revocation in Part of Antidumping Duty Orders*, 60 FR 10900 (February 28, 1995). The HTS item numbers are provided for convenience and Customs purposes. The written descriptions remain dispositive.

This review covers one producer/exporter. The POR is December 1, 1994 through May 31, 1995.

Final Results of the Review

We gave interested parties an opportunity to comment on our preliminary results. We received no comments. The final results remain unchanged from the preliminary results as the Department used the same methodology described in the preliminary results. As a result of our comparison of constructed export price (CEP) and normal value (NV), we determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period	Margin
MKL	12/01/94–5/31/95	0.00

The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's regulations, will no longer be permitted for this firm. The Department will issue appraisement instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the reviewed company will be zero percent; (2) for exporters not covered in this review, but covered in previous reviews or the original less-than-fair-value (LTFV) investigation, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, previous reviews, or the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) the cash deposit rate for all other manufacturers or exporters will continue to be 68.89 percent, the ''All Others'' rate made effective by the final results of review published on July 26, 1993 (*see Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order*, 58 FR 39729 (July 26, 1993)). This rate is the ''All Others'' rate from the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This new shipper administrative review and notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: March 20, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

[FR Doc. 96–8684 Filed 4–8–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–834–805]

Initiation of Antidumping Duty Investigation: Beryllium Metal and High Beryllium Alloys From Kazakhstan

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

EFFECTIVE DATE: April 9, 1996.

FOR FURTHER INFORMATION CONTACT: Ellen Grebasch at (202) 482–3773 or Erik Warga at (202) 482–0922, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Initiation of Investigation

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (''the Act'') by the Uruguay Round Agreements Act (''URAA'').

The Petition

On March 14, 1996, the Department of Commerce (''the Department'') received a petition filed in proper form by Brush Wellman Inc. (''petitioner''), a domestic producer of beryllium metal and high beryllium alloys (''beryllium''). The Department received supplemental information to the petition on March 28, and March 29, and April 1, 1996.

In accordance with section 732(b) of the Act, petitioner alleges that imports of beryllium from Kazakhstan are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, a U.S. industry.

Petitioner claims that it has standing to file the petition because it is an interested party, as defined under section 771(9)(C) of the Act.

Determination of Industry Support for the Petition

Section 732(c)(4)(A) of the Act requires the Department to determine, prior to the initiation of an investigation, that a minimum percentage of the domestic industry

supports an antidumping petition. A petition meets these minimum requirements if the domestic producers or workers who support the petition account for (1) at least 25 percent of the total production of the domestic like product; and (2) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

A review of the production data provided in the petition and other information readily available to the Department indicates that petitioner accounts for more than 50 percent of the total production of the domestic like product thus meeting the standard of 732(c)(4)(A) and requiring no further action by the Department pursuant to 732(c)(4)(D). Accordingly, the Department determines that the petition is supported by the domestic industry.

Scope of the Investigation

The scope of this investigation is beryllium metal and high beryllium alloys with a beryllium content equal to or greater than 30 percent by weight, whether in ingot, billet, powder, block, lump, chunk, blank, or other semifinished form. These are intermediate or semifinished products that require further machining, casting and/or fabricating into sheet, extrusions, forgings or other shapes in order to meet the specifications of the end user. Beryllium and high beryllium alloys within the scope of this investigation are classifiable under the Harmonized Tariff Schedule of the United States (HTSUS) 8112.11.6000, 8112.11.3000, 7601.20.9075, and 7601.20.9090. Although the HTSUS subheading is provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Export Price

Petitioner based export price on FAS Customs values reported in 1995 Bureau of Census data for HTS categories 8112.11.3000 (waste and scrap) and 8112.11.6000 (unwrought beryllium and beryllium powder). For purposes of this initiation, we have disallowed the data regarding the importation of waste and scrap because the majority of the shipment in question was non-subject merchandise.

Normal Value

Petitioner asserts that Kazakhstan is a non-market economy country (NME) within the meaning of sections 771(18) of the Act. In previous investigations, the Department has determined that Kazakhstan is an NME, and in accordance with section 771(18)(c)(i) of the Act, the presumption of NME status continues for the initiation of this investigation. *See, e.g., Final Determinations of Sales at Less Than Fair Value: Ferrosilicon from Kazakhstan and Ukraine; and Postponement of Final Determination; Ferrosilicon from the Russian Federation*, 58 FR 13050 (March 9, 1993). Accordingly, the normal value of the product should be based on the producer's factors of production, valued in a surrogate market economy country in accordance with section 773(c) of the Act.

In the course of this investigation, all parties will have the opportunity to provide relevant information related to the issues of Kazakhstan's NME status and the granting of separate rates to individual exporters. *See, e.g., Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the PRC*, 59 FR 22585 (May 2, 1994).

It is our practice in NME cases to calculate NV based on the factors of production of those factories that produced the subject merchandise (in this case, beryllium) sold to the United States during the period of investigation.

Petitioner based the Kazak producers' factors of production as defined by section 773(c)(3) of the Act (raw materials, labor, energy and capital cost) for beryllium on petitioner's own usage amounts, adjusted for known differences in the production processes. In accordance with section 773(c)(4) of the Act, petitioner valued these factors, where possible, on publicly available published Brazilian data. Where this data was unavailable, petitioner used other acceptable sources of information.

Petitioner states that because the per capita GNP of Brazil and Kazakstan are relatively close, the two countries may be considered economically comparable. Further, petitioner has stated that while Brazil does not produce beryllium, it does produce beryl ore, a major input of beryllium. Based on these factors, petitioner argued that Brazil is an acceptable surrogate country, in accordance with 773(c)(4) of the Act, because its level of economic development is comparable to that of Kazakstan and Brazil is a significant producer of comparable merchandise.

Petitioner was unable to find data on factory overhead from an appropriate industry in Brazil; however, petitioner states that the first half of the production process for beryllium is similar to the production of uranium from ore. Therefore, petitioner used data for a Canadian uranium producer from the public record of the antidumping proceeding involving uranium from Kazakstan and other former USSR countries (*See Antidumping; Uranium from Kazakhstan, Kyrgyzstan, Russia, Tajikistan, Ukraine, and Uzbekistan; Suspension of Investigations and Amendment of Preliminary Determinations* (57 FR 49220, October 30, 1992)) to value overhead. With respect to general expenses, petitioner was unable to obtain information regarding the general expenses from any closely related industry (*e.g.*, beryllium or uranium). Therefore, petitioner has used information on a Brazilian silicomanganese company from the record of the antidumping duty proceeding involving silicomanganese from Brazil (*Notice of Final Determination of Sales at Less Than Fair Value: Silicomanganese From Brazil* (59 FR 55432, November 7, 1994)) as the only information reasonably available.

Petitioner based profit incorrectly on the statutory eight percent minimum contained in the pre-URAA laws. This provision was specifically deleted from the URAA. Petitioner provided no reasonable grounds for the Department to assume that a figure of eight percent for profit is appropriate. Because petitioner has provided no other information, we have disallowed this figure for purposes of this initiation.

Based on comparisons of EP to the factors of production, the calculated dumping margin for beryllium from Kazakstan, after adjustments made by the Department, is 22.83 percent.

Fair Value Comparisons

Based on the data provided by petitioner, there is reason to believe that imports of beryllium from Kazakstan are being, or are likely to be, sold at less than fair value.

Initiation of Investigation

We have examined the petition on beryllium and have found that it meets the requirements of section 732 of the Act, including the requirements concerning allegations of the material injury or threat of material injury to the domestic producers of a domestic like product by reason of the complained-of imports, allegedly sold at less than fair value. Therefore, we are initiating an antidumping duty investigation to determine whether imports of beryllium from Kazakstan are being, or are likely to be, sold in the United States at less than fair value. Unless extended, we will make our preliminary determination by August 21, 1996.

Distribution of Copies of the Petition

In accordance with section 732(b)(3)(A) of the Act, a copy of the

public version of the petition has been provided to the representatives of the government of Kazakstan. We will attempt to provide a copy of the public version of the petition to the exporter named in the petition.

International Trade Commission (ITC) Notification

We have notified the ITC of our initiation, as required by section 732(d) of the Act.

Preliminary Determination by the ITC

The ITC will determine by April 28, 1996, whether there is a reasonable indication that imports of beryllium from Kazakstan are causing material injury, or threatening to cause material injury, to a U.S. industry. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

Dated: April 3, 1996.

Barbara R. Stafford,

Deputy Assistant Secretary for Investigations.

[FR Doc. 96–8824 Filed 4–8–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–401–805]

Certain Cut-to-Length Carbon Steel Plate From Sweden; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On September 19, 1995, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain cut-to-length carbon steel plate from Sweden. This review covers one manufacturer/exporter of the subject merchandise to the United States and the period February 4, 1993, through July 31, 1994. We gave interested parties an opportunity to comment on our preliminary results. Based on our analysis of the comments received, we have changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: April 9, 1996.

FOR FURTHER INFORMATION CONTACT: Elizabeth Patience or Jean Kemp, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–3793.

SUPPLEMENTARY INFORMATION:

Background

On September 19, 1995, the Department published in the Federal Register (60 FR 48502) the preliminary results of the administrative review of the antidumping duty order on certain cut-to-length carbon steel plate from Sweden (58 FR 44168 August 19, 1993). The Department has now completed this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Applicable Statute and Regulations

Unless otherwise stated, all citations to the statute and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

Scope of this Review

The products covered by this administrative review constitute one ''class or kind'' of merchandise: certain cut-to-length plate. These products include hot-rolled carbon steel universal mill plates (*i.e.*, flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the HTS under item numbers 7208.31.0000, 7208.32.0000, 7208.33.1000, 7208.33.5000, 7208.41.0000, 7208.42.0000, 7208.43.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.11.0000, 7211.12.0000, 7211.21.0000, 7211.22.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.*, products which have been worked after rolling)—for example, products which have been beveled or rounded at the edges. Excluded is grade X–70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

The periods of review (POR) are February 4, 1993, through July 31, 1994.

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received comments and rebuttal comments from SSAB Svenskt Stål AB (SSAB), exporter of the subject merchandise, (respondent), and from Bethlehem Steel Corporation, U.S. Steel Group, a Unit of USX Corporation, Inland Steel Industries, Inc., Gulf States Steel Inc. Of Alabama, Sharon Steel Corporation, Geneva Steel, and Lukens Steel Company, petitioners. At the request of petitioners and respondent, the Department held a hearing on November 1, 1995.

Comment 1: Respondent contends that the Department has verified information on the record to enable the Department to make HM freight adjustments for one SSAB subsidiary, SSAB Oxelosund (SSOX). Respondent reported its freight expenses based on a standard to actual ratio. Respondent claims that the Department verified actual freight costs incurred by SSOX but could not verify SSOX's standard freight costs. Respondent argues that if the Department refuses to accept the SSOX standard freight adjustment, the Department should take actual SSOX verified HM freight expenses and calculate a HM freight adjustment by dividing the actual aggregate SSOX freight expenses by total tons sold during the POR to obtain an actual, per metric ton freight adjustment for SSOX HM sales.

Respondent contends that the Department should not disallow the freight adjustment entirely for SSOX home market (HM) sales. Instead, respondent asserts, the Department should assign values for this adjustment based on verified SSOX actual freight costs. Respondent claims that because SSAB incurred freight costs in Sweden, using a zero adjustment in the home market and the full adjustment in the U.S. market heavily penalizes SSAB. Respondent also claims that applying a zero freight adjustment in the home market and a full freight adjustment in the U.S. market is contrary to law because doing so prevents apples-to-apples price matches between the two markets.

Respondent argues that the Department should not apply punitive best information available (BIA) rates for