

order. See, e.g., Final Results of Expedited Sunset Review: Stainless Steel Plate from Sweden, 63 FR 67658 (December 8, 1998), and Final Results of Expedited Sunset Reviews: Certain Iron Construction Castings From Brazil, Canada, and the People's Republic of China, 64 FR 30310 (June 7, 1999).

In sunset reviews, although we make likelihood determinations on an order-wide basis, we report company-specific margins to the Commission. Therefore, it is appropriate that our determinations regarding the magnitude of the margin likely to prevail be based on company-specific information. Generic arguments that margins decreased over the life of the orders while at the same time, exporters' share of the U.S. market remained constant do not address the question of whether any particular company decreased its margin of dumping while at the same time maintaining or increasing market share. In fact, such generic argument may disguise company-specific behavior demonstrating increased dumping coupled with increased market share.

FAG provided company-specific value and volume information concerning its exports of BBs and CRBs, and it argued that exports of the subject merchandise have generally decreased since the inception of this case in 1987. The Department can confirm that current exports of the subject merchandise are indeed lower than pre-order exports. FAG's decrease in exports of the subject merchandise to the United States over the life of the orders indicate that FAG is unable to sell subject merchandise in the United States at pre-order volumes without dumping. Therefore, absent such evidence, we find no reason to deviate from our standard practice of using the margin we calculated in the original investigation.

In the final results of the 1995/96<sup>8</sup> and 1997/98 administrative reviews of these orders, the Department found that antidumping duties have been absorbed by foreign producers. With respect to the 1997/98 administrative reviews we made the following determinations<sup>9</sup>:

Ball bearings	Percent of sales
SKF	3.17
FAG	10.31
INA	9.14
Cylindrical Roller Bearings:	
SKF	33.52

<sup>8</sup> See Final Results of Antidumping Duty Administrative Reviews, 62 FR 54043 (October 17, 1997) (1995-96).

<sup>9</sup> See Final Results of Antidumping Duty Administrative Reviews, 64 FR 35590 (July 1, 1999) (1997-98).

Ball bearings	Percent of sales
FAG	24.59
Torrington Nadellage	0.26
INA	9.24
Spherical Plain Bearings:	
INA	3.53
SKF	20.31

Consistent with the statute and the Sunset Policy Bulletin, the Department will notify the Commission of its findings regarding such duty absorption for the Commission to consider in conducting a sunset review.

Additionally, the *Sunset Policy Bulletin* refers to the SAA at 885 and the House Report at 60 and provides that, where the Department has found duty absorption, the Department normally will provide to the Commission the higher of the margin that the Department otherwise would have reported or the most recent margin for that company, adjusted to account for the Department's findings on duty absorption. In this case, the margins adjusted to account for our duty absorption findings are less than the margins we would otherwise report to the Commission.

Therefore, the Department agrees with Torrington, MPB, and RBC concerning the margin likely to prevail if the order were to be revoked. We find that the dumping margins calculated in the original investigation are the only calculated rates that reflect the behavior of exporters without the discipline of the orders. Consistent with the *Sunset Policy Bulletin*, we determine that the margins we calculated in the original investigation are probative of the behavior of German producers and exporters of BBs, CRBs, and SPBs if the order were revoked. Therefore, we will report to the Commission the company-specific and "all others" rates from the original investigation contained in the Final Results of Review section of this notice.

#### Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping at the margins indicated below:

Manufacturer/Exporter	Margin (percent)
Ball Bearings:	
SKF	132.25
FAG	70.41
INA	31.29
GMN	35.43
All Others	68.89
Cylindrical Roller Bearings:	

Manufacturer/Exporter	Margin (percent)
SKF	76.27
FAG	52.43
INA	52.43
All Others	55.65
Spherical Plain Bearings:	
SKF	118.98
FAG	74.88
All Others	114.52

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of 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.

These five-year ("sunset") reviews and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: October 28, 1999.

**Richard W. Moreland,**  
Acting Assistant Secretary for Import Administration.

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BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-485-801]

#### Final Results of Expedited Sunset Review: Ball Bearings From Romania

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

**ACTION:** Notice of Final Results of Expedited Sunset Review: Ball Bearings from Romania.

**SUMMARY:** On April 1, 1999, the U.S. Department of Commerce ("the Department") initiated a sunset review of the antidumping duty order on ball bearings from Romania pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate response filed on behalf of a domestic interested party and inadequate response from respondent interested parties in this review, the Department conducted an expedited sunset review. As a result of this review, the Department finds that revocation of the antidumping duty order would likely lead to recurrence of dumping at

the levels indicated in the Final Results of Review section of this notice.

**FOR FURTHER INFORMATION CONTACT:**

Mark D. Young or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-3207 or (202) 482-1560, respectively.

**EFFECTIVE DATE:** November 4, 1999.

**Statute and Regulations**

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for conducting sunset reviews are set forth in Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) ("Sunset Regulations"), and 19 CFR part 351 (1999) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

**Scope**

The products covered by this order are ball bearings ("BBs") and parts thereof from Romania. For a detailed description of the products covered by this order, including a compilation of all pertinent scope determinations, refer to the notice of final results of expedited sunset reviews on antifriction bearings from Japan, publishing concurrently with this notice.

**History of the Order**

On May 3, 1989, the Department issued a final determination of sales at less than fair value ("LTFV") with respect to imports of BBs from Romania.<sup>1</sup> The antidumping duty order on BBs was issued by the Department on May 15, 1989, and the dumping margins that were found in the final determination of sales at LTFV were confirmed.<sup>2</sup> Since the imposition of this order, the Department has conducted

several administrative reviews.<sup>3</sup> The order remains in effect for all manufacturers and exporters of the subject merchandise.

This review covers all producers and exporters of BBs from Romania.

**Background**

On April 1, 1999, the Department initiated a sunset review of the antidumping duty order on BBs from Romania pursuant to section 751(c) of the Act. By April 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*, we received notices of intent to participate from The Torrington Company ("Torrington") and MPB Corporation ("MPB"), Roller Bearing Company of America ("RBC"), Link-Belt Bearing Division ("Link-Belt"), New Hampshire Ball Bearing, Inc. ("NHBB"), and NSK Corporation ("NSK"). Each of these parties claimed status as domestic interested parties on the basis that they are domestic producers, manufacturers, or wholesalers of BBs.

Within the deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i), on May 3, 1999, the Department received complete substantive responses from each of these domestic interested parties. In addition, Tehnoimportexport S.A. ("TIE") notified the Department that it would not file a substantive response in the review of the BBs order. We received substantive comments from Torrington and MPB, RBC, NHBB, and NSK, on May 12, 1999, within the deadline. We did not receive a substantive response from Link-Belt.

On May 21, 1999, we informed the International Trade Commission ("Commission") that, on the basis of inadequate response from respondent interested parties, we were conducting an expedited sunset review of this order consistent with 19 CFR 351.218(e)(1)(ii)(C)(2). (See Letter to Lynn Featherstone, Director, Office of Investigations from Jeffrey A. May, Director, Office of Policy.)

In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). Therefore, on August 5, 1999, the Department determined that the sunset

review of the antidumping duty order on BBs from Romania is extraordinarily complicated and extended the time limit for completion of the final results of this review until not later than October 28, 1999, in accordance with section 751(c)(5)(B) of the Act.<sup>4</sup>

**Determination**

In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making this determination, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping duty order. Pursuant to section 752(c)(3) of the Act, the Department shall provide to the Commission the magnitude of the margin likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, the parties' comments with respect to the continuation or recurrence of dumping and the magnitude of the margin are addressed within the respective sections below.

**Adequacy**

As noted above, we notified the Commission that we intended to conduct an expedited review of this order. On June 10, 1999, we received comments on behalf of Torrington and MPB supporting our determination to conduct an expedited review. NHBB and NSK also submitted comments on whether an expedited sunset review was warranted. In both submissions, both parties assert that most of the domestic interested parties that submitted substantive responses are in favor of revocation of the Department's various antidumping duty orders on antifriction bearings. These parties also offered new argument regarding the likely effect of revocation of these orders.

The magnitude of domestic support for continuation or revocation of an order, however, does not enter into the Department's determination of adequacy of participation nor, for that matter, the Department's determination of likelihood. We made clear in our

<sup>1</sup> See Final Determination of Sales at Less Than Fair Value; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From Romania, May 3, 1989 54 FR 18992.

<sup>2</sup> See Ball Bearings, Cylindrical Roller Bearings, and Spherical Plain Bearings and Parts Thereof From Romania; Antidumping Duty Order, May 15, 1989 54 FR 20900.

<sup>3</sup> See Ball Bearings, Cylindrical Roller Bearings, and Spherical Plain Bearings and Parts Thereof From Romania; Final Results of Antidumping Duty Administrative Review, 64 FR 35590 (July 1, 1999); 63 FR 33320 (June 18, 1998); 62 FR 54043 (October 17, 1997); 58 FR 39729 (July 26, 1993); 57 FR 28360 (June 24, 1992); and 56 FR 31692 (July 11, 1991).

<sup>4</sup> See *Tapered Roller Bearings, 4 Inches and Under From Japan, et. al.; Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 42672 (August 5, 1999).

regulations that a complete substantive response from one domestic interested party, which we have received in this case from Torrington and MPB, RBC, NHBB, and NSK, would be considered adequate for purpose of continuing a sunset review (see section 351.218(e)(1)). Nowhere in the statute or legislative history is there reference to consideration of domestic industry support during the course of a sunset review (other than the statutory provision that if there is *no* domestic industry interest in continuation of the order, the Department will revoke the order automatically). In fact, the Senate Report (at S. Rep. No. 103-412, at 46 (1994)) makes clear that the purpose of adequacy determinations in sunset reviews is for the Department to determine whether to issue a determination based on the facts available without further fact-gathering. Further, the statute, at section 751(c)(1), specifies that the Department is to determine whether revocation of an order would be likely to lead to continuation or recurrence of dumping. Section 752(c) specifies that the Department is to consider the weighted-average dumping margins determined in the investigation and subsequent reviews, as well as the volume of imports of the subject merchandise for the period before and the period after the issuance of the order.

#### **Continuation or Recurrence of Dumping**

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act ("URAA"), specifically the Statement of Administrative Action ("the SAA"), H.R. Doc. No. 103-316, vol. 1 (1994), the House Report, H.R. Rep. No. 103-826, pt.1 (1994), and the Senate Report, S. Rep. No. 103-412 (1994), the Department issued its Sunset Policy Bulletin providing guidance on methodological and analytical issues, including the bases for likelihood determinations. In its Sunset Policy Bulletin, the Department indicated that determinations of likelihood will be made on an order-wide basis (see section II.A.2). In addition, the Department indicated that normally it will determine that revocation of an antidumping duty order is likely to lead to continuation or recurrence of dumping when (a) dumping continued at any level above *de minimis* after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the

subject merchandise declined significantly (see Section II.A.3).

In their substantive responses, Torrington, MPB, and RBC argue that revocation of the antidumping duty order on the subject merchandise would likely lead to the recurrence of dumping. They base this conclusion on the fact that imports declined significantly while dumping margins remained at *de minimis* levels. Torrington and MPB argue that the post-order volume of imports for complete unmounted BBs, which they assert is the only category for which statistics are available on a consistent basis, have declined significantly since the issuance of the order. They argue further that, since the post-order import volume was 83% lower than the pre-order volume, the Department should conclude that dumping is likely to recur if the order were revoked. In conclusion, Torrington and MPB assert that no "good cause" exists to consider other factors, such as sales below the cost of production.

NHBB and NSK assert that revocation of the order is not likely to result in continuation or recurrence of dumping. NHBB bases its assertion on the fact that dumping would undercut the U.S. domestic price structure, thus causing injury to the very industry of which foreign owners are a part. NSK claims that the margin of dumping would be no higher than the margin for TIE found in the most recent administrative review (i.e., 0.02 percent).

In their rebuttal comments, Torrington and MPB assert that the Department should take into account the submitter's affiliation in its consideration of comments of various parties filing as domestic producers. Further, citing to Ball Bearings and Parts Thereof From Thailand; Final Results of Changed Circumstances Countervailing Duty Review and Revocation of Countervailing Duty Order, 61 FR 20799, 20800 (May 8, 1996), they argue that the Department has recognized that domestic producers who are affiliated with subject foreign producers and exporters do not have a common "stake" with the petitioner in the maintenance of the order. Additionally, Torrington and MPB argue that other parties' comments addressing issues other than margins and import volumes should not be considered unless such parties establish "good cause" to consider such additional factors, which, in this review, they have not done.

As discussed in section II.A.3 of the Sunset Policy Bulletin, the SAA at 890, and the House Report at 63-64, existence of dumping margins after the order is highly probative of the likelihood of continuation or recurrence

of dumping. If companies continue to dump with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline of the order were removed. Therefore, as noted above, in determining whether revocation of an order is likely to lead to continuation or recurrence of dumping, the Department considers the margins determined in the investigation and subsequent administrative reviews and the volume of imports. Whatever relevance the arguments of NHBB and NSK concerning possible disincentives for producers and/or exporters to dump in the U.S. market might have had is mooted by the evidence that dumping continues and has continued over the life of the order.

As set forth in the Sunset Policy Bulletin (section II.A.3) and consistent with the SAA at 889-90 and the House Report at 63, where dumping was eliminated after the issuance of the order and import volumes from the subject merchandise declined significantly, the Department normally will determine that revocation of the antidumping duty order would be likely to lead to recurrence of dumping. Although dumping has been eliminated, shipments of the subject merchandise have declined dramatically. In addition, respondent interested parties waived participation in this review. Therefore, we determine that, consistent with section II.A.3 of the Sunset Policy Bulletin, dumping is likely to recur if the order were revoked. Because we have based this determination on the fact that import volumes of the subject merchandise declined significantly after the issuance of the order, we have not addressed the comments submitted by Torrington and MPB with respect to "good cause" nor have we addressed the arguments of other interested parties regarding the condition of the U.S. market.

#### **Magnitude of the Margin**

In the Sunset Policy Bulletin, the Department stated that, consistent with the SAA and House Report, the Department normally will provide to the Commission a margin from the investigation because that is the only calculated rate that reflects the behavior of exporters without the discipline of an order in place. Further, for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the "all others" rate from the investigation. (See section II.B.1 of the Sunset Policy Bulletin.) Exceptions to this policy include the

use of a more recently calculated margin, where appropriate, and consideration of duty-absorption determinations. (See sections II.B.2 and 3 of the Sunset Policy Bulletin.)

In their substantive responses, Torrington, MPB, and RBC argue that the margins that are likely to prevail should be the order be revoked are the dumping margins found for each company in the original investigation (as opposed to margins calculated in succeeding annual administrative reviews), including margins based on best information available, except where the most current margin, increased by the Department's duty-absorption determination, exceeds the original investigation margin.

NHBB argues that the dumping margins likely to prevail if the order were revoked are *de minimis*. NHBB goes on to argue that it would be illogical for companies with significant U.S. bearings investments to undercut that investment by dumping. In addition, NHBB argues that the Department should not report margins from the original investigation. In support of this argument, NHBB notes that the SAA provides that, in certain instances, it is more appropriate to rely on a more recently calculated margin. NHBB asserts that one such instance is where, as in the bearings cases, dumping margins have declined over the life of the order and imports have remained steady or increased. Additionally, NHBB argues that, because the structure of the U.S. domestic industry that exists today bears little resemblance to the industry when the antidumping duty order was imposed in 1989, the rates from the original investigation are inappropriate as indicators of the rates that would be found upon revocation. Finally, NHBB argues that, in light of changes in the methodology used to calculate antidumping duty margins introduced by the Uruguay Round, use of margins calculated by the Department prior to the URAA would be unfair and would be contrary to the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

Similarly, NSK argues that the margins likely to prevail are *de minimis*. As support, NSK argues that, were the order not in existence, the Department would apply the average-to-average methodology used in an investigation as opposed to the transaction-to-average methodology common to administrative reviews to measure the extent of any dumping. In such a case, NSK believes any margin found would be below the two percent *de minimis* level applicable

in investigations. NSK argues further that, the Department's unorthodox approach during the original investigation, plus the liberal use of best information available, skewed the results of the original investigation seriously, rendering those results inappropriate indicators of the magnitude of the margin likely to prevail if the order were revoked. Finally, NSK also argues that dumping margins have declined over time while, at the same time, importations have remained at or around 20 percent of the U.S. market. As support, it cites to The Economic Effects of Antidumping and Countervailing Duty Orders and Suspension Agreements, USITC Pub. 2900, Inv. No. 332-334, at 14-26-14-31 (June 1995).

In their rebuttal comments, Torrington and MPB argue that other parties' comments ignore the Department's stated policies regarding the selection of margins likely to prevail. Citing to the Sunset Policy Bulletin, Torrington and MPB argue that the Department's policies are clear—normal reliance on the margins from the investigation as the only margins that reflect the behavior of exporters without the discipline of the order. Torrington and MPB argue that the two-percent *de minimis* standard is not applicable to sunset reviews. Further, there is no authority which would authorize or justify the rejection of the investigation rate on the basis of the particular methodology used at the time of the investigation. Additionally, with respect to claims that more recent margins should be used based on declining margins accompanied by steady or increasing imports, Torrington and MPB argue that it is the responsibility of such claimants to provide information regarding companies' relative market share. Since no such information was provided, Torrington and MPB argue that the Department should not accept these assertions.

We agree with Torrington, MPB, and RBC that, normally, we will provide a margin from the original investigation because that is the rate that reflects the behavior of exporters absent the discipline of the order. As noted above, exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty-absorption determinations.

In the Sunset Policy Bulletin we indicated that, consistent with the SAA at 889-90 and the House Report at 63, we may determine, in cases where declining (or no) dumping margins are accompanied by steady or increasing imports, that a more recently calculated rate reflects that companies do not have

to dump to maintain market share in the United States and, therefore, that dumping is less likely to continue or recur if the order was revoked.

Alternatively, if a company chooses to increase dumping in order to increase or maintain market share, the Department may provide the Commission with a more recently calculated margin for that company. The Sunset Policy Bulletin provides that we will entertain such considerations in response to argument from an interested party. Further, we noted that, in determining whether a more recently calculated margin is probative of an exporter's behavior absent the discipline of an order, the Department normally will consider the company's relative market share, with such information to be provided by the parties. It is clear, therefore, that in determining whether a more recently calculated margin is probative of the behavior of exporters were the order revoked, the Department considers company-specific exports and company-specific margins. Additionally, although we expressed a clear preference for market-share information, in past sunset reviews, where market-share information was not available, we relied on changes in import volumes between the periods before and after the issuance of the order. See, e.g., Final Results of Expedited Sunset Review: Stainless Steel Plate from Sweden, 63 FR 67658 (December 8, 1998), and Final Results of Expedited Sunset Reviews: Certain Iron Construction Castings From Brazil, Canada, and the People's Republic of China, 64 FR 30310 (June 7, 1999).

In sunset reviews, although we make likelihood determinations on an order-wide basis, we report company-specific margins to the Commission. Therefore, it is appropriate that our determinations regarding the magnitude of the margin likely to prevail be based on company-specific information. Generic arguments that margins decreased over the life of the order while, at the same time, exporters' share of the U.S. market remained constant do not address the question of whether any particular company decreased its margin of dumping while at the same time maintaining or increasing market share. In fact, such generic argument may disguise company-specific behavior demonstrating increased dumping coupled with increased market share.

Our review of import statistics, provided by Torrington and MPB, covering BBs from Romania demonstrates that imports have declined significantly since 1988, dropping from 13.5 million units to 0.7 million units. Although imports increased to 2.5 million units in 1997,

they remain significantly below pre-order volumes. While we acknowledge that we may select a more recently calculated margin when declining (or no) margins are accompanied by steady or increasing imports, we do not agree that the facts of this case support such a determination. Although dumping margins, in the instant case, have remained at levels below *de minimis* levels from 1990 through 1998, the record reflects a dramatic decline in import levels. As mentioned above, the Department normally will determine that revocation of an antidumping duty order is likely to lead to continuation or recurrence of dumping where there is a significant decline in import levels. Therefore, we find that the use of a more recently calculated margin in its report to the Commission would be inappropriate. Rather, we find that the margins from the original investigation reflect the behavior of exporters absent the discipline of the order. Therefore, consistent with the Sunset Policy Bulletin, we will report to the Commission the margins indicated in the Final Results of the Review section of this notice.

#### Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping duty order would likely lead to recurrence of dumping at the margins indicated below:

Manufacturer/ Exporter	Margin (percent)
Ball Bearings:	
TIE .....	39.61
All Others .....	39.61

This notice serves as the only reminder to parties subject to administrative protective order ("APO") of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of 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 five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: October 28, 1999.

**Richard Moreland,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-588-054]

#### Final Results of Expedited Sunset Review: Tapered Roller Bearings, Four Inches or Less, from Japan

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

**ACTION:** Notice of final results of expedited sunset review: Tapered roller bearings, four inches or less, from Japan.

**SUMMARY:** On April 1, 1999, the Department of Commerce ("the Department") initiated a sunset review of the antidumping finding on tapered roller bearings from Japan (64 FR 15727) pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and adequate substantive comments filed on behalf of domestic interested parties and inadequate response (in this case, a waiver) from respondent interested parties, the Department determined to conduct an expedited review. As a result of this review, the Department finds that revocation of the antidumping finding would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

**FOR FURTHER INFORMATION CONTACT:** Darla D. Brown or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3207 or (202) 482-1560, respectively.

**EFFECTIVE DATE:** November 4, 1999.

#### Statute and Regulations

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*, 63 FR 13516 (March 20, 1998) ("Sunset Regulations") and 19 CFR Part 351 (1998) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*; *Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

## Scope

The merchandise subject to this antidumping finding is tapered roller bearings ("TRBs"), four inches or less in outside diameter when assembled, including inner race or cone assemblies and outer races or cups, sold either as a unit or separately, from Japan. The scope of the finding was clarified in 1981. At that time, the Department ruled that TRBs that are greater than four inches in outer diameter were outside the scope. Moreover, the Department found that unfinished TRB components (cups, cones, and retainers) that had been forged and rough machined but not finished were outside the scope.<sup>1</sup> The subject merchandise is currently classifiable under HTS items 8482.20.00 and 8482.99.30. While the HTS item numbers are provided for convenience and customs purposes, the written description remains dispositive.

#### History of the Finding

On September 6, 1974, the Treasury Department ("Treasury") published its antidumping determination of sales at less than fair value ("LTFV") (39 FR 32337). On August 18, 1976, Treasury published its Final Affirmative Antidumping Duty Determination, T.D. 76-227 (41 FR 34974). Treasury did not publish any dumping margins in its original finding.

Over the life of the finding, the Department has conducted several administrative reviews.<sup>2</sup> This sunset

<sup>1</sup> See *Tapered Roller Bearings and Certain Components Thereof from Japan; Clarification of Scope of Antidumping Finding*, 46 FR 40350 (August 10, 1981).

<sup>2</sup> See *Tapered Roller Bearings and Certain Components Thereof from Japan; Final Results of Administrative Review and Revocation in Part of Antidumping Finding*, 47 FR 25757 (June 15, 1982); *Tapered Roller Bearings and Certain Components Thereof from Japan; Final Results of Administrative Review of Antidumping Finding*, 49 FR 8976 (March 9, 1984); *Tapered Roller Bearings Four Inches or Less in Outside Diameter from Japan; Final Results of Antidumping Duty Administrative Review*, 55 FR 22369 (June 1, 1990); *Tapered Roller Bearings Four Inches or Less in Outside Diameter from Japan; Final Results of Antidumping Duty Administrative Review*, 55 FR 38720 (September 20, 1990); *Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Certain Components Thereof, from Japan; Final Results of Antidumping Duty Administrative Review*, 56 FR 26054 (June 6, 1991); as amended, *Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Certain Components Thereof, from Japan; Final Results of Antidumping Duty Administrative Review*, 56 FR 65228 (December 16, 1991); *Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Certain Components Thereof, from Japan; Final Results of Antidumping Duty Administrative Review*, 57 FR

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