

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.

[FR Doc. 99-28777 Filed 11-3-99; 8:45 am]

BILLING CODE 3510-DS-P

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.¹ 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.² This sunset

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

² 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

Continued

review covers imports from all known Japanese producers/exporters, except

4975 (February 11, 1992); as amended, *Tapered Roller Bearings Four Inches or Less in Outside Diameter, and Certain Components Thereof, from Japan*; Amended Final Results of Antidumping Duty Administrative Review, 57 FR 9105 (March 16, 1992); *Final Results of Antidumping Duty Administrative Reviews*; *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*, 58 FR 64720 (December 9, 1993); as amended, *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*, 59 FR 2594 (January 18, 1994); *Tapered Roller Bearings, Four Inches or Less in Diameter, and Components Thereof, from Japan*; *Final Results and Partial Termination of Antidumping Duty Administrative Review*, 59 FR 56035 (November 10, 1994); *Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Affirmation of the Results of Redetermination Pursuant to Court Remand*, 60 FR 3624 (January 18, 1995); as amended, *Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Amendment to Affirmation of the Results of Redetermination Pursuant to Court Remand*, 60 FR 45398 (August 31, 1995); *Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Amendment to the Final Results of Review*, 60 FR 62386 (December 6, 1995); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Finding*, 61 FR 57629 (November 7, 1996); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews and Termination in Part*, 62 FR 11825 (March 13, 1997); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews*, 63 FR 2558 (January 15, 1998); as amended, *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Amended Final Results of Antidumping Duty Administrative Reviews*, 63 FR 13391 (March 19, 1998); *Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan, and Tapered Roller Bearings, Finished and Unfinished, and Parts Thereof, from Japan*; *Final Court Decisions and Amended Final Results of Antidumping Duty Administrative Reviews*, 63 FR 17815 (April 10, 1998); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews and Termination in Part*, 63 FR 20585 (April 27, 1998); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews*, 63 FR 63860 (November 17, 1998); *Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Court Decisions and Amended Final Results of Antidumping Duty Administrative Reviews*, 64 FR 15729 (April 1, 1999).

NTN Toyo Bearing Company, Ltd. and NTN Bearing Corporation of America, for which the finding was revoked.³

The Department made a duty absorption finding in the final results of the 1995-96 administrative review.⁴

Background

On April 1, 1999, the Department initiated a sunset review of the antidumping finding on TRBs, four inches and under, from Japan (64 FR 15727), pursuant to section 751(c) of the Act. The Department received Notices of Intent to Participate on behalf of the Timken Company ("Timken") and the Torrington Company ("Torrington"), American NTN Bearing Manufacturing Corporation ("ANBM") and the NTN Bower Corporation, and Koyo Corporation of the U.S.A.—Manufacturing Division ("KCUM") on April 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. We received complete substantive responses on behalf of Timken, ANBM and NTN Bower, and KCUM on May 3, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i).

Timken and Torrington claimed interested party status under 19 U.S.C. 1677(9)(C) as U.S. manufacturers of TRBs. Timken stated that it filed the original petition that led to the antidumping finding. In addition, Timken stated that it has participated in all administrative reviews of the finding. ANBM and NTN Bower also claimed interested party status under 19 U.S.C. 1677(9)(C) as U.S. manufacturers of a domestic like product. Additionally, ANBM and NTN Bower stated that they are related to a foreign producer/exporter and are importers of subject merchandise. KCUM also claimed interested party status under 19 U.S.C. 1677(9)(C) as a U.S. manufacturer of a domestic like product. KCUM stated that it is a division of Koyo Corporation of U.S.A., a wholly-owned subsidiary of Koyo Seiko Co., Ltd., a producer in Japan of subject merchandise and an importer of subject merchandise. Moreover, KCUM stated that it participated in all administrative reviews by the Department.

On May 3, 1999, the Department received a waiver from Koyo Seiko

Corp., Ltd. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department determined to conduct an expedited, 120-day, review of this finding.

On May 12, 1999, the Department received rebuttal comments from ANBM and NTN Bower and Timken.⁵

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). On August 5, 1999, the Department determined that the sunset review of the antidumping duty finding on TRBs, four inches and under, from Japan 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.⁶

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping finding 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 finding, and shall provide to the International Trade Commission ("the Commission") the magnitude of the margin of dumping likely to prevail if the finding is revoked.

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

⁵ On May 6, 1999, the Department received and granted a request from Timken for a two working-day extension of the deadline for filing rebuttal comments in this sunset review. This extension was granted for all participants eligible to file rebuttal comments in this review. The deadline for filing rebuttals to the substantive comments therefore became May 12, 1999.

⁶ 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).

³ 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).

⁴ See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan*; *Final Results of Antidumping Duty Administrative Reviews*, 63 FR 2558 (January 15, 1998).

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.3). In addition, the Department indicated that normally it will determine that revocation of an antidumping finding is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the finding, (b) imports of the subject merchandise ceased after the issuance of the finding, or (c) dumping was eliminated after the issuance of the finding and import volumes for the subject merchandise declined significantly (see section II.A.3).

In addition to considering the guidance on likelihood cited above, section 751(c)(4)(B) of the Act provides that the Department shall determine that revocation of a finding is likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In this instant review, the Department received a waiver of participation from Koyo and did not receive a substantive response from any other respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the *Sunset Regulations*, this constitutes a waiver of participation.

In its substantive response, Timken argues that revocation of the finding on TRBs from Japan would be likely to lead to continuation or recurrence of dumping due to the fact that there has been continuous dumping for more than twenty-five years of significant import volumes of subject TRBs and Japanese producers have continued to export significant quantities of subject merchandise to the United States (see May 3, 1999, substantive response of Timken at 7). Timken further argues that the Asian financial crisis has had the effect of limiting the market for TRBs in Japan and the rest of Asia, leaving Japanese TRB producers with excess capacity and the need to export more than they have in the past. Timken

maintains that the result has been a forty percent increase of exports of TRBs to the U.S. from 1997 to 1998 (see *id.* at 10). Moreover, Timken argues that Japanese selling patterns in Canada and Mexico indicate that absent the finding, Japanese producers would increase exports to the U.S. by lowering prices. Timken concludes that since the Japanese are presently selling in the U.S. at LTFV, even lower prices would mean greater levels of dumping (see *id.* at 11). In sum, Timken argues that the consistent history of dumping with the discipline of the finding in place, together with the impact of the Asian financial crisis and Japanese sales behavior in other countries demonstrate that dumping would continue or recur if the finding were revoked.

In their substantive response, ANBM and NTN Bower (collectively, "NTN") argue that revocation of the finding would have a minimal, if any, impact upon the U.S. market for the following reasons. First, they maintain that producers in the subject country have invested in production facilities in the U.S. since the imposition of the finding, thereby decreasing the need to import subject merchandise from Japan. They further claim that imports from non-subject countries will continue to increase, therefore reducing the competitive threat from the subject country to the U.S. market. Finally, they argue that the U.S. bearing industry is financially secure (see May 3, 1999, substantive response of NTN at 3).

KCUM, in its substantive response, argues that revocation of the antidumping finding would not have much of an effect on the U.S. market, prices, or the industry for two reasons. First, KCUM maintains that the U.S. market and the role of imports in the market have changed substantially over the past twenty years, and foreign producers whose imports have been subject to the finding have moved substantial production facilities to the U.S. Therefore, KCUM argues, if the finding is revoked, KCUM will continue to produce significant quantities of bearings in the U.S. Second, KCUM argues that foreign producers subject to the finding have much smaller market shares with limited ability to influence prices in the market. The conclusion KCUM draws is that the TRB market in the U.S. is subject to conditions that affect prices to which the existence or revocation of the antidumping finding is irrelevant (see May 3, 1999, substantive response of KCUM at 4-5).

In its rebuttal comments, Timken states that the existence of manufacturing facilities in the U.S. is not relevant to the likelihood

determination because despite the fact that such facilities have been in operation for many years, dumping of subject merchandise from Japan in substantial amounts has continued (see May 12, 1999, rebuttal of Timken at 3-4). Timken further argues that any significant effect that onshore production was going to have on dumped imports would have demonstrated itself by now (see *id.* at 5). Moreover, Timken rebuts NTN's assertion that revocation will not have an effect because non-subject imports of TRBs will increase. Timken argues that there is no evidence that, should the finding be revoked, NTN or any other Japanese producer would raise its import prices. Timken maintains that since Japanese producers sell at current LTFV prices or lower, there is little likelihood that foreign producers of non-subject merchandise would be able to increase their market share (see *id.* at 5-6). Finally, Timken rebuts KCUM's argument that the U.S. market and the role of imports in the market have changed substantially over the past twenty years. Timken maintains that since KCUM does not affirm that market conditions will change in any significant way, on the surface, KCUM's assertion supports the proposition that dumping will continue if the finding were revoked because dumping occurs at present (see *id.* at 4-5).

NTN, in its rebuttal, argues that Timken relies heavily on the assumption that the Asian economic situation will continue as it has for the foreseeable future. NTN, however, states that more recent economic trends indicate that the Japanese, and Asian economies in general, are on the verge of recovery (see May 12, 1999, rebuttal of NTN at 1-2). Finally, NTN maintains that Timken also heavily relies on the duty absorption rates in arguing likely dumping levels. However, NTN points out that the rates cited by Timken, as well as the finding of duty absorption itself, are the subject of litigation before the Court of International Trade (see *id.* at 1-2).

The Department agrees, based on an examination of the final results of administrative reviews, that dumping margins above *de minimis* levels have continued throughout the life of the finding for many Japanese producers/exporters.⁷ As discussed in section II.A.3 of the *Sunset Policy Bulletin*, the SAA at 890, and the House Report at 63-64, if companies continue dumping with the discipline of a finding in place, the Department may reasonably infer that dumping would continue if the

⁷ See footnote 2.

discipline were removed. The Department also agrees that following the imposition of the finding, imports of the subject merchandise have continued throughout the life. Since that time, imports of TRBs from Japan have fluctuated greatly, showing no overall trend.⁸

Based on this analysis, the Department finds that the existence of dumping margins after the issuance of the finding is highly probative of the likelihood of continuation or recurrence of dumping. A deposit rate above a *de minimis* level continues in effect for exports of the subject merchandise for at least one known Japan producer/exporter. Therefore, given that dumping has continued over the life of the finding and respondent interested parties waived their right to participate in this review before the Department, we determine that dumping is likely to continue or recur if the finding were revoked. Whatever relevance the arguments of those parties in support of revocation might have had concerning possible disincentives for producers and/or exporters to dump in the U.S. market, those arguments are mooted by the evidence that dumping continues and has continued over the life of the order.

Magnitude of the Margin

In the *Sunset Policy Bulletin*, the Department stated that it will normally provide to the Commission the margin that was determined in the final determination in the original investigation. Further, for companies not specifically investigated or for companies that did not begin shipping until after the finding 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*.) Further, the *Sunset Policy Bulletin* states that in a sunset review of an antidumping finding where the original investigation was conducted by Treasury and no company-specific margin or "all others" rate was included in the Treasury finding, the Department normally will provide to the Commission the

company-specific margin from the first administrative review published by the Department in the **Federal Register**. For any company not covered in the first administrative review, the Department normally will provide to the Commission, as the margin for any new company not reviewed by Treasury, the first "new shipper" rate established by the Department for that order (see section II.B.1).

As noted above, Treasury, in its original finding, did not publish any dumping margins. Therefore, consistent with section II.B.1 of the *Sunset Policy Bulletin*, the Department normally will select the company-specific margins from the first final results of administrative review conducted by the Department as the magnitude of the margin of dumping likely to prevail if the finding is revoked. Exceptions to this rule include the use of a more recently calculated rate, where appropriate, and consideration of duty absorption findings.

In its substantive response, Timken recommends that the Department report the following dumping margins to the Commission: 20.56 percent for Koyo Seiko, 17.42 percent for NSK, and the new shipper's rate of 18.07 percent for all companies not reviewed in the first review period (see May 3, 1999, substantive response of Timken at 14). Moreover, Timken suggests that the Department deviate from its general practice of selecting the margins from the original investigation due to the fact that two major Japanese producers were found to be absorbing duties (see *id.* at 15–16). Timken also points out that in the *Sunset Policy Bulletin* the Department stated that where it has found company-specific duty absorption, it will report the greater of the margin it would normally report or the most recent margin for that company adjusted to account for the Department's findings on duty absorption (see *id.* at 15 and *Sunset Policy Bulletin*). In sum, Timken recommends that if the Department conducts an expedited review, it should rely on the evidence from the 1995–96 administrative review and forward the margins, as adjusted for duty absorption, for the companies from this review (see *id.* at 16).

NTN, in its substantive response, maintains that the dumping margin likely to prevail if the order is revoked would be 0.00 percent. However, NTN alternatively requests that the Department employ margins that were determined during the more recent administrative reviews of the subject merchandise (see May 3, 1999, substantive response of NTN at 3).

In its substantive response, KCUM states that it cannot predict the likely effect of revocation of the finding since the existence of the finding does not have much of an effect on the prices at which bearings are sold in the United States, and, hence, on the margins generated on those sales (see May 3, 1999, substantive response of KCUM at 5). Moreover, KCUM argues that fluctuations in the exchange rate between the dollar and the Japanese yen have a significant impact on dumping margins (see *id.* at 6). They argue that the results of past administrative reviews reveal that antidumping margins tend to increase in periods in which the yen appreciates against the dollar and vice versa. As a result, KCUM argues, the margins that would prevail if the finding were revoked cannot be determined because they are dependent on an entirely exogenous factor (see *id.* at 6). In any case, KCUM strenuously objects to the use of the margins determined in the first administrative review conducted by the Department, arguing that the finding is hopelessly obsolete and cannot serve as a realistic indicator of the market and pricing conditions that would exist today if the finding were revoked (see *id.* at 6). Therefore, KCUM concludes that the Department should use the results of more recent administrative reviews when determining the margins that would exist for Koyo (see *id.* at 7).

Because no information is available regarding the magnitude of the margins calculated by Treasury, the Department normally would find that the margins calculated in its first administrative review are probative of the behavior of exporters absent the discipline of the order. Although both NTN and KCUM suggest that margins from the more recent administrative reviews are more appropriate than margins from the first administrative review, they merely cite to the age of such margins. They do not demonstrate, based on a pattern of decreasing margins coupled with steady or increasing imports, that the more recent margins are probative of the behavior of exporters absent the discipline of the order. Therefore, the Department finds that the margins from the first administrative review are probative of the behavior of Japanese producers/exporters of subject merchandise absent the discipline of the order.

As noted above, the Department determined in the final results of the 1995–96 administrative review that two Japanese producers/exporters, Koyo

⁸The Department bases this determination on information submitted by Timken in its May 3, 1999, submission, as well as U.S. IM146 Reports, U.S. Department of Commerce statistics, U.S. Department of Treasury statistics, and information obtained from the U.S. International Trade Commission.

Seiko and NSK, were absorbing duties.⁹ Consistent with the statute and the *Sunset Policy Bulletin*, the Department will notify the Commission of its findings regarding duty absorption.

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 report 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 the Department's duty absorption findings are less than the margins we would otherwise report to the Commission. As such, the Department will report to the Commission the margins from the first administrative review as contained in the *Final Results of 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 continuation or recurrence of dumping at the margins listed below:

Manufacturer/Exporter	Margin (percent)
Koyo Seiko Co.	20.56
Nippon Seiko K.K. Ltd. (NSK) ..	17.42
Auto Dynamics International of Japan	18.07
Caterpillar Mitsubishi, Ltd.	16.92
Deer Island Industries, Ltd.	9.80
Nachi Fujikoshi Corp./ Kanematsu-Gosho, Ltd./ Nachi America	8.30
Nachi Fujikoshi Corp./ Kanematsu/Gosho, Ltd./ Nachi Western	18.07
Nachi Fujikoshi Corp./ Kanematsu/Gosho, Ltd./ all other purchasers	8.30
Kobe Steel	18.07
Komatsu, Ltd.	18.07
Kubota, Ltd.	18.07
Maekawa Bearing Manufacturing Co., Ltd.	0.71
Maekawa Bearing Manufacturing Co., Ltd./Daido Enterprises Co., Ltd.	16.92
Maekawa Bearing Manufacturing Co., Ltd./Hajime Industries, Ltd.	16.92

⁹ See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan; Final Results of Antidumping Duty Administrative Reviews*, 63 FR 2558 (January 15, 1998).

Manufacturer/Exporter	Margin (percent)
Maekawa Bearing Manufacturing Co., Ltd./Taisei Industries, Ltd.	16.92
Maekawa Bearing Manufacturing Co., Ltd./Schneider Engineering, Ltd.	18.07
Marubeni Corp.	18.07
Mitsubishi Corp.	16.92
Nachi Fujikoshi Corp.	18.07
Naniwa Kogyo Co., Ltd.	18.07
Nichimen Co.	16.92
Nissho-Iwai Co., Ltd.	16.92
Sumitomo Shoji Kaisha	3.40
Sumitomo Yale Co., Ltd.	16.92
Tatsumiya Kogyo Co., Ltd.	18.07
Toyo Kogyo Co., Ltd.	3.40
Toyosha Co., Ltd.	16.92
United Trading Co., Ltd.	9.80
All Others	18.07

Third country resellers	Margin (percent)
Federal Mogul Canada, Ltd.	18.07
Flanders Enterprises, Ltd.	16.92
John Deere Welland Works (Canada)	18.07
Nachi Canada, Ltd.	18.07
Superior Bearing Industrial Supplies, Ltd. (Canada)	18.07

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 W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99-28778 Filed 11-3-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-801]

Final Results of Expedited Sunset Reviews: Antifriction Bearings From France

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

ACTION: Notice of Final Results of Expedited Sunset Reviews: Antifriction Bearings from France.

SUMMARY: On April 1, 1999, the U.S. Department of Commerce ("the Department") initiated sunset reviews of the antidumping duty orders on ball bearings, cylindrical roller bearings, and spherical plain bearings (collectively, "antifriction bearings") from France 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 an adequate response filed on behalf of a domestic interested party and inadequate responses from respondent interested parties in each of these reviews, the Department conducted expedited sunset reviews. 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 levels indicated in the Final Result of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Martha V. Douthit 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) 482-5050 or (202) 482-1560, respectively.

EFFECTIVE DATE: November 4, 1999.

Statute and Regulations

These reviews were 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 products covered by these orders are antifriction bearings ("AFBs") from France, which include ball bearings ("BBs"), cylindrical roller bearings ("CRBs"), and spherical plain bearings ("SPBs") and parts thereof from France. For a detailed description of the products covered by these orders,