

Notices

Federal Register

Vol. 64, No. 35

Tuesday, February 23, 1999

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Forest Service

Olympic Provincial Interagency Executive Committee (PIEC), Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Olympic PIEC Advisory Committee will meet on March 18 and 19, 1999 at the Jamestown S'Klallam Tribal Center, 1033 Old Blyn Highway, Sequim, Washington. The meeting will begin at 9:30 a.m. on Thursday which will be spent in the field on the Quilcene Ranger District, Olympic National Forest. The field trip will conclude approximately 4:00 p.m. On Friday the 19th, the meeting will be held in the Center's large conference room and will begin at 9:30 a.m. and continue until 3:00 p.m. Agenda topics are: (1) Forestry Training Center proposal update; (2) National Marine Fisheries Service update on Endangered Species Act listings of fish; (3) Regional Ecosystem Office update, survey and manage; (4) Effectiveness monitoring update; (5) Recreation opportunities on decommissioned roads; (6) Science Panel on Monitoring/Coarse Woody Debris guidelines; (7) Open Forum; and (8) Public Comments. All Olympic Province Advisory Committee Meetings are open to the public. Interested citizens are encouraged to attend.

FOR FURTHER INFORMATION CONTACT: Direct questions regarding this meeting to Ken Eldredge, Province Liaison, USDA, Olympic National Forest Headquarters, 1835 Black Lake Blvd., Olympia, WA 98512-5623, (360) 956-2323 or Claire Lavendel, Acting Forest Supervisor, at (360) 956-2301.

Dated: February 11, 1999.

Luis E. Santoyo,

Acting Forest Supervisor.

[FR Doc. 99-4290 Filed 2-22-99; 8:45 am]

BILLING CODE 3410-10-M

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Kentucky Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Kentucky Advisory Committee to the Commission will convene at 1:00 p.m. and adjourn at 5:00 p.m. on March 25, 1999, at the Louisville and Jefferson County Metropolitan Sewer District, 700 West Liberty Street (at 7th Street), Louisville, Kentucky 40203. The purpose of the meeting is to discuss civil rights problems and progress, to follow up on Kentucky Title VI law, and to plan a future project.

Persons desiring additional information, or planning a presentation to the Committee, should contact Bobby D. Doctor, Director of the Southern Regional Office, 404-562-7000 (TDD 404-562-7004). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, February 11, 1999.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 99-4351 Filed 2-22-99; 8:45 am]

BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the North Carolina Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the North Carolina Advisory Committee to the Commission will convene at 1:00 p.m. and adjourn at 5:00 p.m. on March 10,

1999, at the North Carolina A&T State University, Hodgin Hall, Room 106, Greensboro, North Carolina 27411. The purpose of the meeting is to review a report on racial tensions, to discuss civil rights problems and progress, and to review plans for a forum in race relations in Greensboro.

Persons desiring additional information, or planning a presentation to the Committee, should contact Bobby D. Doctor, Director of the Southern Regional Office, 404-562-7000 (TDD 404-562-7004). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, February 11, 1999.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 99-4350 Filed 2-22-99; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-427-801, A-428-801, A-475-801, A-588-804, A-485-801, A-559-801, A-401-801, A-412-801]

Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom; Preliminary Results of Antidumping Duty Administrative Reviews and Partial Rescission of Administrative Reviews

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Reviews and Partial Rescission of Administrative Reviews.

SUMMARY: In response to requests from interested parties, the Department of Commerce is conducting administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof from France, Germany, Italy,

Japan, Romania, Singapore, Sweden, and the United Kingdom. The merchandise covered by these orders are ball bearings and parts thereof, cylindrical roller bearings and parts thereof, and spherical plain bearings and parts thereof. The reviews cover 21 manufacturers/exporters. The period of review is May 1, 1997, through April 30, 1998.

We are rescinding the reviews for thirteen other manufacturers/exporters because the requests for reviews of these firms or types of bearings were withdrawn in a timely manner.

We have preliminarily determined that sales have been made below normal value by various companies subject to these reviews. If these preliminary results are adopted in our final results of these administrative reviews, we will instruct U.S. Customs to assess antidumping duties on all appropriate entries.

We invite interested parties to comment on these preliminary results. Parties who submit comments in these proceedings are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: February 23, 1999.

FOR FURTHER INFORMATION: Please contact the appropriate case analysts for the various respondent firms as listed below, at Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230; telephone: (202) 482-4733.

France. Lyn Johnson (SKF), Larry Tabash or Davina Hashmi (SNFA), J. David Dirstine (SNR), Robin Gray, or Richard Rimlinger.

Germany. Mark Ross (INA and Torrington Nadellager), Farah Naim or Davina Hashmi (SKF), Thomas Schauer (FAG), Robin Gray, or Richard Rimlinger.

Italy. Anne Copper or J. David Dirstine (SKF), Edythe Artman or Mark Ross (FAG), Minoo Hatten (Somecat), Robin Gray, or Richard Rimlinger.

Japan. J. David Dirstine (Koyo Seiko and Nachi-Fujikoshi Corp.), Thomas Schauer (NTN), Davina Hashmi (NPBS), Diane Krawczun (NSK Ltd.), Robin Gray, or Richard Rimlinger.

Romania. Suzanne Flood (Tehnimportexport, S.A.) or Robin Gray.

Sweden. Davina Hashmi (SKF) or Richard Rimlinger.

United Kingdom. Suzanne Flood (Barden Corporation), Diane Krawczun (NSK/RHP), Hermes Pinilla (FAG), Lyn Johnson (SNFA), Robin Gray, or Richard Rimlinger.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR Part 351 (1998).

Background

On May 15, 1989, the Department published in the **Federal Register** (54 FR 20909) the antidumping duty orders on ball bearings and parts thereof (BBs), cylindrical roller bearings and parts thereof (CRBs), and spherical plain bearings and parts thereof (SPBs) from France, Germany, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom. Specifically, these orders cover BBs, CRBs, and SPBs from France, Germany, and Japan, BBs and CRBs from Italy, Sweden, and the United Kingdom, and BBs from Romania and Singapore. On June 29, 1998, in accordance with 19 CFR 351.213, we published a notice of initiation of administrative reviews of these orders for the period May 1, 1997, through April 30, 1998 (the POR) (63 FR 35188). The Department is conducting these administrative reviews in accordance with section 751 of the Act.

Subsequent to the initiation of these reviews, we received timely withdrawals of review requests for Rofer LDA (France), Rodaindustria SA (France), Rodaindustria Vigo SA (France), Bucher Guyer (France), Alfa Team GmbH (Germany), D&R Technisher Grosshandel (Nurnberg) (Germany), D&R Technisher Grosshandel (Rednitzhembach) (Germany), Frolich & Dorken GmbH (Germany), RMV Walzlager Vetr. GmbH (Germany), Wyko Export (Germany), Minetti (Italy), Motovario (Italy), and NMB/Pelmec (Singapore). Because there were no other requests for review of the above-named firms, we are rescinding the reviews with respect to these companies in accordance with 19 CFR 351.213(d).

Scope of Reviews

The products covered by these reviews are antifriction bearings (other than tapered roller bearings) and parts thereof (AFBs) and constitute the following merchandise:

1. *Ball Bearings and Parts Thereof:* These products include all AFBs that employ balls as the rolling element.

Imports of these products are classified under the following categories: antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof, and housed or mounted ball bearing units and parts thereof.

Imports of these products are classified under the following Harmonized Tariff Schedules (HTS) subheadings: 3926.90.45, 4016.93.00, 4016.93.10, 4016.93.50, 6909.19.5010, 8431.20.00, 8431.39.0010, 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.2580, 8482.99.35, 8482.99.6595, 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, and 8803.90.90.

2. *Cylindrical Roller Bearings, Mounted or Unmounted, and Parts Thereof:* These products include all AFBs that employ cylindrical rollers as the rolling element. Imports of these products are classified under the following categories: antifriction rollers, all cylindrical roller bearings (including split cylindrical roller bearings) and parts thereof, and housed or mounted cylindrical roller bearing units and parts thereof.

Imports of these products are classified under the following HTS subheadings: 3926.90.45, 4016.93.00, 4016.93.10, 4016.93.50, 6909.19.5010, 8431.20.00, 8431.39.0010, 8482.40.00, 8482.50.00, 8482.80.00, 8482.91.00, 8482.99.25, 8482.99.35, 8482.99.6530, 8482.99.6560, 8482.99.70, 8483.20.40, 8483.20.80, 8483.50.8040, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.93.5000, 8708.99.4000, 8708.99.4960, 8708.99.50, 8708.99.8080, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 8803.90.90.

3. *Spherical Plain Bearings, Mounted and Unmounted, and Parts Thereof:* These products include all spherical plain bearings that employ a spherically shaped sliding element and include spherical plain rod ends.

Imports of these products are classified under the following HTS subheadings: 3926.90.45, 4016.93.00, 4016.93.10, 4016.93.50, 6909.50.10, 8483.30.80, 8483.90.30, 8485.90.00, 8708.93.5000, 8708.99.50, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, and 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

orders being reviewed, including recent scope determinations, see *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden and the*

United Kingdom; Final Results of Antidumping Duty Administrative Reviews, 63 FR 33320 (June 18, 1998) (AFBs VIII). Although the HTS item numbers are provided for convenience and customs purposes, the written

descriptions of the scope of these proceedings remain dispositive.

These reviews cover the following firms and merchandise:

Name of firm	Merchandise
France:	
11SKF France (including all relevant affiliates)	All
SNFA S.A. (SNFA France)	All
SNR	All
Germany:	
SKF GmbH (including all relevant affiliates) (SKF Germany)	All
Torrington Nadellager (Torrington/Kuensenbeck)	BBs, CRBs
FAG	All
INA	All
Italy:	
FAG Italia, S.p.A. (including all relevant affiliates) (FAG Italy)	BBs, CRBs
SKF-Industrie, S.p.A. (including all relevant affiliates) (SKF Italy)	BBs
Somecat, S.p.A. (Somecat)	BBs, CRBs
Japan:	
Koyo Seiko Co., Ltd. (Koyo)	All
Nachi-Fujikoshi Corp. (Nachi)	All
Nippon Pillow Block Sales Company, Ltd. (NPBS)	All
NSK Ltd. (formerly Nippon Seiko K.K.)	All
NTN Corp. (NTN Japan)	All
Romania:	
Tehnimportexport, S.A. (TIE)	BBs
Sweden:	
SKF Sverige (including all relevant affiliates) (SKF Sweden)	BBs, CRBs
United Kingdom:	
Barden Corporation	BBs, CRBs
FAG (U.K.) Ltd	BBs, CRBs
NSK Bearings Europe, Ltd./RHP Bearings Ltd. (NSK/RHP)	BBs, CRBs
SNFA (U.K.) Bearings Ltd.	BBs, CRBs

In a letter dated July 1, 1998, the Torrington Group requested to be excused from responding to the Department's questionnaire in the review involving BBs from Germany. The Torrington Group stated that, during the POR, it imported into the United States only eight units covered by the order on BBs from Germany and all units were imported and obtained by the Torrington Company from Torrington Nadellager GmbH via an affiliated-party transaction. The Torrington Group stated further that after importation it loaned the eight units to an unaffiliated U.S. customer for examination, retrieved the units from the customer, and destroyed the units after retrieval. Given that the units in question were destroyed and there are no sales to review, we have not calculated dumping margins for these entries in this review involving BBs from Germany. See memorandum to Laurie Parkhill from Michael Panfeld, dated July 15, 1998, located in Import Administration's Central Records Unit, Room B-099, Main Commerce Building (hereafter, B-099). Because this merchandise was consumed by the affiliated importer and not resold in any

form, we will liquidate these entries without regard to antidumping duties. (See, e.g., *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, and the United Kingdom: Preliminary Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 63 FR 6512, 6514 (February 9, 1998).)

Duty Absorption

On May 29, 1998, and July 29, 1998, the Torrington Company requested that the Department determine with respect to all respondents, except Torrington Nadellager and SNFA UK, whether antidumping duties had been absorbed during the POR. On May 29, 1998, FAG Bearings Corp. requested that the Department determine for Torrington Nadellager whether antidumping duties had been absorbed during the POR. These requests were filed pursuant to section 751(a)(4) of the Act.

Section 751(a)(4) of the Act provides for the Department, if requested, to determine, during an administrative review initiated two years or four years

after publication of the order, whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order if the subject merchandise is sold in the United States through an importer who is affiliated with such foreign producer or exporter (see also 19 CFR 351.213(j)(1)). Section 751(a)(4) was added to the Act by the URAA.

For transition orders as defined in section 751(c)(6)(C) of the Act, i.e., orders in effect as of January 1, 1995, section 351.213(j)(2) of the Department's antidumping regulations provides that the Department will make a duty-absorption determination, if requested, for any administrative review initiated in 1996 or 1998. This approach ensures that interested parties will have the opportunity to request a duty-absorption determination prior to the time for sunset review of the order under section 751(c) of the Act on entries for which the second and fourth years following an order have already passed. Because these orders on AFBs have been in effect since 1989, they are transition orders in accordance with section 751(c)(6)(C) of the Act; therefore, based on the policy stated above, the Department will consider a request for an absorption

determination during a review initiated in 1998. This being a review initiated in 1998 and a request having been made, we are making a duty-absorption determination as part of these administrative reviews.

The statute provides for a determination on duty absorption if the subject merchandise is sold in the United States through an affiliated importer. In these cases, all firms subject to the duty-absorption requests filed by the Torrington Company and FAG Bearings Corp., with the exception of TIE, SNFA France, and Somecat, sold AFBs through importers that are "affiliated" within the meaning of section 771(33) of the Act. Furthermore, we have preliminarily determined that there are dumping margins for the following firms with respect to the percentages of their U.S. sales, by quantity, indicated below:

Name of firm	Class or kind	Percentage of U.S. affiliate's sales with dumping margins
France:		
SKF	BBs	17.88
SNR	BBs	10.18
	CRBs	14.38
Germany:		
SKF	BBs	3.20
	CRBs	33.85
	SPBs	22.03
Torrington Nadellager.	CRBs	0.26
FAG	BBs	10.93
	CRBs	26.83
INA	BBs	9.14
	CRBs	9.25
	SPBs	4.00
Italy:		
FAG	BBs	10.38
SKF	BBs	20.73
Japan:		
Koyo	BBs	30.38
	CRBs	47.46
Nachi	BBs	48.39
	CRBs	7.93
NPBS	BBs	22.42
NSK	BBs	4.88
	CRBs	16.25
NTN	BBs	39.38
	CRBs	86.38
	SPBs	60.68
Sweden:		
SKF	BBs	4.17
	CRBs	100.00
United Kingdom:		
Barden	BBs	19.43
NSK/RHP	BBs	34.25
	CRBs	56.08

In the case of SKF Sweden, the firm did not respond to our questionnaire with respect to its sales of CRBs and the dumping margin for all sales of CRBs were determined on the basis of adverse facts available (see *Use of Facts*

Available below). Lacking other information, we find duty absorption on all U.S. sales of CRBs by SKF Sweden.

With respect to the above companies, we rebuttably presume that the duties will be absorbed for those sales which were dumped. This presumption can be rebutted with evidence that the unaffiliated purchasers in the United States will pay the ultimately assessed duty. However, there is no such evidence on the record. Under these circumstances, we preliminarily find that antidumping duties have been absorbed by the above-listed firms on the percentages of U.S. sales indicated. If interested parties wish to submit evidence that the unaffiliated purchasers in the United States will pay the ultimately assessed duty, they must do so no later than 15 days after publication of these preliminary results.

Verification

As provided in section 782(i) of the Act, we verified information provided by certain respondents using standard verification procedures, including on-site inspection of the manufacturers' facilities, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public versions of the verification reports located in the Central Records Unit, Main Commerce Building, Room B-099.

Use of Facts Available

We preliminarily determine, in accordance with section 776(a) of the Act, that the use of facts available as the basis for the weighted-average dumping margin is appropriate for SKF Sweden with respect to CRBs because this firm did not respond to our antidumping questionnaire. We find that this firm has not provided "information that has been requested by the administering authority." Furthermore, we determine that, pursuant to section 776(b) of the Act, it is appropriate to make an inference adverse to the interests of this company because it did not cooperate to the best of its ability by not responding to our questionnaire.

In certain situations, we found it necessary to use partial facts available. Partial facts available was applied in cases in which we were unable to use some portion of a response in calculating the dumping margin. For TIE (Romania), we had no factor value on the record to value steel tube. Therefore, we used the value of steel bar as the factor value for this input. In addition, we discovered at verification that, for a few transactions, TIE

inadvertently reported factors-of-production (FOP) information for a factory other than the actual producing factory. We determine that non-adverse partial facts available should be applied to these transactions for the following reasons: the sales with misreported FOP data account for a very small percentage of U.S. sales; we are satisfied with the accuracy of TIE's FOP data for other U.S. sales; the misreported FOP data accurately reflect the experience of the other factories in producing the same models; the misreported FOP data constitute an inadvertent error by TIE which could not reasonably be corrected at verification. As non-adverse partial facts available, we have used the information TIE reported as the FOP of the affected models. See Memorandum of January 29, 1999, from Suzanne Flood to Laurie Parkhill in Room B-099.

Export Price and Constructed Export Price—Market-Economy Countries

For the price to the United States, we used export price (EP) or constructed export price (CEP) as defined in sections 772(a) and (b) of the Act, as appropriate. Due to the extremely large volume of transactions that occurred during the POR and the resulting administrative burden involved in calculating individual margins for all of these transactions, we sampled CEP sales in accordance with section 777A of the Act. When a firm made more than 2,000 CEP sales transactions to the United States for merchandise subject to a particular order, we reviewed CEP sales that occurred during sample weeks. We selected one week from each two-month period in the review period, for a total of six weeks, and analyzed each transaction made in those six weeks. The sample weeks are as follows: May 25-31, 1997; July 13-19, 1997; October 19-25, 1997; November 23-29, 1997; January 25-31, 1998; April 5-11, 1998. We reviewed all EP sales transactions during the POR.

We calculated EP and CEP based on the packed f.o.b., c.i.f., or delivered price to unaffiliated purchasers in, or for exportation to, the United States. We made deductions, as appropriate, for discounts and rebates. We also made deductions for any movement expenses in accordance with section 772(c)(2)(A) of the Act.

In accordance with section 772(d)(1) of the Act and the Statement of Administrative Action (SAA) to the URAA (at 823-824), we calculated the CEP by deducting selling expenses associated with economic activities occurring in the United States, including commissions, direct selling expenses, indirect selling expenses, and

repacking expenses in the United States. When appropriate, in accordance with section 772(d)(2) of the Act, we also deducted the cost of any further manufacture or assembly, except where the special rule provided in section 772(e) of the Act was applied (see below). Finally, we made an adjustment for profit allocated to these expenses in accordance with section 772(d)(3) of the Act.

With respect to subject merchandise to which value was added in the United States prior to sale to unaffiliated U.S. customers, e.g., parts of bearings that were imported by U.S. affiliates of foreign exporters and then further processed into other products which were then sold to unaffiliated parties, we determined that the special rule for merchandise with value added after importation under section 772(e) of the Act applied to all firms, except NPBS, that added value in the United States.

Section 772(e) of the Act provides that, when the subject merchandise is imported by an affiliated person and the value added in the United States by the affiliated person is likely to exceed substantially the value of the subject merchandise, we shall determine the CEP for such merchandise using the price of identical or other subject merchandise if there is a sufficient quantity of sales to provide a reasonable basis for comparison and we determine that the use of such sales is appropriate. If there is not a sufficient quantity of such sales or if we determine that using the price of identical or other subject merchandise is not appropriate, we may use any other reasonable basis to determine the CEP.

To determine whether the value added is likely to exceed substantially the value of the subject merchandise, we estimated the value added based on the difference between the averages of the prices charged to the first unaffiliated purchaser for the merchandise as sold in the United States and the averages of the prices paid for the subject merchandise by the affiliated person. Based on this analysis, we determined that the estimated value added in the United States by all firms, with the exception of NPBS, accounted for at least 65 percent of the price charged to the first unaffiliated customer for the merchandise as sold in the United States. (See 19 CFR 351.402(c) for an explanation of our practice on this issue.) Therefore, we preliminarily determine that the value added is likely to exceed substantially the value of the subject merchandise. Also, for the companies in question, we determined that there was a sufficient quantity of sales remaining to provide a reasonable

basis for comparison and that the use of such sales is appropriate. Accordingly, for purposes of determining dumping margins for the sales subject to the special rule, we have used the weighted-average dumping margins calculated on sales of identical or other subject merchandise sold to unaffiliated persons. No other adjustments to EP or CEP were claimed or allowed.

Normal Value—Market-Economy Countries

Based on a comparison of the aggregate quantity of home market and U.S. sales and absent any information that a particular market situation in the exporting country did not permit a proper comparison, we determined that the quantity of foreign like product sold by all respondents in the exporting country was sufficient to permit a proper comparison with the sales of the subject merchandise to the United States pursuant to section 773(a) of the Act. Each company's quantity of sales in its home market was greater than five percent of its sales to the U.S. market. Therefore, in accordance with section 773(a)(1)(B)(i) of the Act, we based normal value (NV) on the prices at which the foreign like products were first sold for consumption in the exporting country.

Due to the extremely large number of transactions that occurred during the POR and the resulting administrative burden involved in examining all of these transactions, we sampled sales to calculate NV in accordance with section 777A of the Act. When a firm had more than 2,000 home market sales transactions for a particular foreign like product, we used sales in sample months that corresponded to the sample weeks we selected for U.S. CEP sales plus one month prior to the POR and one following the POR. The sample months were February, May, July, October, and November of 1997 and January, April, and May of 1998.

We used sales to affiliated customers only where we determined such sales were made at arm's-length prices, i.e., at prices comparable to prices at which the firm sold identical merchandise to unaffiliated customers.

Because the Department disregarded sales that failed the cost test provided for in section 773(b) of the Act in the last completed review with respect to SKF France (BBs), INA (All), SKF Germany (All), FAG Italy (BBs), SKF Italy (BBs), SKF Sweden (BBs), Koyo (BBs), Nachi (BBs and CRBs), NPBS (BBs), NSK (BBs and CRBs), NTN Japan (All), Barden U.K. (BBs), and NSK/RHP (BBs and CRBs), we had reasonable grounds to believe or suspect that sales

of the foreign like product under consideration for the determination of NV in these reviews may have been made at prices below the cost of production (COP) as provided by section 773(b)(2)(A)(ii) of the Act. Therefore, pursuant to section 773(b)(1) of the Act, we initiated COP investigations of sales by these firms in the home market.

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product plus selling, general and administrative (SG&A) expenses and all costs and expenses incidental to packing the merchandise. In our COP analysis, we used the home market sales and COP information provided by each respondent in its questionnaire responses. We did not conduct a COP analysis regarding merchandise subject to an antidumping order for a respondent that reported no U.S. sales or shipments of merchandise subject to that order.

After calculating the COP, in accordance with section 773(b)(1) of the Act, we tested whether home market sales of AFBs were made at prices below the COP within an extended period of time in substantial quantities and whether such prices permitted the recovery of all costs within a reasonable period of time. We compared model-specific COPs to the reported home market prices less any applicable movement charges, discounts, and rebates.

Pursuant to section 773(b)(2)(C) of the Act, when less than 20 percent of a respondent's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because the below-cost sales were not made in substantial quantities within an extended period of time. When 20 percent or more of a respondent's sales of a given product during the POR were at prices less than the COP, we disregarded the below-cost sales because they were made in substantial quantities within an extended period of time pursuant to sections 773(b)(2)(B) and (C) of the Act and because, based on comparisons of prices to weighted-average COPs for the POR, we also determined that these sales were at prices which would not permit recovery of all costs within a reasonable period of time in accordance with section 773(b)(2)(D) of the Act. Based on this test, we disregarded below-cost sales with respect to all of the above-mentioned companies and indicated merchandise except where there were no sales or shipments subject to review.

We compared U.S. sales with sales of the foreign like product in the home market, as noted above. We considered all non-identical products within a bearing family to be equally similar. As defined in the questionnaire, a bearing family consists of all bearings which are the foreign like product that are the same in the following physical characteristics: load direction, bearing design, number of rows of rolling elements, precision rating, dynamic load rating, outer diameter, inner diameter, and width.

Home market prices were based on the packed, ex-factory or delivered prices to affiliated or unaffiliated purchasers. When applicable, we made adjustments for differences in packing and for movement expenses in accordance with sections 773(a)(6)(A) and (B) of the Act. We also made adjustments for differences in cost attributable to differences in physical characteristics of the merchandise pursuant to section 773(a)(6)(C)(ii) of the Act and for differences in circumstances of sale (COS) in accordance with section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410. For comparisons to EP, we made COS adjustments by deducting home market direct selling expenses and adding U.S. direct selling expenses. For comparisons to CEP, we made COS adjustments by deducting home market direct selling expenses from NV. We also made adjustments, when applicable, for home market indirect selling expenses to offset U.S. commissions in EP and CEP calculations.

In accordance with section 773(a)(1)(B)(i) of the Act, to the extent practicable, we based NV on sales at the same level of trade as the EP or CEP. If NV was calculated at a different level of trade, we made an adjustment, if appropriate and if possible, in accordance with section 773(a)(7) of the Act. (See *Level of Trade* section below.)

In accordance with section 773(a)(4) of the Act, we used CV as the basis for NV when there were no usable sales of the foreign like product in the comparison market. We calculated CV in accordance with section 773(e) of the Act. We included the cost of materials and fabrication, SG&A expenses, and profit in the calculation of CV. In accordance with section 773(e)(2)(A) of the Act, for all respondents except SNFA S.A. and Torrington Nadellager, we based SG&A expenses and profit on the amounts incurred and realized by each respondent in connection with the production and sale of the foreign like product in the ordinary course of trade for consumption in the home market. For Torrington Nadellager and SNFA

S.A., pursuant to section 773(e)(2)(B) of the Act, we calculated profit for CV using an alternative methodology because the calculation of profit in accordance with section 773(e)(2)(A) of the Act is not attainable from the information on the record. For SNFA S.A. we calculated profit for CV in accordance with 773(e)(2)(B)(i); for Torrington Nadellager we calculated profit for CV in accordance with 773(e)(2)(B)(iii). See analysis memoranda from case analysts to Robin Gray, dated January 26, 1999, in Room B-099 for a description of the alternative CV-profit calculation methodologies.

When appropriate, we made adjustments to CV in accordance with section 773(a)(8) of the Act and 19 CFR 351.410 for COS differences and level-of-trade differences. For comparisons to EP, we made COS adjustments by deducting home market direct selling expenses from and adding U.S. direct selling expenses to NV. For comparisons to CEP, we made COS adjustments by deducting home market direct selling expenses. We also made adjustments, when applicable, for home market indirect selling expenses to offset U.S. commissions in EP and CEP comparisons.

When possible, we calculated CV at the same level of trade as the EP or CEP. If CV was calculated at a different level of trade, we made an adjustment, if appropriate and if possible, in accordance with sections 773(a)(7) and (8) of the Act. (See *Level of Trade* section below.)

Level of Trade

To the extent practicable, we determined NV for sales at the same level of trade as the U.S. sales (either EP or CEP). When there were no sales at the same level of trade, we compared U.S. sales to home market sales at a different level of trade. The NV level of trade is that of the starting-price sales in the home market. When NV is based on CV, the level of trade is that of the sales from which we derived SG&A and profit.

To determine whether home market sales are at a different level of trade than U.S. sales, we examined stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison-market sales were at a different level of trade and the differences affected price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the level of trade of the export transaction, we made a level-of-trade adjustment

under section 773(a)(7)(A) of the Act. See *Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from South Africa*, 62 FR 61731 (November 19, 1997).

For a company-specific description of our level-of-trade analysis for these preliminary results, see Memorandum to Laurie Parkhill, Level of Trade, January 26, 1999, on file in Room B-099.

Methodology for Romania

Separate Rates

It is the Department's policy to assign all exporters of subject merchandise subject to review in a non-market-economy (NME) country a single rate unless an exporter can demonstrate that it is sufficiently independent to be entitled to a separate rate. For purposes of this "separate rates" inquiry, the Department analyzes each exporting entity under the test established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China*, 56 FR 20588 (May 6, 1991) (*Sparklers*), as amplified in *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China*, 59 FR 22585 (May 2, 1994) (*Silicon Carbide*). Under this test, exporters in NME countries are entitled to separate, company-specific margins when they can demonstrate an absence of government control over exports, both in law (*de jure*) and in fact (*de facto*).

Evidence supporting, though not requiring, a finding of *de jure* absence of government control includes the following: (1) an absence of restrictive stipulations associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies.

De facto absence of government control with respect to exports is based on the following four criteria: (1) Whether the export prices are set by or subject to the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) whether each exporter has autonomy in making decisions regarding the selection of management; and (4) whether each exporter has the authority to negotiate and sign contracts. (See *Silicon Carbide* at 22587.) We have determined that the evidence of record demonstrates an absence of government control, both in

law and in fact, with respect to exports by TIE according to the criteria identified in *Sparklers and Silicon Carbide*. For a discussion of the Department's preliminary determination that TIE is entitled to a separate rate, see Memorandum from Suzanne Flood to Laurie Parkhill, dated January 20, 1999, "Assignment of Separate Rate for Tehnoimportexport: 1997-98 Administrative Review of the Antidumping Duty Order on Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From Romania" (Separate Rate Memo), which is on file in Room B-099. Since TIE is preliminarily entitled to a separate rate and is the only Romanian firm for which an administrative review has been requested, it is not necessary for us to review any other Romanian exporters of subject merchandise.

Export Price—Romania

For sales made by TIE, we based our margin calculation on EP as defined in section 772(a) of the Act because the subject merchandise was first sold before the date of importation by the exporter of the subject merchandise outside of the United States to unaffiliated purchasers in the United States.

We calculated EP based on the packed price to unaffiliated purchasers in the United States. We made deductions from the price used to establish EP, where appropriate, for foreign inland freight, bank charges and international freight (air and ocean). To value foreign inland freight we used the freight rates from the public version of the Factors of Production Memorandum from *Disposable Lighters from the People's Republic of China* (A-570-834) (*Lighters from the PRC*) (April 27, 1995), which is on file in Room B-099. We used the actual reported expenses for international freight and bank charges because the expenses were paid to market-economy suppliers and incurred in market-economy currencies. No other adjustments were claimed or allowed.

Normal Value—Romania

For merchandise exported from an NME country, section 773(c)(1) of the Act provides that the Department shall determine NV using a factors-of-production methodology if available information does not permit the calculation of NV using home-market or third-country prices under section

773(a) of the Act. In every investigation or review we have conducted involving Romania, we have treated Romania as an NME country. None of the parties to this proceeding has contested such treatment in this review and, therefore, we have maintained our treatment of Romania as an NME for these preliminary results.

Accordingly, we calculated NV in accordance with section 773(c) of the Act and 19 CFR 351.408. In accordance with section 773(c)(3) of the Act, the factors of production used in producing AFBs include, but are not limited to, hours of labor required, quantities of raw materials employed, amounts of energy and other utilities consumed, and representative capital cost, including depreciation.

In accordance with section 773(c)(4) of the Act, the Department valued the factors of production, to the extent possible, using the prices or costs of factors of production in market-economy countries which are at a level of economic development comparable to that of Romania and which are significant producers of comparable merchandise. We determined that Indonesia is at a level of economic development comparable to that of Romania. We also found that Indonesia is a producer of bearings. Therefore, we have selected Indonesia as the primary surrogate country. For a further discussion of the Department's selection of surrogate countries, see Memorandum To The File from Suzanne Flood, dated January 21, 1999, "Surrogate-Country Selection: 1997-98 Administrative Review of the Antidumping Duty Order on Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from Romania" (Surrogate Memo), which is a public document on file in Room B-099.

For purposes of calculating NV, we valued the Romanian factors of production as follows:

- Where direct materials used to produce AFBs were imported by the producers from market-economy countries, we used the import price to value the material input. To value all other direct materials used in the production of AFBs, *i.e.*, those which were sourced from within Romania, we used the import value per metric ton of these materials into Indonesia as published in the 1997 *United Nations Trade Commodity Statistics (UNTCS)*,

which includes the most recent published data closest to the months during the POR. We made adjustments to include freight costs incurred between the domestic suppliers and the AFB factories, using freight rates obtained from the public version of the April 27, 1995, calculation memorandum of *Lighters from the PRC*. We also reduced the steel input factors to account for the scrap steel that was sold by the producers of the relevant bearings.

- For labor, section 351.408(c)(3) of the Department's regulations requires the use of a regression-based wage rate. We have used the regression-based wage rate on Import Administration's internet website at www.ita.doc.gov/import-admin/records/wages.

- For factory overhead, SG&A expenses, and profit, we could not find values for the bearings industry in Indonesia. Therefore, consistent with *AFBs VIII*, we used the percentages calculated from the 1996 financial statements of the Indonesia company, P.T. Jaya Pari Steel Ltd. Corporation. See TIE Preliminary Analysis Memorandum from Suzanne Flood. We determined that amounts for energy usage for electricity and natural gas were included in the overhead calculations in these financial statements.

- To value packing materials, where materials used to package AFBs were imported into Romania from market-economy countries, we used the import price. To value all other packing materials, *i.e.*, those sourced from within Romania, we used the import value per metric ton of these materials (adjusted with the wholesale-price-index inflator to place these values on an equivalent basis) as published in the Indonesian Foreign Trade Statistical Bulletin—Imports. We adjusted these values to include freight costs incurred between the domestic suppliers and the AFB factories. To value freight costs, we used freight rates obtained from the public version of the calculation memorandum in *Lighters from the PRC*.

Preliminary Results of Reviews

As a result of our reviews, we preliminarily determine the weighted-average dumping margins (in percent) for the period May 1, 1997, through April 30, 1998, to be as follows:

Company	BBs	CRBs	SPBs
France			
SKF	7.35	(2)	7.39

Company	BBs	CRBs	SPBs
SNFA	0.41	0.21	(²)
SNR	2.91	1.91	(¹)
Germany			
SKF	1.24	5.58	3.08
Torrington Nadellager	(²)	0.45	(³)
FAG	3.32	9.42	(¹)
INA	7.51	3.97	0.93
Italy			
FAG	0.95	(¹)	.....
SKF	3.42	(³)	.....
Somecat	1.24	(²)	.....
Japan			
Koyo	6.81	11.73	(¹)
Nachi	11.19	1.51	(¹)
NPBS	2.64	(²)	(²)
NSK Ltd.	0.74	4.31	(²)
NTN	0.59	0.71	1.05
Romania			
TIE	0.78	.....	.....
Sweden			
SKF	2.87	13.69	.....
United Kingdom			
Barden Corporation	2.89	(¹)	.....
FAG (U.K.)	(¹)	(¹)	.....
NSK/RHP	21.46	51.05	.....
SNFA	0.00	(²)	.....

¹ No shipments or sales subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments/sales.

² No shipments or sales subject to this review. The firm has no individual rate from any segment of this proceeding.

³ No review.

Any interested party may request a hearing within 30 days of the date of publication of this notice. A general issues hearing, if requested, and any hearings regarding issues related solely to specific countries, if requested, will be held in accordance with the following schedule and at the indicated locations in the main Commerce Department building:

Case	Date	Time	Room No.
General Issues	March 30, 1999	8:30 am	1412
Sweden	March 31, 1999	8:30 am	1412
Romania	March 31, 1999	2:00 pm	1412
Germany	April 1, 1999	8:30 am	1412
Italy	April 2, 1999	8:30 am	1412
United Kingdom	April 5, 1999	8:30 am	1412
France	April 5, 1999	2:00 pm	1412
Japan	April 6, 1999	8:30 am	1412

Issues raised in hearings will be limited to those raised in the respective case and rebuttal briefs. Case briefs from interested parties and rebuttal briefs, limited to the issues raised in the respective case briefs, may be submitted not later than the dates shown below for general issues and the respective country-specific cases. Parties who submit case or rebuttal briefs in these proceedings are requested to submit with each argument (1) a statement of the issue, and (2) a brief summary of the argument with an electronic version included.

Case	Briefs due	Rebuttals due
General Issues	March 19, 1999	March 26, 1999.
Sweden	March 22, 1999	March 29, 1999.
Romania	March 22, 1999	March 29, 1999.
Germany	March 23, 1999	March 30, 1999.
Italy	March 24, 1999	March 31, 1999.
United Kingdom	March 25, 1999	April 1, 1999.
France	March 25, 1999	April 1, 1999.

Case	Briefs due	Rebuttals due
Japan	March 26, 1999	April 2, 1999.

The Department will publish the final results of these administrative reviews, including the results of its analysis of issues raised in any such written briefs or hearings. The Department will issue final results of these reviews within 120 days of publication of these preliminary results.

Assessment Rates

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), we have calculated, whenever possible, an exporter/importer-specific assessment rate or value for subject merchandise.

Export Price Sales

With respect to EP sales for these preliminary results, we divided the total dumping margins (calculated as the difference between normal value and EP) for each importer/customer by the total number of units sold to that importer/customer. We will direct the Customs Service to assess the resulting per-unit dollar amount against each unit of merchandise in each of that importer's/customer's entries under the relevant order during the review period.

Constructed Export Price Sales

For CEP sales (sampled and non-sampled), we divided the total dumping margins for the reviewed sales by the total entered value of those reviewed sales for each importer. When an affiliated party acts as an importer for EP sales we have included the applicable EP sales in this assessment-rate calculation. We will direct the Customs Service to assess the resulting percentage margin against the entered customs values for the subject merchandise on each of that importer's entries under the relevant order during the review period. While the Department is aware that the entered value of sales during the POR is not necessarily equal to the entered value of entries during the POR, use of entered value of sales as the basis of the assessment rate permits the Department to collect a reasonable approximation of the antidumping duties which would have been determined if the Department had reviewed those sales of merchandise actually entered during the POR.

Cash-Deposit Requirements

To calculate the cash-deposit rate for each respondent (*i.e.*, each exporter and/or manufacturer included in these reviews) we divided the total dumping margins for each company by the total net value for that company's sales of merchandise during the review period subject to each order.

In order to derive a single deposit rate for each order for each respondent, we weight-averaged the EP and CEP deposit rates (using the EP and CEP, respectively, as the weighting factors). To accomplish this when we sampled CEP sales, we first calculated the total dumping margins for all CEP sales during the review period by multiplying the sample CEP margins by the ratio of

total days in the review period to days in the sample weeks. We then calculated a total net value for all CEP sales during the review period by multiplying the sample CEP total net value by the same ratio. We then divided the combined total dumping margins for both EP and CEP sales by the combined total value for both EP and CEP sales to obtain the deposit rate.

Entries of parts incorporated into finished bearings before sales to an unaffiliated customer in the United States will receive the respondent's deposit rate applicable to the order.

Furthermore, the following deposit requirements will be effective upon publication of the notice of final results of administrative reviews for all shipments of AFBs entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash-deposit rates for the reviewed companies will be the rates shown above except that, for firms whose weighted-average margins are less than 0.5 percent and therefore *de minimis*, the Department shall not require a deposit of estimated antidumping duties; (2) for previously reviewed or investigated companies not listed above, 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, a prior review, or the original less-than-fair-value (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 the "All Others" rate for the relevant order 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), and, for BBs from Italy, 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*, 61 FR 66472 (December 17, 1996)). These rates are the "All Others" rates from the relevant LTFV investigations.

These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative reviews.

This notice also serves as a reminder to importers of their responsibility under 19 CFR 351.402(f) 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 Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

We are issuing and publishing this determination in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: February 16, 1999.

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

[FR Doc. 99-4443 Filed 2-22-99; 8:45 am]

BILLING CODE 3510-DS-P