

services under the Act on November 1, 1996.

Section 7(g)(1) of the Act provides that designations of official agencies will end not later than triennially and may be renewed according to the criteria and procedures prescribed in Section 7(f) of the Act. The designation of New York ends on October 31, 1999, according to the Act. However, New York advised GIPSA that they wanted to cancel their designation. GIPSA has determined that there is not a sufficient need for official services to require a replacement agency.

Accordingly, GIPSA is canceling New York's designation effective April 1, 1998. Any firms in New York that require official service after April 1, 1998, should contact GIPSA's Baltimore Field Office at 410-590-2259

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: January 29, 1998.

**Neil E. Porter,**

*Director, Compliance Division.*

[FR Doc. 98-2764 Filed 2-6-98; 8:45 am]

BILLING CODE 3410-EN-P

## DEPARTMENT OF AGRICULTURE

### Sunshine Act Meeting

**AGENCY:** Rural Telephone Bank, USDA.  
**ACTION:** Staff Briefing for the Board of Directors.

**TIME AND DATE:** 3 p.m., Wednesday, February 18, 1998.

**PLACE:** Champagne Room, Marriott Marquis Hotel, 265 Peachtree Center Avenue, Atlanta, GA.

**STATUS:** Open.

**MATTERS TO BE DISCUSSED:** General discussion involving the 1996 Telecom Act and universal service; the proposed budget for FY 1999; and administrative issues.

**ACTION:** Board of Directors Meeting.

**TIME AND DATE:** 10 a.m., Thursday, February 19, 1998.

**PLACE:** Consulate Room, Marriott Marquis Hotel, 265 Peachtree Center Avenue, Atlanta, GA.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The following matters have been placed on the agenda for the Board of Directors meeting:

1. Call to order.
2. Swearing in new Board members representing the USDA.
3. Action on the November 6, 1997, Minutes.
4. Report on loans approved in first quarter FY 1998.
5. Summary of financial activity for first quarter FY 1998.

6. Consideration of resolution to approve the persons who shall serve as Deputy Governor and Assistant Treasurer.

7. Establish date and location of next regular Board meeting.

8. Adjournment.

**CONTACT PERSON FOR MORE INFORMATION:** Ken B. Chandler, Acting Assistant Governor, Rural Telephone Bank, (202) 720-9554.

Dated: January 4, 1998.

**Wally Beyer,**

*Governor, Rural Telephone Bank.*

[FR Doc. 98-3266 Filed 2-5-98; 10:34 am]

BILLING CODE 3410-15-P

## ASSASSINATION RECORDS REVIEW BOARD

### Sunshine Act Meeting

**DATE:** February 17, 1998.

**PLACE:** ARRB, 600 E Street, NW, Washington, DC.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:**

1. Review and Accept Minutes of Closed Meeting
2. Review of Assassination Records
3. Other Business

**CONTACT PERSON FOR MORE INFORMATION:** Eileen Sullivan, Press Officer, 600 E Street, NW, Second Floor, Washington, DC 20530. Telephone: (202) 724-0088; Fax: (202) 724-0457.

**T. Jeremy Gunn,**

*Executive Director.*

[FR Doc. 98-3268 Filed 2-5-98; 11:01 am]

BILLING CODE 6118-01-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

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

**ACTION:** Notice of preliminary results of antidumping duty administrative reviews and partial termination 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 classes or kinds of 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 20 manufacturers/exporters. The period of review is May 1, 1996, through April 30, 1997.

We are terminating the reviews for six other manufacturers/exporters and for certain types of antifriction bearings from still 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 9, 1998.

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

France

Chip Hayes (SKF), Lisa Tomlinson (SNFA), or Richard Rimlinger.

Germany

John Heires (Torrington Nadellager), Davina Hashmi (SKF), or Robin Gray.

Italy

Chip Hayes (SKF), Mark Ross (FAG), Kristie Strecker (Somecat), William Zapf (Meter), Robin Gray, or Richard Rimlinger.

Japan

J. David Dirstine (Koyo Seiko), Gregory Thompson (NTN), Hermes Pinilla (NPBS), Thomas Schauer (NSK Ltd.), Jay Biggs (Nachi-Fujikoshi Corp.), Robin Gray, or Richard Rimlinger.

Romania

Kristie Strecker (Tehnoimportexport, S.A.) or Robin Gray.

Singapore

Lyn Johnson (NMB/Pelmecc) or Richard Rimlinger.  
Sweden

Mark Ross (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's regulations are to 19 CFR Part 353 (April 1, 1996).

##### Background

On May 15, 1989, the Department of Commerce (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 17, 1997 and August 28, 1997, in accordance with 19 CFR 353.22(c), we published notices of initiation of administrative reviews of these orders for the period May 1, 1996 through April 30, 1997 (the POR) (62 FR 32754 (as corrected by 62 FR 34504 and 62 FR 44751) and 62 FR 45621, respectively). 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 Bruckner (Germany), FAG Kugelfischer Georg Schaefer AG (Germany), INA Walzlager Schaeffler KG (Germany), NTN Kugellagerfabrik (Deutschland) GmbH (Germany), SNR Roulements (France), and C.R. s.r.l. (Italy). In addition, we also received timely withdrawals of review requests for CRBs sold by FAG Italia S.p.A. (Italy), CRBs sold by Somecat S.p.A. (Italy), CRBs sold by SNFA Bearings Ltd. (U.K.), and

CRBs and SPBs sold by Koyo Seiko Co., Ltd. (Japan). Because there were no other requests for review of these companies or specified bearing types for the above-named firms, we are terminating the reviews with respect to these companies or types of bearings in accordance with 19 CFR 353.22(a)(5). Furthermore, on December 17, 1997, we received a withdrawal of a request by Agusta Aerospace Corporation (AAC) to review BBs and CRBs which were produced by SNFA France and exported by Agusta S.p.A. to the United States. This withdrawal request does not affect our review of other BBs and CRBs sold by SNFA France. Therefore, because SNFA France had no specific foreknowledge that sales it made to Agusta S.p.A. were destined for the United States, we will instruct the Customs Service to liquidate entries of all SNFA bearings imported by AAC at the rate required at the time of entry.

Although we received a request to revoke the antidumping duty order covering BBs from Singapore with respect to NMB Singapore Ltd./Pelmecc Industries (Pte.) Ltd. (NMB/Pelmecc), we have preliminarily determined that NMB/Pelmecc does not qualify for revocation under 19 CFR 353.25(a)(1) because we preliminarily determine that the firm was dumping BBs in this review period and we determined that NMB/Pelmecc dumped BBs in the review periods May 1, 1994 through April 30, 1995 (62 FR 54043, October 17, 1997) and May 1, 1995 through April 30, 1996 (62 FR 2081, January 15, 1997).

##### 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 classes or kinds of 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, 8482.99.6560, 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 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, 8482.99.6595, 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 and Parts Thereof:* These products include all spherical plain bearings that employ a spherically shaped sliding element.

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. 62 FR 54043 (October 17, 1997) (AFBs VII). 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 classes or kinds of merchandise:

Name of firm	Class or kind
<b>France</b>	
SKF France (including all relevant affiliates) .....	BBs, SPBs
SNFA S.A. (SNFA France) .....	BBs, CRBs
<b>Germany</b>	
SKF GmbH (including all relevant affiliates) (SKF Germany) .....	All
Torrington Nadellager (Torrington/Kuensenbeck) .....	BBs, CRBs
<b>Italy</b>	
FAG Italia, S.p.A. (including all relevant affiliates) (FAG Italy) .....	BBs
SKF-Industrie, S.p.A. (including all relevant affiliates) (SKF Italy) .....	BBs
Meter, S.p.A. (Meter) .....	CRBs
Somecat, S.p.A. (Somecat) .....	BBs
<b>Japan</b>	
Koyo Seiko Co., Ltd. (Koyo) .....	BBs
Nachi-Fujikoshi Corp. (Nachi) .....	BBs, CRBs
Nippon Pillow Block Sales Company, Ltd. (NPBS) .....	BBs, CRBs
NSK Ltd. (formerly Nippon Seiko K.K.) .....	BBs, CRBs
NTN Corp. (NTN Japan) .....	All
<b>Romania</b>	
Tehnoimportexport, S.A. (TIE) .....	BBs
<b>Singapore</b>	
NMB/Pelmec .....	BBs
<b>Sweden</b>	
SKF Sverige (including all relevant affiliates) (SKF Sweden) .....	BBs, CRBs
<b>United Kingdom</b>	
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

In a letter dated June 24, 1997, Torrington requested to be excused from responding to the Department's questionnaire in this review involving BBs from Germany. Torrington stated that, during the POR, it imported into the United States only ten units covered by the order on BBs and all units were imported and obtained by Torrington-U.S. from Torrington-Germany via an affiliated-party transaction solely for testing and/or examination.

On August 4, 1997, Torrington notified the Department that it had destroyed all ten units in question and that there is no possibility of resale. Based on this, Torrington states that no useful purpose would be served by requiring it to answer the questionnaire so far as BBs are concerned. 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 Suzanne Flood,

dated August 18, 1997. 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, et al.: Preliminary Results of Antidumping Duty Administrative Reviews, Termination of Administrative Reviews, and Partial Termination of Administrative Reviews, 61 FR 35713 (July 8, 1996).)

#### 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.

#### 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 not appropriate for any of the companies under the current review. However, in certain situations, we found it necessary to use partial facts available. Partial facts available was applied in cases where we were unable to use some portion of a response in calculating the dumping margin. For partial facts available, we extrapolated information from the company's response and used that information in our calculations. For SKF (Germany), NPBS, NTN, Torrington, and NSK-RHP (UK), average credit days were calculated for missing payment dates. 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. For Torrington, we used facts available to construct the value of merchandise where no comparable home market information existed. For further information, please see the analysis memoranda on file for all of these firms.

#### **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 772(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 a particular class or kind of merchandise, 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 were June 2–8, 1996; August 11–17, 1996; October 13–19, 1996; November 3–9, 1996; February 2–8, 1997; and April 13–19, 1997. 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) (at 823–824) to the URAA, 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. Where 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, *i.e.*, 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 that added value in the United States, with the exception of NSK/RHP and NPBS.

Section 772(e) of the Act provides that, where 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 NSK/RHP and 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 for an explanation of our practice on this issue.) Therefore, we determined 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 these sales, 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 most 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. With the exception of Meter, 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.

For Meter, we used third-country sales to Germany to establish NV because Meter had no sales of the foreign like product in Italy. SNFA France's home market was viable in accordance with section 773(a)(1) of the Act. However, because there were no contemporaneous sales of merchandise comparable to the U.S. sales such that we found no matches, we used constructed value as the basis of NV.

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 class or kind of merchandise, we used sales in sample months that corresponded to the sample weeks we selected for U.S. sales sampling plus one contemporaneous month prior to the POR and one following the POR. The sample months were March, June, August, October, and November of 1996; and February, April, and June of 1997.

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 under section 773(b) of the Act in the last completed review with respect to FAG Italy, SKF France, SKF Germany, SKF Italy, SKF Sweden, Koyo, Nachi, NPBS, NSK, NTN Japan, NMB Singapore/Pelmech Ind., Barden U.K., and NSK/RHP and the classes or kinds of merchandise under review, 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 placing the foreign like product in condition packed ready for shipment. 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 a class or kind of merchandise for a respondent that reported no U.S. sales or shipments of that class or kind.

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, where 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. Where 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 companies and classes or kinds of 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 or a third country, 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 within a class or kind of merchandise 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 or third-country prices were based on the packed, ex-factory or delivered prices to affiliated or unaffiliated purchasers. Where 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 353.56. 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, where 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* below.)

On January 8, 1998, the Court of Appeals for the Federal Circuit issued a decision in *Cemex v. United States*, 1998 WL 3626 (Fed. Cir.). In that case, based on the pre-URAA version of the Act, the Court discussed the appropriateness of using CV as the basis for foreign market value when the Department finds home market sales to be outside the ordinary course of trade. This issue was not raised by any party in these 96/97 reviews. However, the URAA amended the definition of sales outside the "ordinary course of trade" to include sales below cost. See section 771(15) of the Act. Because the Court's decision was issued so close to the deadline for completing these preliminary results, we have not had sufficient time to evaluate and apply (if appropriate and if there are adequate

facts on the record) the decision to the facts of these post-URAA reviews. For these reasons, we have determined to continue to apply our policy regarding the use of CV when we have disregarded below-cost sales from the calculation of NV; however, we invite interested parties to comment, in their case briefs, on the applicability of the Cemex decision to these reviews.

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 accordance with section 773(e)(2)(A) of the Act, we based SG&A expenses and profit on the amounts incurred and realized by the 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 selling expenses, we used the weighted-average home market selling expenses. To the extent possible, we calculated CV by level of trade, using the selling expenses and profit determined for each level of trade in the comparison market.

Where appropriate, we made adjustments to CV in accordance with section 773(a)(8) of the Act and 19 CFR 353.56 for COS differences and level-of-trade differences. 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. We also made adjustments, where applicable, for home market indirect selling expenses to offset U.S. commissions in EP and CEP comparisons.

Where 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 773(a)(8) of the Act. (See *Level of Trade* 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 (or, if appropriate, third-country) 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, 1998, on file in Import Administration's Central Records Unit (Room B-099 of the main Commerce building (hereafter, 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: (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 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 Kristie Strecker to Laurie Parkhill, dated January 26, 1998, "Assignment of Separate Rate for Tehnoimportexport: 1995-96 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 a public document on file in 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 (TIE) 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 B-099 (for this expense, as well as any other adjustments or factors in our

calculations for which we relied on pre-POR statistics discussed below, we adjusted those statistics by annual rates of inflation). 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 a 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 conducted by the Department involving Romania, we have treated Romania as a 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 a NME for these preliminary results.

Accordingly, we calculated NV in accordance with section 773(c) of the Act and 19 CFR 353.52. 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 from Kristie Strecker to Laurie Parkhill, dated January 26, 1998, "Surrogate-Country Selection: 1996-97 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 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 Indonesian Foreign Trade Statistical Bulletin—Imports, which includes data on 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, which is on file in B-099. We also reduced the steel input factors to account for the scrap steel that was sold by the producers of the relevant bearings.

- For direct labor, we used the Indonesian average daily wage and hours worked per week for the iron and steel basic industries reported in the 1994 Special Supplement to the Bulletin of Labour Statistics, published by the International Labour Office. We added amounts to labor rates to account for benefits. We used information from the Foreign Labor Trends, as used in Lighters from the PRC, which shows supplementary benefits to be thirty-three percent of manufacturing earnings.

- For factory overhead, SG&A expenses, and profit, we could not find values for the bearings industry in Indonesia. Therefore, consistent with AFBsVII, we used the percentages calculated from the financial statements of the Indonesia company, P. T. Jaya Pari

Steel Ltd. Corporation. 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, cited above.

**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, 1996, through April 30, 1997 to be as follows:

Company	BBs	CRBs	SPBs
<b>France</b>			
SKF .....	7.40	( <sup>3</sup> )	76.57
SNFA .....	0.55	1.78	( <sup>3</sup> )
<b>Germany</b>			
SKF .....	2.27	7.33	5.24
Torrington NAD ..	( <sup>2</sup> )	11.38	( <sup>3</sup> )
<b>Italy</b>			
FAG .....	1.18	( <sup>3</sup> )	
SKF .....	3.22	( <sup>3</sup> )	
Meter .....	( <sup>3</sup> )	10.65	

Company	BBs	CRBs	SPBs
Somecat .....	0.00	( <sup>3</sup> )	
<b>Japan</b>			
Koyo Seiko .....	6.29	( <sup>3</sup> )	( <sup>3</sup> )
Nachi .....	6.83	8.53	( <sup>3</sup> )
NPBS .....	2.33	( <sup>2</sup> )	( <sup>3</sup> )
NSK Ltd. ....	5.87	2.27	( <sup>3</sup> )
NTN .....	6.16	12.50	10.39
<b>Romania</b>			
TIE .....	0.90		
<b>Singapore</b>			
NMB Singapore/ Pelmech Ind. ....	4.49		
<b>Sweden</b>			
SKF .....	11.73	( <sup>2</sup> )	
<b>United Kingdom</b>			
NSK/RHP .....	16.66	21.08	
FAG (U.K.) .....	( <sup>2</sup> )	( <sup>2</sup> )	
Barden .....	8.02	( <sup>1</sup> )	
SNFA .....	58.20	( <sup>3</sup> )	

<sup>1</sup> No shipments or sales subject to this review. The firm has an individual rate from the last relevant segment of the proceeding in which the firm had shipments/sales.

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

<sup>3</sup> No review requested.

Parties to this proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 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 18, 1998 .....	8:30 a.m. ....	1412
Sweden .....	March 19, 1998 .....	8:30 a.m. ....	1412
Romania .....	March 19, 1998 .....	2:00 p.m. ....	1412
Germany .....	March 20, 1998 .....	8:30 a.m. ....	1412
Italy .....	March 23, 1998 .....	8:30 a.m. ....	1412
Singapore .....	March 23, 1998 .....	2:00 p.m. ....	1412
United Kingdom .....	March 24, 1998 .....	8:30 a.m. ....	1412
France .....	March 24, 1998 .....	2:00 p.m. ....	1412
Japan .....	March 25, 1998 .....	8:30 a.m. ....	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.

Case	Briefs due	Rebuttals due
General Issues.	March 9, 1998	March 16, 1998.
Sweden ...	March 10, 1998.	March 17, 1998.
Romania	March 10, 1998.	March 17, 1998.

Case	Briefs due	Rebuttals due
Germany	March 11, 1998.	March 18, 1998.
Italy .....	March 12, 1998.	March 19, 1998.
Singapore	March 12, 1998.	March 19, 1998.
United Kingdom.	March 13, 1998.	March 20, 1998.
France .....	March 13, 1998.	March 20, 1998.
Japan .....	March 16, 1998.	March 23, 1998.

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.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Because sampling and the inability to link sales with specific entries prevents calculation of duties on an entry-by-entry basis, we have calculated importer-specific ad valorem duty assessment rates for each class or kind of merchandise based on the ratio of the total amount of antidumping duties calculated for the examined sales made during the POR to the total customs value of the sales used to calculate those duties. This rate will be assessed uniformly on all entries of that particular importer made during the POR. (This is equivalent to dividing the total amount of antidumping duties, which are calculated by taking the difference between statutory NV and statutory EP or CEP, by the total statutory EP or CEP value of the sales compared and adjusting the result by the average difference between EP or CEP and customs value for all merchandise examined during the POR).

In some cases, such as EP situations, the respondent does not know the entered value of the merchandise. For these situations, we have either calculated an approximate entered value or an average unit dollar amount of antidumping duty based on all sales examined during the POR. (See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from the Federal Republic of Germany; Final Results of Antidumping Duty Administrative Review, 56 FR 31694 (July 11, 1991).) The Department will issue appropriate appraisal instructions directly to the Customs Service upon completion of these reviews.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided by section 751(a)(1) of the Act: (1) the cash deposit rates for the reviewed companies will be those rates established in the final results of these reviews (except that no deposit will be required for firms with zero or *de minimis* margins, *i.e.*, margins less than 0.5 percent); (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 made effective by the final results of the 1991-92 administrative reviews of these orders (See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.: Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order, 58 FR 39729 (July 26, 1993), and Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.: Final Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews, 61 FR 66472 (December 17, 1996)). As noted in those previous final results, 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 preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

These administrative reviews and notice are in accordance with section

751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22(c)(5).

Dated: February 2, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98-3212 Filed 2-6-98; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-122-601]

#### **Brass Sheet and Strip from Canada: Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent To Revoke Order in Part**

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

**ACTION:** Notice of preliminary results of Antidumping Duty Administrative Review and Notice of Intent to Revoke Order in Part.

**SUMMARY:** In response to a request by the respondent, the Department of Commerce is conducting an administrative review of the antidumping duty order on brass sheet and strip from Canada. The review covers one manufacturer/exporter of this merchandise to the United States, Wolverine Tube (Canada), Inc. The period covered is January 1, 1996 through December 31, 1996. As a result of the review, the Department has preliminarily determined that no dumping margins exist for this respondent. We intend to revoke the order with respect to brass sheet and strip from Canada manufactured by Wolverine, based on our preliminary determination that Wolverine has sold the merchandise at not less than fair value for a period of three consecutive years and that it is not likely that Wolverine will sell this product to the United States at less than normal value in the future.

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

**EFFECTIVE DATE:** February 9, 1998.

**FOR FURTHER INFORMATION CONTACT:** Paul Stolz or Tom Futtner, Office of Antidumping/Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th