

Preliminary Results of Review

We preliminarily determine that a margin of 6.83 percent exists for SKC for the period June 1, 1996 through May 31, 1997. Parties to this proceeding may request disclosure within five days of publication of this notice and any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication. The Department will publish the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments or at a hearing, within 120 days after the date of publication of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. We have calculated importer-specific ad valorem duty assessment rates based on the total amount of dumping margins calculated for the examined sales during the POR to the total customs of the sales used to calculate these duties. These rates will be assessed uniformly on all entries 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 of the sales compared, and adjusting the average differences between EP or CEP and the entered value for all merchandise entered during the POR.) The Department will issue appraisal instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties.

Furthermore, the following deposit requirements will be effective upon completion of the final results of these administrative reviews for all shipments of PET film from the Republic of Korea entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided by section 751(a)(1) of the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 rate for reviewed firms will be the rate established in the final results of administrative review; (2) for merchandise exported by

manufacturers or exporters not covered in these reviews but covered in the original less-than-fair-value (LTFV) investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in these reviews, or the original investigation, but the manufacturer is, the cash deposit rate will be that established for the manufacturer of the merchandise in the final results of these reviews, or the LTFV investigation; and (4) if neither the exporter nor the manufacturer is a firm covered in these or any previous reviews, the cash deposit rate will be 21.5%, the "all others" rate established in the LTFV investigation.

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

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: March 2, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-485-602]

Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From Romania; Preliminary Results of Antidumping Administrative Review

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

ACTION: Notice of preliminary results of Antidumping Duty Administrative Review.

SUMMARY: In response to requests by the petitioner, The Timken Company ("Timken"), and the respondent, Tehnoimportexport, S.A. ("TIE"), the Department of Commerce ("the Department") is conducting an administrative review of the

antidumping duty order on tapered roller bearings and parts thereof, finished or unfinished ("TRBs"), from Romania. The review covers shipments of the subject merchandise to the United States during the period June 1, 1996, through May 31, 1997.

Interested parties are invited to comment on these preliminary results. Parties who submit arguments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

EFFECTIVE DATE: March 6, 1998.

FOR FURTHER INFORMATION CONTACT: Carrie Blozy or Rick Johnson, Office of Antidumping and Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-0374 or (202) 482-0165.

SUPPLEMENTARY INFORMATION:

Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are 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, as they existed on April 1, 1996.

Background

On June 19, 1987, the Department published in the **Federal Register** (52 FR 23320) the antidumping duty order on TRBs from Romania. On June 11, 1997, the Department published in the **Federal Register** (62 FR 31786, 31787) a notice of opportunity to request an administrative review of this antidumping duty order. On June 30, 1997, the Department received requests from the petitioner and the respondent to conduct an administrative review of TIE. On August 1, 1997, in accordance with 19 CFR 353.22(c), we published the notice of initiation of this antidumping administrative review in the **Federal Register** (62 FR 41340).

Scope of This Review

Imports covered by this review are shipments of TRBs from Romania. These products include flange, take-up cartridge, and hanger units incorporating tapered roller bearings, and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. This merchandise is currently classifiable

under Harmonized Tariff Schedule (HTS) item numbers 8482.20.00, 8482.91.00, 8482.99.30, 8483.20.40, 8483.30.40, and 8483.90.20. Although the HTS item numbers are provided for convenience and Customs purposes, the written description of the scope of this order remains dispositive.

Separate Rates

To establish whether a company is sufficiently independent to be entitled to a separate rate, 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 by the *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 policy, exporters in non-market-economy ("NME") countries are entitled to separate, company-specific margins when they can demonstrate an absence of government control, both in law and in fact, with respect to exports. 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.

We have found that the evidence on the record demonstrates an absence of government control, both in law and in fact, with respect to TIE according to the criteria established in *Sparklers* and *Silicon Carbide*. For a further discussion of the Department's preliminary determination that TIE is entitled to a separate rate, see *Memorandum to Edward Yang, Director, Office IX, AD/CVD Enforcement, Import Administration, dated March 2, 1998: Antidumping Administrative Review of Tapered Roller Bearings from Romania: Assignment of a Separate Rate for*

Tehnoimportexport, S.A. in the 1996/97 review, which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

Export Price

For sales made by TIE, the Department used export price, in accordance with section 772(a) of the Act, in calculating U.S. price. We calculated export price based on the price to unrelated purchasers. We made adjustments, where appropriate, for foreign inland freight and ocean freight. We used surrogate information from Indonesia to value foreign inland freight for reasons explained in the "Normal Value" section of this notice.

Normal Value

For merchandise exported from an NME country, section 773(c)(1) of the Act provides that the Department shall determine Normal Value ("NV") using 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 case conducted by the Department involving Romania, Romania has been treated as an NME country. None of the parties to this proceeding has contested such treatment in this review. 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 utilized in producing TRBs include, but are not limited to (a) hours of labor required, (b) quantities of raw materials employed, (c) amounts of energy and other utilities consumed, and (d) 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 a market economy country that is (a) at a level of economic development comparable to that of Romania, and (b) a significant producer 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 surrogate country. For a further discussion of the Department's selection of a surrogate country, see *Memorandum to the File: Antidumping Administrative Review of Tapered Roller Bearings from Romania: Selection of a Surrogate Country in the 1996/97 Review*, dated March 2, 1998, which is on file in the Central Records Unit

(room B099 of the Main Commerce Building).

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

- When materials used to produce TRBs were imported into Romania 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 TRBs, we used the import value per metric ton of these materials into Indonesia as published in the *Indonesian Foreign Trade Statistical Bulletin—Imports* and adjusted, as appropriate, with the wholesale price index inflator to place these values on an equivalent basis for the period of review ("POR"). With two exceptions, the data used for all material inputs was taken from the period January 1996 through December 1996. For cold-rolled sheet for cages, the only available data was from the period January 1995 through November 1995, and for hot-rolled steel bars, the only available data was from the period January 1996 through February 1996. Additionally, for hot-rolled rods, we adjusted the material input value to exclude imports into Indonesia of insignificant quantities and imports from known non-producers of bearing quality steel. For transportation distances used for the calculation of freight expenses on raw materials, we added to surrogate values from Indonesia a surrogate freight cost using the shorter of (a) the distance between the closest Indonesian port and the factory, or (b) the distance between the actual supplier and the factory. See *Notice of Final Determination of Sales at Less Than Fair Value: Collated Roofing Nails From the People's Republic of China*, 62 FR 51410 (October 1, 1997). We used freight rates obtained from a cable from the U.S. Embassy in Jakarta, Indonesia to the Department for use in the preliminary determination of the antidumping duty investigation of *Certain Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China*, dated September 9, 1991.

- For direct labor, we used the Indonesian average daily wages 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. For indirect labor, we used the supervisory labor rates used in the *Final Determination of Sales at Less Than Fair Value; Disposable Pocket Lighters from the People's Republic of China*, 60 FR 22359 (May 5, 1995), which were calculated based on information contained in *Doing Business in Indonesia* (1991).

This rate is not industry-specific but, rather, represents a general estimate of supervisory labor in Indonesia. We have adjusted these wages, based on the wholesale price index inflator, for the POR.

- For factory overhead, selling, general and administrative expenses, and profit, we could not find values for the bearings industry in Indonesia. Therefore, we used a publicly available 1996 financial statement of P.T. Jaya Pari Steel Ltd, an Indonesian producer engaged in the iron and steel making industry, an industry comparable to TRBs, which was recently used in the *Final Results of Antidumping Duty Administrative Reviews: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden and the United Kingdom*, 62 FR 54043 (October 17, 1997).

- To value packing materials, when materials used to package TRBs were imported into Romania from market-economy countries, we used the import prices to value the material input. To value all other packing materials, we used the import value per metric ton of these materials for the period January 1996 through December 1996 (and adjusted with the wholesale price index inflator to place these values on an equivalent basis for the POR), as published in the Indonesian *Foreign Trade Statistical Bulletin—Imports*. We adjusted these values to include freight costs incurred using the shorter of (a) the distance between the closest Indonesian port and the factory, or (b) the distance between the actual supplier and the factory.

- To value foreign inland freight, we used freight rates obtained from a cable from the U.S. Embassy in Jakarta, Indonesia, as indicated above. For a complete description of these adjustments, see *TIE Analysis Memorandum for the Preliminary Results*, dated March 2, 1998, at pg. 1.

Currency Conversion

We made currency conversions in accordance with Section 773A(a) of the Act. For currency conversions involving the Indonesian Rupiah, we used exchange rates published by the International Monetary Fund in *International Financial Statistics*. For all other conversions, we used daily exchange rates published by the Federal Reserve.

Preliminary Results of the Review

As a result of our review, we preliminarily determine that the following margin exists:

Exporter	Time period	Margin (per-cent)
Tehnoimportexport, S.A.	6/1/96–5/31/97	0.86

Parties to the 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 publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, within 120 days after the date of publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the U.S. Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of TRBs from Romania entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for TIE will be the rate we determine in the final results of review; (2) for all other Romanian exporters, the cash deposit rate will be the Romania-wide rate made effective by the amended final results of the 1994–95 administrative review (see *Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from Romania; Amendment of Final Results of Antidumping Duty Administrative Review*, 61 FR 59416 (November 22, 1996)); (3) for non-Romanian exporters of subject merchandise from Romania, the cash deposit rate will be the rate applicable to the Romanian supplier of that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to

liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties. This administrative review 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.

Dated: March 2, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 022798A]

Gulf of Mexico Fishery Management Council; Public Meetings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meeting.

SUMMARY: The Gulf of Mexico Fishery Management Council (Council) will convene a public meetings of the Coastal Migratory Pelagics (Mackerel) Stock Assessment Panel (MSAP).

DATES: The meetings will begin at 1:00 p.m. on Monday, March 23, 1998 and will conclude by Friday, March 27, 1998.

ADDRESSES: The meeting will be held at NMFS Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL.

Council address: Gulf of Mexico Fishery Management Council, 3018 U.S. Highway 301 North, Suite 1000, Tampa, FL 33619

FOR FURTHER INFORMATION CONTACT: Dr. Richard Leard, Senior Fishery Biologist; telephone: 813–228–2815.

SUPPLEMENTARY INFORMATION: The MSAP will review stock assessments for the Gulf and Atlantic migratory groups of king and Spanish mackerel. The MSAP will also consider available information including but not limited to commercial and recreational catches, natural and fishing mortality estimates, recruitment, fishery-dependent and fishery-independent data, and data needs. These analyses will be used to determine the condition of the stocks and the levels of acceptable biological catch for the 1998–99 fishing year.