

Proceedings and firms	Class or kind
NSK Bearings Europe, Ltd./RHP Bearings Ltd.	Ball and Cylindrical.

If requested within 30 days of the date of publication of this notice, the Department will determine whether antidumping duties have been absorbed by an exporter or producer subject to any of these reviews if the subject merchandise is sold in the United States through an importer which is affiliated with such exporter or producer.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b) of the Department's regulations. However, due to the large number of parties to these proceedings, we strongly recommend that parties submit their APO applications as soon as possible, and we will process them on a first-come, first-served basis.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930 (19 U.S.C. 1675(a)) and 19 CFR 353.22(c) and 353.25(c).

Roland L. MacDonald,
Acting Deputy Assistant Secretary for
Compliance.

[FR Doc. 96-15682 Filed 6-19-96; 8:45 am]

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[A-583-009]

Color Television Receivers, Except for Video Monitors, From Taiwan; Amended Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of amendment to final results of antidumping duty administrative review.

SUMMARY: On October 21, 1994, in the case of *Zenith Electronics Corporation v. United States*, 865 F. Supp. 890 (*Zenith*), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) third results of redetermination on remand and prior remand determinations of the final results of the first administrative review of the antidumping duty order on color television receivers, except for video monitors (CTVs), from Taiwan, to the extent that they were not subsequently modified by the Court. The Court also vacated its July 29, 1991, order to the extent that the order held that "no assessment rate cap may be applied in

liquidating the subject entries unless the importer paid a cash duty for an estimated dumping duty." As a result, the Court ordered the Department to apply the assessment rate cap to all subject imports entered between the publication dates of the Department's preliminary affirmative determination of sales at less than fair value (LTFV) and the International Trade Commission's (ITC's) final affirmative injury determination.

Consistent with the decision of the United States Court of Appeals for the Federal Circuit (CAFC) in *Timken Co. v. United States*, 893 F.2d 337 (CAFC 1990) (*Timken*), on January 17, 1995, the Department published a notice in the Federal Register which suspended liquidation of the subject merchandise entered or withdrawn from warehouse for consumption until there was a "final and conclusive" decision in this case (60 FR 3391). On February 12, 1996, the CAFC upheld the Department's methodology for determining direct and indirect expenses for purposes of making a circumstance-of-sale (COS) adjustment in calculating AOC International, Inc.'s (AOC) final margin and remanded the case back to the Court for recalculation of dumping margins in a manner consistent with the CAFC's decision. Although the case is not yet "final and conclusive" for AOC, the other respondents in this proceeding are not affected by this outstanding issue. We have, therefore, prepared these amended final results for those respondents.

EFFECTIVE DATE: June 20, 1996.

FOR FURTHER INFORMATION CONTACT: Maureen McPhillips or John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION:

Background

On December 29, 1986, the Department published in the Federal Register the final results of the first administrative review of the antidumping duty order on CTVs from Taiwan (51 FR 46895). In those results, the Department set forth its finding of weighted-average margins for nine companies, AOC, Capetronic (BSR) Ltd. (Capetronic), Fuleit Electronic Industrial Co., Ltd. (Fuleit), Nettek Corp., Ltd.

(Nettek), RCA Taiwan (RCA), Shinlee Corp. (Shinlee), Shin-Shirasuna Electric Co. (Shin-Shirasuna), and Tatung Co. (Tatung), for the period of review (POR) October 19, 1983 through March 31, 1985, and Sampo Corp. (Sampo) for the POR April 1, 1984 through March 31, 1985, and announced its intent to instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Subsequent to the Department's final results, four of the reviewed companies and a domestic producer, Zenith, filed lawsuits with the Court challenging these results. Thereafter, on September 11, 1989, the Court issued an order and opinion remanding the Department's determination so that the Department could make reasonable allowances for "bona fide differences in warranty expenses between the United States and the home market", and to reconsider an adjustment for Sampo's bad debt losses based on its bad debt experience during the period or another appropriate period. See *AOC International, Inc. et al. v. United States*, 721 F. Supp. 314 (CIT 1989). The Department requested a voluntary remand for the following reasons: to recalculate constructed value (CV) for Tatung; to recalculate AOC's inland freight and explain the calculation methodology; to adjust Tatung's foreign market value (FMV) for discounts and rebates which Tatung paid to distributors for trade-ins of used CTVs by the dealers in the home market; to allocate advertising and sales promotion expenses on a product-line, rather than a model-specific basis; and to add to the U.S. price (USP) the amount of commodity taxes forgiven upon exportation of CTVs. On January 31, 1991, the Department filed its first remand results with the Court.

On July 29, 1991, the Court ordered a second remand for the Department to do the following: Determine the amount of commodity tax passed through to home market purchasers and add that amount to the U.S. price (USP); cease applying an assessment rate cap in liquidating entries of the subject merchandise unless the importer paid a cash deposit for an estimated antidumping duty; eliminate the use of sales adjustments in this case to the extent that they reduce CV general expenses to less than the statutory minimum amount; remove all home market export-related expenses from exporter's sale's price (ESP); request additional information from

AOC in order to remove from USP the import duties paid with respect to home market models, and instead add the import duties forgiven with respect to the exported models; investigate whether Shin-Shirasuna's sales to Canada were fictitious so as to manipulate the foreign market value for comparison with imports to the United States and thereby minimize the antidumping duty liability; recalculate Capetronic's dumping margins using production data related to a specific sale instead of using the weighted-average costs of production, remove from USP the value of certain proprietary selling expenses for Shirasuna; and correct certain programming errors. *See Zenith Electronics Corporation v. United States*, 770 F. Supp. 648 (CIT 1991). In addition, the Department requested a remand to explain the reasons underlying its *de minimis* determination. On January 31, 1992, the Department filed its second remand results with the Court.

On January 28, 1993, the Court ordered a third remand so that the Department could reconsider the tax pass-through in a manner consistent with the constant costs and imperfect competition characteristic of the Taiwanese color television market. In addition, the Court ordered the Department to "cap" the upward adjustment to USP for foreign tax at the amount of tax found to be passed through to home market purchasers, to make an adjustment for the difference in circumstances of sale included in the

U.S. and home market taxable values, to insure that the general expenses component of CV was not reduced at any time to less than the statutory minimum amount by reason of adjustments for selling expenses associated with disregarded home market sales, and to correct two clerical errors. *See Zenith Electronic Corp. v. United States*, 812 F. Supp. 228 (CIT 1993). On May 5, 1993, the Department filed its third remand results with the Court.

On October 21, 1994, the Court, in *Zenith*, affirmed the Department's third remand results, and affirmed the prior remand determinations in this case to the extent that they were not subsequently modified by the Court. The Court also vacated its July 29, 1991 order to the extent that the order held that "no assessment rate cap may be applied in liquidating the subject entries unless the importer paid a cash duty for an estimated dumping duty." As a result, the Court ordered the Department to apply the assessment rate cap to all subject imports entered between the publication dates of the Department's preliminary affirmative determination of sales at LTFV and the ITC's final affirmative injury determination, and it dismissed the case.

Because the Court's October 21, 1994 order affirmed the Department's recalculation of Capetronic's rate at 1.36 percent, the Department published amended final results of review for Capetronic in this administrative review. *See* 60 FR 11955 (March 3,

1995). As a result of this new rate, the Court issued an order in the third administrative review of CTVs from Taiwan to rescind its previous revocation of Capetronic from the antidumping duty order on CTVs from Taiwan because, as a result of the Department's redetermination of its rate in the first administrative review, Capetronic did not have three consecutive years of sales at not less than fair value. *See Tatung Company v. United States*, Court No. 90-12-00645 (March 8, 1995); *see also* 60 FR 29822 (June 6, 1995).

On January 17, 1995, the Department, consistent with the decision of the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (Timken), published a notice in the Federal Register stating that it would not order the liquidation of the subject merchandise entered or withdrawn from warehouse for consumption prior to a "final and conclusive" decision in this case. Although further action is required by the Court with regard to the Department's calculation of COS adjustments for AOC, this issue does not affect the other respondents in this review and, therefore, the Court's October 21, 1994 decision is "final and conclusive" for those respondents.

As a result of the Department's redeterminations on remand, we have determined the weighted-average dumping margins for CTVs from Taiwan for the following periods to be:

Manufacturer/ exporter	Time period	Margin percent
Fuleit Elect. Industrial, Co	10/19/83-03/31/85	0.08
Sampo Corp	04/01/84-03/31/85	6.29
Tatung Co	10/19/83-03/31/85	2.56

The Department will determine, and the Customs Service will assess, antidumping duties on the appropriate entries for the above companies.

Once the Court remands *Zenith* back to the Department and the case is "final and conclusive" with respect to AOC, we will recalculate AOC's dumping margin in accordance with the Court's opinion, publish an amended Federal Register notice, and issue liquidation instructions for AOC for the first administrative review of CTVs from Taiwan.

This amendment of final results of review and notice are in accordance with section 751(f) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(f)) and 19 CFR 353.28(c).

Dated: June 4, 1996.

Paul L. Joffe,

Acting Assistant Secretary for Import Administration.

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[A-533-810]

Stainless Steel Bar From India; Extension of Time Limit for Preliminary Results of New Shipper Antidumping Duty Administrative Review

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

ACTION: Notice of extension of time limit
for preliminary results of new shipper

antidumping duty administrative
review.

SUMMARY: The Department of Commerce (the Department) is extending the time limit for the preliminary results in the new shipper administrative review of the antidumping duty order on stainless steel bar from India, covering the period February 1, 1995, through July 31, 1995, because the Department has concluded that the case is extraordinarily complicated.

EFFECTIVE DATE: June 20, 1996.

FOR FURTHER INFORMATION CONTACT:
Davina Hashmi or Michael Rill, Office
of Antidumping Compliance, Import
Administration, International Trade
Administration, U.S. Department of
Commerce, 14th Street and Constitution