

[A-485-602]

**Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from Romania; Preliminary Results of Antidumping Duty 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 a request by the petitioner, The Timken Company (Timken), 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, 1993, through May 31, 1994. The review indicates the existence of dumping margins during the period of review.

We have preliminarily determined that sales have been made below the foreign market value (FMV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between United States price (U.S. price) and the FMV.

Interested parties are invited to comment on these preliminary results.

**EFFECTIVE DATE:** December 2, 1996.

**FOR FURTHER INFORMATION CONTACT:** Karin Price or Maureen Flannery, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone: (202) 482-4733.

**SUPPLEMENTARY INFORMATION:**

**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 7, 1994, the Department published in the Federal Register (59 FR 29411) a notice of opportunity to request an administrative review of this antidumping duty order. On June 30, 1994, in accordance with 19 CFR 353.22(a), the petitioner requested that we conduct an administrative review of Tehnoimportexport, S.A. (TIE); Tehnoforestexport; S.C. Rulmenti S.A. Alexandria (Alexandria); S.C. Rulmentul S.A. Brasov (Brasov); S.C. Rulmenti S.A. Barlad (Barlad); S.C.

Rulmenti Grei S.A. Ploiesti (Ploiesti); S.C. Rulmenti S.A. Slatina (Slatina); and S.C. URB Rulmenti Suceava S.A. (Suceava). We published the notice of initiation of this antidumping duty administrative review on July 15, 1994 (59 FR 36160). The Department is conducting this administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Unless otherwise indicated, all citations to the statute and to the Department's regulations are in reference to the provisions as they existed on December 31, 1994.

**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.

This review covers eight companies and the period June 1, 1993 through May 31, 1994. Of the eight companies for which petitioner requested a review, only TIE made shipments of the subject merchandise to the United States during the period of review. Alexandria and Brasov produced the merchandise sold by TIE to the United States, but have stated that they did not ship TRBs directly to the United States. Tehnoforestexport, Barlad, Ploiesti, Slatina, and Suceava have responded that they did not produce or sell TRBs subject to this review.

**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.

TIE is the only company covered by this review with shipments of the subject merchandise to the United States during the period of review. Therefore, TIE is the only firm for which we have made a determination of whether it should receive a separate rate. The evidence on the record demonstrates that TIE does not have autonomy in making decisions regarding the selection of its management. Consequently, we have found that there is *de facto* government control with respect to TIE's exports according to the criteria identified in *Sparklers* and *Silicon Carbide*. For further discussion of the Department's preliminary determination that TIE is not entitled to a separate rate, see *Decision Memorandum to the Director, Office of Antidumping Compliance*, dated June 19, 1995; "Assignment of a separate rate for Tehnoimportexport, S.A. in the 1993/1994 administrative review of tapered roller bearings and parts thereof, finished or unfinished, from Romania," which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

**Verification**

Verification of the questionnaire responses of TIE was conducted between April 3, 1995, and April 8, 1995, at TIE's facility in Bucharest, Romania. The majority of TIE's exports were of merchandise produced by Brasov, and we conducted an additional verification at Brasov's facility in Brasov, Romania. Verification of Brasov's questionnaire response, in which it stated that it had no direct shipments of TRBs to the United States

during the period of review, was conducted at its facility in Brasov, Romania.

#### United States Price

Information on the record indicates that TIE was the only Romanian exporter of the subject merchandise to the United States during the period of review. For sales made by TIE, the Department used purchase price, in accordance with section 772(b) of the Act, in calculating U.S. price. We calculated purchase price based on the price to unrelated purchasers. We made deductions, where appropriate, for foreign inland freight and ocean freight. We used surrogate information from Turkey to value foreign inland freight for reasons explained in the "Foreign Market Value" section of this notice.

#### Foreign Market Value

For merchandise exported from an NME country, section 773(c)(1) of the Act provides that the Department shall determine FMV using a factors of production methodology if available information does not permit the calculation of FMV using home market prices, third country prices, or constructed value (CV) 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 FMV in accordance with section 773(c) of the Act and section 353.52 of the Department's regulations based on information submitted by TIE and verified by the Department. We determined that Poland and Turkey are each at a level of economic development comparable to Romania in terms of per capita gross national product (GNP), the growth rate in per capita GNP, and the national distribution of labor. We have found that both Poland and Turkey are significant producers of bearings, but that Poland has a larger bearings industry than Turkey. Therefore, we have selected Poland as the primary surrogate country. Where we have been unable to locate publicly available published information to establish surrogate values from Poland, we have used Turkey as a secondary surrogate country. For further discussion of the Department's selection of these surrogate countries, see *Memorandum to the Acting Division Director*, dated March 24, 1995; "Surrogate Country Selection for Tapered Roller Bearings from Romania," and *Memorandum to the File*, dated May 4, 1995, "Selection of the surrogate country in the 1993/

1994 administrative review of tapered roller bearings and parts thereof, finished or unfinished, from Romania," which are on file in the Central Records Unit (room B099 of the Main Commerce Building).

For purposes of calculating FMV, we valued the Romanian factors of production as follows, in accordance with section 773(c)(1) of the Act:

- To value all direct materials used in the production of TRBs, we used the European currency unit (ECU) per metric ton value of imports into Poland from the countries of the European Community for the period June 1993 through May 1994, obtained from the *EUROSTAT, Monthly EC External Trade (EUROSTAT)*. Because these statistics are exclusive of freight charges incurred by Poland, we have applied to each surrogate price a CIF/FOB conversion factor, which was obtained from the *International Financial Statistics Yearbook, 1995*, published by the International Monetary Fund. Some materials used to produce TRBs were imported into Romania from market-economy countries, and, in these instances, we used the import price to value the relevant portion of the material input. We made adjustments to include freight costs incurred between the suppliers and the TRB factories. We also made an adjustment for scrap steel which was sold.

- For direct labor, we used the average monthly wages for the manufacture of machinery except electrical reported in the September 1994 issue of the *Statistical Bulletin* published by the Central Statistical Office in Warsaw. To determine the number of hours worked each week, we used information published by the Economic Intelligence Unit in *Investing, Licensing & Trading Conditions Abroad, Poland*, April 1994.

- For factory overhead, we used information from a publicly available summarized version for factory overhead reported for the 1993/1994 administrative review of the antidumping duty order on welded carbon steel pipe and tube from Turkey (pipe and tube from Turkey), because we had no useable information from Poland for this expense. Factory overhead was reported as a percentage of total cost of manufacture.

- For selling, general, and administrative expenses, we used the statutory minimum percentages found in section 773(e)(1)(B) pursuant to our authority in section 773(e)(1), because we had no useable surrogate country information for these expenses.

- For profit, we used information from a publicly available summarized

version for profit reported for pipe and tube from Turkey, because we had no useable information from Poland for this expense.

- To value the packing materials, we used the ECU per metric ton value of imports into Poland from the countries of the European Community as published in the *EUROSTAT*. Because these statistics are exclusive of freight charges incurred by Poland, we have applied to each surrogate price a CIF/FOB conversion factor, which was obtained from the *International Financial Statistics Yearbook, 1995*, published by the International Monetary Fund. Some materials used to pack TRBs were imported into Romania from market-economy countries, and, in these instances, we used the import price to value the relevant portion of the packing material. We adjusted these values to include freight costs incurred between the suppliers and the TRB factories.

- To value foreign inland freight, we used information from a publicly available summarized version for foreign inland freight reported for pipe and tube from Turkey, because we had no useable information from Poland for this expense.

#### Currency Conversion

We made currency conversions in accordance with 19 CFR 353.60(a). Currency conversions were made at the rates certified by the Federal Reserve Bank, or, where certified Federal Reserve Bank rates were not available, average monthly exchange rates published by the International Monetary Fund in *International Financial Statistics*.

#### Preliminary Results of the Review

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

Manufacturer/exporter	Time period	Margin (percent)
Romania Rate	6/1/93-5/31/94	0.00

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. See section 353.38(d) of the Department's

regulations. 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.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and FMV may vary from the percentages stated above. The Department will issue appraisal instructions directly to the Customs Service.

#### Notification of Interested Parties

This notice serves as a preliminary reminder to importers of their responsibility under section 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 section 353.22 of the Department's regulations.

Dated: November 20, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

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#### Exporters' Textile Advisory Committee; Solicitation for Members

The Exporters' Textile Advisory Committee was re-established effective October 21, 1996.

The Committee provides advice and guidance to Department officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

The Committee shall consist of approximately 35 members appointed by the Secretary of Commerce to ensure a balanced representation of textile and apparel products. Representatives of small, medium and large firms with broad geographical distribution in exporting shall be included on the Committee. Members shall represent the views of their companies, trade associations and other entities on matters that affect their business interest in exporting.

The Committee shall function solely as an advisory body in compliance with the provisions of the Federal Advisory Committee Act.

Persons interested in becoming members are invited to submit a letter to Troy H. Cribb, Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries, U.S. Department of Commerce, Washington, DC 20230 telephone: (202) 482-3737. Letters must include the applicant's social security number, date of birth, place of birth and home address. This information is required to process a records check to determine suitability for membership.

Dated: November 26, 1996.

Troy H. Cribb,

*Deputy Assistant Secretary for Textiles, Apparel and Consumer Goods Industries.*

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#### Joint Projects With the U.S. Commercial Centers in Sao Paulo, Brazil, Jakarta, Indonesia, and Shanghai, People's Republic of China

**AGENCY:** U.S. and Foreign Commercial Service, International Trade Administration, Department of Commerce.

**ACTION:** Notice of opportunity.

**SUMMARY:** The Department of Commerce offers a unique opportunity for nonprofit trade promotion organizations to undertake a joint project with the U.S. and Foreign Commercial Service (US&FCS), the export promotion arm of the U.S. Government, in three of the world's most promising Big Emerging Markets: Brazil, Indonesia and the People's Republic of China. This joint project features space sharing with the US&FCS in the U.S. Commercial Centers ("Commercial Centers") in Sao Paulo, Jakarta, and Shanghai to enhance opportunities for joint project participants to work toward shared market development goals and assist U.S. companies in-country.

#### FOR FURTHER INFORMATION CONTACT:

John Steuber, Director, U.S. Commercial Center—Sao Paulo, Rua Estados Unidos, 1812, Sao Paulo, SP. 01427-002, Brazil

or

AMCONGEN—Sao Paulo, Unit 3502, APO AA 34030, TEL: (55-11) 853-2811, FAX: (55-11) 3061-0718, INTERNET: JSteuber@doc.gov  
Jon Kuehner, Director, U.S. Commercial Center—Jakarta, Wisma Metropolitan II, Third Floor, JL. Jendral Sudirman, Jakarta 12920, Indonesia, TEL: (62-21)

526-2850, FAX: (62-21) 526-2855, INTERNET, Jkuehner@doc.gov  
Amy Chang, Director, U.S. Commercial Center—Shanghai, Portman Shanghai Centre, Suite 631, 1369 Nanjing West Road, Shanghai, 200040 China, TEL: (86-21) 6279-7640, FAX: (86-21) 6279-7649, INTERNET: AChang@doc.gov.

#### SUPPLEMENTARY INFORMATION:

*Commercial Center Concept:* U.S. Commercial Centers are enhanced U.S. government export promotion programs that provide, under one roof, expert business counseling by frontline Commercial Officers, a winning collection of core trade promotion programs, and an impressive array of world class, in-house business facilities. Commercial Centers are the only U.S. government operations that are designed physically and legally to share space on a long-term basis with nonprofit trade promotion entities who seek to build a presence in one or more of these Big Emerging Markets. US&FCS has authority to enter into joint projects on matters of mutual interest with public organizations and establish U.S. Commercial Centers overseas under 15 U.S.C. §§ 1525 and 4723a. Through joint projects, nonprofit trade promotion organizations can expand both the trade promotion resources available to U.S. companies as well as the number of U.S. companies served at the Commercial Center.

*Eligible Participants:* The U.S. and Foreign Commercial Service seeks other federal trade promotion agencies, state-local economic development agencies, nonprofit industry associations, and other nonprofit trade promotion entities to share space in the Commercial Centers.

*Features of Commercial Centers:* Commercial Centers are strategically placed in the heart of the business districts of Sao Paulo, Jakarta and Shanghai to serve clients, U.S. companies, and their business partners in-country. While striving to adapt to local business conditions and opportunities, each Commercial Center provides a consistent level of service and access to core features. In accordance with the authorizing legislation, Title IV, Jobs Through Exports Act of 1992, U.S. Commercial Centers offer the following basic features:

- All the core US&FCS export promotion programs and services, including expert business counseling, advocacy, business-facilitation services;
- Long-term space-sharing for nonprofit trade promotion partners, such as other federal trade promotion