

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Because the inability to link sales with specific entries prevents calculation of duties on an entry-by-entry basis, we have calculated an importer-specific *ad valorem* duty assessment rate for the 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 NV and CEP, by the total CEP value of the sales compared, and adjusting the result by the average difference between CEP and customs value for all merchandise examined during the POR.) The Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following cash deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) For MELCO the cash deposit rate will be the rate established in the final results of this review; (2) if the exporter is not a firm covered in this review, a previous review, or the original less-than-fair value investigation (LTFV), but the manufacturer is, the cash deposit rate will be that which was established for the most recent period for the manufacturer of the merchandise; (3) for non-Japanese exporters of subject merchandise from Japan, the cash deposit rate will be the rate applicable to the Japanese supplier of that exporter; (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous reviews, the cash deposit rate will be 27.93 percent, the "all others" rate established in the LTFV investigation, as explained below. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

On May 25, 1993, the Court of International Trade (CIT) in *Floral Trade Council v. United States*, 822 F.Supp. 766 (CIT 1993), and *Federal-Mogul Corporation and The Torrington Company v. United States*, 822 F.Supp. 782 (CIT 1993), decided that once an "All Others" rate is established for a company it can only be changed

through an administrative review. We have determined that, in order to implement these decisions, it is appropriate to reinstate the "All Others" rate from the LTFV investigation (or that rate as amended for correction of clerical errors or as a result of litigation) in proceedings governed by antidumping duty orders. Therefore, we are reinstating the "All Others" rate made effective by the final determination of sales at LTFV (see *Color Pictures Tubes*, 52 FR 44171, November 18, 1987).

This notice also serves as a preliminary reminder to importers of their responsibility under 19 C.F.R. 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.

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 C.F.R. 353.22.

Dated: January 30, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-3361 Filed 2-10-97; 8:45 am]

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[A-533-808]

Certain Stainless Steel Wire Rod From India; Preliminary Results of New Shipper Antidumping Duty Administrative Review

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

ACTION: Notice of preliminary results of new shipper antidumping duty administrative review; Certain stainless steel wire rod from India.

SUMMARY: The Department of Commerce (the Department) is conducting a new shipper administrative review of the antidumping duty order on certain stainless steel wire rods (SSWR) from India in response to a request by one manufacturer/exporter, Isibars Limited (Isibars). This review covers sales of this merchandise to the United States during the period January 1, 1996 through June 30, 1996.

We have preliminarily determined that sales have not been made below normal value (NV). If these preliminary results are adopted in our final results

of administrative review, we will instruct the U.S. Customs Service to liquidate subject entries without regard to antidumping duties.

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

EFFECTIVE DATE: February, 11, 1997.

FOR FURTHER INFORMATION CONTACT: Donald Little or Maureen Flannery, 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.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

SUPPLEMENTARY INFORMATION:

Background

On June 28, 1996, the Department received a request from Isibars for a new shipper review pursuant to section 751(a)(2)(B) of the Act and section 353.22(h) of the Department's interim regulations, which govern determinations of antidumping duties for new shippers. These provisions state that, if the Department receives a request for review from an exporter or producer of the subject merchandise stating that it did not export the merchandise to the United States during the period of investigation (POI) and that such exporter and producer is not affiliated with any exporter or producer who exported the subject merchandise during that period, the Department shall conduct a new shipper review to establish an individual weighted-average dumping margin for such exporter or producer, if the Department has not previously established such a margin for the exporter or producer. To establish these facts, the exporter or producer must include with its request, with appropriate certification: (i) the date on which the merchandise was first entered, or withdrawn from warehouse, for consumption, or, if it cannot certify as to the date of first entry, the date on which it first shipped the merchandise

for export to the United States; (ii) a list of the firms with which it is affiliated; and (iii) a statement from such exporter or producer, and from each affiliated firm, that it did not, under its current or a former name, export the merchandise during the POI.

Isibars' request was accompanied by information and certification establishing the names of Isibar's affiliated parties and statements that Isibars and its affiliated parties did not, under any name, export the subject merchandise during the POI. Isibars supplied the date of shipment in a letter dated July 29, 1996.

On August 6, 1996, we published in the Federal Register (60 FR 40819) a notice of initiation of this new shipper antidumping duty administrative review of Isibars. The Department is now conducting this review in accordance with section 751 of the Act and section 353.22 of its interim regulations.

Scope of Review

The products covered by the order are SSWR which are hot-rolled or hot-rolled annealed and/or pickled rounds, squares, octagons, hexagons or other shapes, in coils. SSWR are made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are only manufactured by hot-rolling and are normally sold in coiled form, and are of solid cross section. The majority of SSWR sold in the United States are round in cross-section shape, annealed and pickled. The most common size is 5.5 millimeters in diameter.

The SSWR subject to this review are currently classifiable under subheadings 7221.00.0005, 7221.00.0015, 7221.00.0020, 7221.00.0030, 7221.00.0040, 7221.00.0045, 7221.00.0060, 7221.00.0075, and 7221.00.0080 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of this order is dispositive.

This review covers one manufacturer/exporter, Isibars, and the period January 1, 1996 through June 30, 1996.

Verification

As provided in section 776(b) of the Act, we verified information provided by the respondent by using standard verification procedures, including on-site inspection of the respondent's facilities, the examination of relevant sale and financial records, and selection of original documentation containing relevant information. Our verification

results are outlined in the public version of the verification report.

United States Price

In calculating United States Price (USP), we used export price (EP), in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation into the United States and constructed export price was not otherwise indicated.

We calculated EP based on the price from Isibars to an unaffiliated customer prior to importation into the United States. In accordance with section 772(c)(2) of the Act, we made deductions for terminal handling charges, foreign inland freight, ocean freight, and marine insurance. No other adjustments were claimed or allowed.

Normal Value

Because there were no sales of the subject merchandise in the home market during the period of review (POR), we based NV on third country sales in accordance with section 773(a)(1)(C)(i) of the Act. In accordance with section 773(a)(1)(B)(ii) of the Act, we based NV on sales of the foreign like product to the Philippines because the prices were representative, the aggregate quantity of sales to the Philippines exceeded five percent of the aggregate quantity of the subject merchandise sold for export to the United States, and we did not find that the particular market situation prevented a proper comparison with EP.

We based NV on the packed, C&F price to unaffiliated purchasers in the Philippines. We made deductions for terminal handling charges, foreign inland freight, and ocean freight. We adjusted for differences in packing costs between the two markets. We made circumstance-of-sale adjustments for differences in credit costs and bank charges between the two markets. We deducted third country commissions and added U.S. indirect selling expenses up to the amount of the third country commission. Because Isibars failed to report U.S. indirect selling expenses, as facts available we based U.S. indirect selling expenses on the amount of the third country commission.

Preliminary Results of the Review

As a result of our comparison of EP and NV, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/ exporter	Period	Margin
Isibars	1/1/96-6/30/96	0.00

Parties to the proceeding may request disclosure within five 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 34 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 20 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 27 days after the date of publication of this notice. Parties who submit argument are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will issue the final results of this new shipper administrative review, which will include the results of its analysis of issues raised in any such comments, within 90 days of issuance of these preliminary results.

Upon completion of this new shipper review, the Department will issue appraisal instructions directly to the Customs Service. The results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise sold during the POR and covered by the determination and for future deposits of estimated duties.

Furthermore, upon completion of this review, the posting of a bond or security in lieu of a cash deposit, pursuant to section 751(a)(2)(B)(iii) of the Act and section 353.22(h)(4) of the Department's interim regulations, will no longer be permitted and, should the final results yield a margin of dumping, a cash deposit will be required for each entry of the merchandise.

The following deposit requirement will be effective upon publication of the final results of this new shipper antidumping duty administrative review for all shipments of stainless steel wire rod from India entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the reviewed company will be the rate established in the final results of this new shipper review; (2) if the exporter is not a firm covered in this new shipper review, but was covered in a previous review or the original less-than-fair-value (LTFV) investigation, 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 previous review, or the original 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 and/or exporters of this merchandise, shall be 48.80 percent, the "all others" rate established in the LTFV investigation (58 FR 63335, December 1, 1993).

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

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.

This new shipper administrative review and notice are in accordance with section 751(a)(2)(B) of the Act (19 U.S.C. 1675(a)(2)(B)) and 19 CFR 353.22(h).

Dated: January 31, 1997.

Robert S. LaRussa,
Acting Assistant Secretary for Import
Administration.

[FR Doc. 97-3357 Filed 2-10-97; 8:45 am]

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[A-570-601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Final Results and Partial Termination of Antidumping Duty Administrative Review

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

ACTION: Notice of final results and partial termination of antidumping duty administrative review on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China.

SUMMARY: On August 5, 1996, the Department of Commerce (the Department) published the preliminary results of its administrative review of the antidumping duty order on tapered roller bearings (TRBs) and parts thereof, finished and unfinished, from the

People's Republic of China (PRC). The period of review (POR) is June 1, 1994, through May 31, 1995.

Based on our analysis of comments received, we have made changes to the margin calculations, including corrections of certain clerical errors. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins are listed below in the section entitled "Final Results of Review."

We have determined that sales have been made below normal value (NV) during the POR. Accordingly, we will instruct the U.S. Customs Service to assess antidumping duties based on the difference between export price (EP) or constructed export price (CEP) and NV.

We have terminated this review with respect to Shanghai General Bearing Company (Shanghai) based on our revocation of the company from this order in the final results of the 1993-94 review. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from the PRC* (to be published in Vol. 62 of the Federal Register in February 1997) (TRBs VII).

EFFECTIVE DATE: February 11, 1997.

FOR FURTHER INFORMATION CONTACT: Charles Riggie, Andrea Chu, Kristie Strecker, or Kris Campbell, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington DC 20230; telephone (202) 482-4733.

APPLICABLE STATUTE AND REGULATIONS: Unless otherwise indicated, all citations to the statute and to the Department's regulations are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

SUPPLEMENTARY INFORMATION:

Background

On August 5, 1996, we published in the Federal Register the preliminary results of administrative review of the antidumping duty order on TRBs from the PRC. *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Preliminary Results of Antidumping Duty Administrative Review*, 61 FR 40610 (August 5, 1996) (*Preliminary Results*). We gave interested parties an opportunity to comment on our preliminary results and held a public hearing on September 25, 1996. The following parties submitted comments: The Timken Company (Petitioner); Guizhou Machinery Import and Export Corporation (Guizhou

Machinery), Jilin Province Machinery Import and Export Corporation (Jilin), Liaoning MEC Group Company Limited (Liaoning), Luoyang Bearing Corporation (Luoyang), Shandong Machinery and Equipment Import & Export Group Corporation (Shandong), Tianshui Hailin Bearing Factory (Tianshui), China National Machinery Import and Export Corporation (CMC), China National Automotive Industry Import & Export Guizhou Corporation (Guizhou Automotive), Wanxiang Group Corporation (Wanxiang), Xiangfan Machinery Foreign Trade Corporation Hubei China (Xiangfan), Zhejiang Machinery Import & Export Corporation (Zhejiang), and Wafangdian Bearing Industry Corporation (Wafangdian) (collectively referred to as Guizhou Machinery et al.); Premier Bearing and Equipment Company (Premier); Great Wall Industry Corporation (Great Wall); East Sea Bearing Company Limited/Peer Bearing Company (East Sea); Transcom, Incorporated (Transcom); and L&S Bearing Company/LSB Industries (L&S).

We have conducted this administrative review in accordance with section 751(a)(1) of the Act and 19 CFR 353.22.

Scope of Reviews

Imports covered by these reviews are shipments of TRBs and parts thereof, finished and unfinished, from the PRC. This merchandise is classifiable under the *Harmonized Tariff Schedule* (HTS) item numbers 8482.20.00, 8482.91.00.60, 8482.99.30, 8483.20.40, 8483.20.80, 8483.30.80, 8483.90.20, 8483.90.30 and 8483.90.80. Although the HTS item numbers are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Facts Available

In accordance with section 776(a) of the Act, we have determined that the use of adverse Facts Available is appropriate for certain firms, as discussed in the *Preliminary Results* at 40613-14.

Analysis of Comments Received

1. Separate Rates

Comment 1

Petitioner states that the Department incorrectly determined that all fourteen PRC companies that participated in this review are entitled to a separate rate. Petitioner requests that the Department review these firms as a single entity.

Petitioner claims that the Department's finding that a PRC list of products subject to direct government control does not name "TRBs" is