

covered in this review, a prior 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 or exporters will continue to be 19.21 percent, the "All Others" rate made effective by the LTFV investigation. These 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 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 sections 751(a)(1) of the Act and 19 CFR 353.22(5).

Dated: February 2, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98-3210 Filed 2-6-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-601]

Tapered Roller Bearings, and Parts Thereof From the People's Republic of China: Notice of Extension of Time Limit for Administrative Review

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

ACTION: Notice of extension of time limit.

SUMMARY: The Department of Commerce is extending the time limit for the preliminary results of the tenth review of the antidumping order on tapered roller bearings from the People's Republic of China. The period of review is June 1, 1996 to May 31, 1997. This extension is made pursuant to Section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

EFFECTIVE DATE: February 9, 1998.

FOR FURTHER INFORMATION CONTACT: Jennifer Yeske or Craig Matney, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington D.C. 20230; telephone (202) 482-0189 or (202) 482-0588, respectively.

SUPPLEMENTAL INFORMATION: Because it is not practicable to complete this review within the original time limit mandated by section 751(a)(3)(A) of the Tariff Act of 1930, as amended (*i.e.*, March 2, 1998), the Department of Commerce (the Department) is extending the time limit for completion of the preliminary determination until June 30, 1998. See January 26, 1998 Memorandum from Deputy Assistant Secretary for AD/CVD Enforcement Richard W. Moreland to Assistant Secretary for Import Administration Robert S. LaRussa on file in the public file of the Central Records Unit, B-099 of the Department. This extension also applies to the new shipper review of this case which is aligned with this administrative review (see 62 FR 43514).

Dated: February 3, 1998.

Richard W. Moreland,

Deputy Assistant Secretary for AD/CVD Enforcement.

[FR Doc. 98-3209 Filed 2-6-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-502]

Certain Welded Carbon Steel Standard Pipes and Tubes From India; 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 requests from interested parties, the Department of Commerce is conducting an administrative review of the antidumping duty order on certain welded carbon steel standard pipes and tubes from India. The review covers two manufacturers/exporters of the subject merchandise. The period of review is May 1, 1996, through April 30, 1997.

We have preliminarily determined that sales have been made below normal value. If these preliminary results are adopted in the final results of this

administrative review, we will instruct the Customs Service to assess antidumping duties based on the difference between the constructed export price and normal value.

Interested parties are invited to comment on these preliminary results. Parties that submit case briefs 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: Davina Hashmi at (202) 482-5760 or Robin Gray at (202) 482-4023, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations, codified at 19 CFR Part 353 (April 1997).

Background

On May 2, 1997, the Department of Commerce (the Department) published in the **Federal Register** an opportunity to request an administrative review of this antidumping duty order for the period May 1, 1996, through April 30, 1997. See 62 FR 24082. On May 30, 1997, we received a timely request for review from a respondent, Rajinder Pipes Ltd. On May 30, 1997, the Department also received from the petitioners, the Wheatland Tube Company, Allied Tube and Conduit, and the Laclede Steel Company, a timely request for review of both Rajinder and Lloyd's Metals & Engineers Ltd. On June 19, 1997, we initiated this administrative review.

Scope of Review

The products covered by this review include circular welded non-alloy steel pipes and tubes, of circular cross-section, with an outside diameter of 0.372 inch or more but not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, bevelled end, threaded, or threaded and coupled). These pipes and tubes are

generally known as standard pipe, though they may also be called structural or mechanical tubing in certain applications. Standard pipes and tubes are intended for the low-pressure conveyance of water, steam, natural gas, air and other liquids and gases in plumbing and heating systems, air-conditioner units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing and mechanical applications, such as for fence tubing, and for protection of electrical wiring, such as conduit shells.

The scope is not limited to standard pipe and fence tubing or those types of mechanical and structural pipe that are used in standard pipe applications. All carbon-steel pipes and tubes within the physical description outlined above are included in the scope of this order, except for line pipe, oil-country tubular goods, boiler tubing, cold-drawn or cold-rolled mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished rigid conduit.

Imports of the products covered by this review are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90. Although the HTS subheadings are provided for convenience and customs purposes, the written description of the scope of this proceeding is dispositive.

Verification

As provided in section 782(i) of the Tariff Act, we verified information provided by Rajinder using standard verification procedures, the examination of relevant sales and financial records, and selection of original documentation containing relevant information. We verified Rajinder's responses from December 16 to December 19, 1997, at its factory in Kanpur, India. Our verification results are outlined in the verification report (January 20, 1998), public versions of which are available in the Central Records Unit of the Department, room B-099.

No Shipments

Lloyd's reported no shipments or sales subject to this review and the Department has confirmed these facts with the Customs Service. Because Lloyd's did not make any sales or shipments to the United States during the instant review period, we have not calculated an antidumping duty margin for the preliminary results of review with respect to this company.

Constructed Export Price

We based our margin calculation on constructed export price (CEP) as defined in section 772(b) of the Tariff Act because the subject merchandise was first sold in the United States to a person not affiliated with Rajinder after importation by Rajinder International Inc. (RII), a seller affiliated with Rajinder.

We calculated CEP based on ex-warehouse prices from RII to the unaffiliated purchasers in the United States (the starting price). We made deductions for any movement expenses in accordance with section 772(c)(2)(A) of the Tariff Act. We made additional adjustments to the starting price by deducting selling expenses associated with economic activities occurring in the United States, including commissions, direct selling expenses, expenses assumed on behalf of the buyer, and U.S. indirect selling expenses. In accordance with section 772(d)(3) of the Tariff Act, we deducted from the price an amount for profit to arrive at the CEP.

Normal Value

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating normal value (NV), we compared Rajinder's volume of home-market sales of the foreign like product to the volume of its U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Tariff Act. Since Rajinder's aggregate volume of home-market sales of the foreign like product was greater than five percent of its aggregate volume of its U.S. sales of the subject merchandise, we determined that the home market was viable. Therefore, in accordance with section 773(a)(1)(B)(i), we based NV on the prices at which the foreign like products were first sold for consumption in the exporting country.

Home-market prices were based on the packed, ex-factory or delivered prices of the foreign like product to unaffiliated purchasers in the home market. Where applicable, we made adjustments for movement expenses in accordance with section 773(a)(6)(B) of the Tariff Act. We also made adjustments for differences in costs attributable to differences in physical characteristics of the merchandise pursuant to section 773(a)(6)(C)(ii) of the Tariff Act and for differences in circumstances of sale (COS) in accordance with section 773(a)(6)(C)(iii) of the Tariff Act. We made COS adjustments by deducting direct selling expenses. We also made adjustments,

where applicable, for home market indirect selling expenses to offset U.S. commissions.

We based NV on the price at which the foreign like product was first sold for consumption in the exporting country, in the usual commercial quantities, in the ordinary course of trade and at the same level of trade as the CEP, to the extent practicable in accordance with section 773(a)(1)(B)(i) of the Tariff Act.

No other adjustments were claimed and/or allowed.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act, to the extent practicable, we calculate NV based on sales in the comparison market at the same level of trade as the U.S. sale. The NV level of trade is that of the starting-price sales in the comparison market.

To determine whether NV sales are at a different level of trade than that of the U.S. sale, we examine 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 are at a different level of trade, and the difference affects 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 make 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).

In implementing these principles in this review, we obtained information from Rajinder about the marketing stages involved in the reported U.S. and home market sales, including a description of the selling activities performed by Rajinder for each channel of distribution. We expect that, if claimed levels of trade are the same, the functions and activities of the seller should be similar. Conversely, if a party claims that levels of trade are different for different groups of sales, the functions and activities of the seller should be dissimilar.

Rajinder reported two channels of distribution in the home market: (1) sales to government agencies, OEMs, and end-users (Channel One); and (2) sales to local distributors and trading companies (Channel Two). Based on the selling functions that occur between the two home-market channels of distribution and other factors, such as the point in the chain of distribution

where the relevant selling expenses occurred, we determined that the two home-market channels of distribution constitute two different levels of trade. See Memorandum from Analyst to File: Preliminary Results of 1996-97 Administrative Review of Certain Welded Carbon Steel Pipes and Tubes from India, (February 2, 1998).

Rajinder reported only CEP sales in the U.S. market. The CEP sales were based on sales from the exporter to Rajinder's U.S. affiliate, a local distributor. Because the CEP sales were made through one channel of distribution, we determined that sales through this channel constitute a single level of trade.

In addition, we found that, based on the selling functions between and customer categories of the CEP channel and Channel Two in the home market, sales to Channel Two were made at the same level as the sales to the United States. See Memorandum from Analyst to File: Preliminary Results of 1996-97 Administrative Review of Certain Welded Carbon Steel Pipes and Tubes from India (February 2, 1998). We therefore matched the CEP sales to home-market sales made to Channel Two, to the extent possible. Where we found no match at the Channel Two level of trade, we matched at the Channel One level of trade and made a level-of-trade adjustment because the difference in levels of trade affected price comparability.

We determined whether there was a pattern of consistent price differences between the different levels of trade in the home market by comparing, for each model sold at both levels, the average net price of sales made in the ordinary course of trade at the two levels of trade. Because the average prices are higher at one of the levels of trade for a preponderance of the models and sales quantities, we consider this to demonstrate a pattern of consistent price differences. Therefore, when comparing sales at different levels of trade, we adjusted NV downward by the average percentage difference. See Final Results of Antidumping Administrative Review: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Singapore, and the United Kingdom, 62 FR 2081, 2105 (January 15, 1997).

Currency Conversion

For purposes of the preliminary results, we made currency conversions based on the official exchange rates in effect on the dates of the U.S. sales as certified by the Federal Reserve Bank of New York. Section 773A(a) of the Tariff

Act directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars, unless the daily rate involves a "fluctuation." In accordance with our practice, we have determined as a general matter that a fluctuation exists when the daily exchange rate differs from a benchmark by 2.25 percent. The benchmark is defined as the rolling average of rates for the past 40 business days. When we determine a fluctuation exists, we substitute the benchmark for the daily rate. See Policy Bulletin 96-1: Currency Conversions, 61 FR 9434 (March 8, 1996).

Preliminary Results of the Review

As a result of our comparisons of CEP with NV, we preliminarily determine that the following weighted-average dumping margins exist for the period May 1, 1996 through April 30, 1997:

Manufacturer/exporter	Margin
Rajinder Pipes Ltd.	34.91
Lloyd's Metals & Engineers ¹	0.00

¹ This company claimed no shipments or sales subject to this review. Rate is from the last segment of the proceeding in which the firm had shipments/sales.

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 hearing, if requested, will be held 44 days from the date of publication of this notice at the main Commerce Department building.

Issues raised in hearings will be limited to those raised in the respective case briefs and rebuttal briefs. Case briefs from interested parties are due within 30 days of publication of this notice. Rebuttal briefs, limited to the issues raised in the respective case briefs, may be submitted not later than 37 days of publication of this notice. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will subsequently publish the final results of this administrative review, including the results of its analysis of issues raised in any such written briefs or hearing. The Department will issue final results of this review 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. The Department will issue appraisement instructions directly to the Customs Service. 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. For duty-assessment purposes, we calculated, on an importer-specific basis, an assessment rate by aggregating the dumping margins calculated for all U.S. sales and dividing the amount by the total entered value of subject merchandise sold during the period of review.

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 this administrative review, as provided by section 751(a)(1) of the Tariff Act: (1) The cash deposit rates for the reviewed company is the rate established in the final results of this review; (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 be 7.08 percent, the "All Others" rate made effective by the final determination of sales at LTFV, as explained in the 1995/96 new shipper review of this order. See Certain Welded Carbon Standard Steel Pipes and Tubes From India; Final Results of New Shippers Antidumping Duty Administrative Review, 62 FR 47632, 47644 (September 10, 1997).

These deposit 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 administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act and 19 CFR 353.22(h).

Dated: February 2, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98-3213 Filed 2-6-98; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[C-401-056]

Viscose Rayon Staple Fiber From Sweden; Preliminary Results of Countervailing Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice of preliminary results of countervailing duty administrative review.

SUMMARY: The Department of Commerce is conducting an administrative review of the countervailing duty order on viscose rayon staple fiber from Sweden for the period January 1, 1996, through December 31, 1996. For information on the net subsidy for Svenska Rayon AB, as well as for all non-reviewed companies, please see the *Preliminary Results of Review* section of this notice. If the final results remain the same as the preliminary results of this administrative review, we will instruct the U.S. Customs Service to assess countervailing duties as detailed in the *Preliminary Results of Review* section of this notice. Interested parties are invited to comment on these preliminary results. See *Public Comment* section of this notice.

EFFECTIVE DATE: February 9, 1998.

FOR FURTHER INFORMATION CONTACT: Stephanie Moore or Eric Greynolds, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-3692 or (202) 482-6071.

SUPPLEMENTARY INFORMATION:

Background

On May 15, 1979, the Department published in the **Federal Register** (44 FR 28319) the countervailing duty order on viscose rayon staple fiber from Sweden. On May 2, 1997, the Department of Commerce (the Department) published a notice of "Opportunity to Request Administrative Review" (62 FR 24081) of this countervailing duty order. We received

timely requests for review from Courtaulds Fibers Inc. and Lenzing Fibers Corporation (petitioners) and from Svenska Rayon AB (Svenska). We initiated the review covering the period January 1, 1996, through December 31, 1996, on June 19, 1997 (62 FR 33395).

In accordance with 19 CFR 355.22(a), this review covers only those producers or exporters of the subject merchandise for which a review was specifically requested. Accordingly, this review covers Svenska. This review also covers six programs.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (URAA) effective January 1, 1995 (the Act). The Department is conducting this administrative review in accordance with section 751(a) of the Act. In addition, unless otherwise indicated, all citations to the Department's regulations are to 19 CFR 355 (1997).

Scope of the Review

Imports covered by this review are shipments from Sweden of regular viscose rayon staple fiber and high-wet modulus (modal) viscose rayon staple fiber. Such merchandise is classifiable under item number 5504.10.00 of the Harmonized Tariff Schedule (HTS). The HTS item is provided for convenience and customs purposes. The written description of the scope of the proceeding remains dispositive.

Facts Available

Section 776(a)(2) of the Act requires the Department to use facts available if "an interested party or any other person * * * withholds information that has been requested by the administering authority * * * under this title." The facts on the record show that the Government of Sweden (GOS) did not comply with the Department's requests for information required to conduct a specificity analysis. In the original questionnaire, the Department requested information regarding eligibility for and actual use of the benefits provided under the Recruitment Subsidy Program, such as: (1) The enabling legislation, (2) a translated blank copy of the application form submitted to receive benefits under the program or a description of the procedures by which an application is analyzed and eventually approved or disapproved, (3) a list indicating the number of companies, and number and type of the industries, which have received benefits under the program in the year the

provision of benefits was approved and each of the preceding three years, (4) the number of companies that applied for benefits under the program in the year the benefit was approved and each of the preceding three years, and (5) the number of applicants that have been approved or rejected in the year the benefit was approved and each of the preceding three years. The GOS responded that the detailed and relevant description of the program was provided in the 1995 review, and that the information was still relevant because no amendments were made regarding the rules and conditions of the program. The GOS also provided an amount for the Recruitment Subsidy payment made to Svenska but, the GOS did not provide to the Department any information pertaining to the recipients of benefits under the program during the POR or the two preceding years.

The Department's supplemental questionnaire again requested specificity information from the GOS. The GOS responded that it is still not possible for them to obtain data on the distribution of the Recruitment Subsidy Program by industry.

The Department placed the enabling legislation on the record of the current review, relying on the statement by the GOS that no amendments were made in 1996. However, with respect to *de facto* specificity, the record does not contain any information at all on the recipients of benefits under this program during the period of review and in the prior two years. While we understand that data on distribution of benefits by industry may not be readily available, in this review, the GOS did not provide any available documentation, such as a translated copy of the application form that may have helped explain to the Department why the information being requested could not be provided and might have indicated the availability of some information that could be useful in assessing specificity. In addition, the GOS elected not to attempt to collect whatever data was available.

Section 776(b) of the Act permits the administrative authority to use an inference that is adverse to the interests of an interested party if that party has "failed to cooperate by not acting to the best of its ability to comply with a request for information." Such an adverse inference may include reliance on information derived from (1) the petition, (2) a final determination in the investigation under this title, (3) any previous review under section 751 or determination under section 753 regarding the country under consideration, or (4) any other information placed on the record.