should receive the same antidumping duty treatment with respect to ball bearings as the former Tsubakimoto, *i.e.*, a 7.77 percent antidumping duty cash-deposit rate.

Public Comment

Any interested party may request a hearing within 10 days of publication of this notice. Any hearing, if requested, will be held no later than 28 days after the date of publication of this notice, or the first workday thereafter. Case briefs and/or written comments from interested parties may be submitted not later than 14 days after the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to the issues raised in those comments, may be filed not later than 21 days after the date of publication of this notice. All written comments shall be submitted in accordance with 19 CFR 351.303. Persons interested in attending the hearing, if one is requested, should contact the Department for the date and time of the hearing. The Department will publish the final results of this changed-circumstances review, including the results of its analysis of issues raised in any written comments.

We are issuing and publishing this determination and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Act and sections 351.216 and 351.222 of the Department's regulations.

Dated: August 3, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–20558 Filed 8–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–602]

Final Results of Antidumping Duty Administrative Review: Brass Sheet and Strip From Germany

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

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

EFFECTIVE DATE: August 10, 1999.

SUMMARY: On April 6, 1999, the Department of Commerce published the preliminary results of its administrative review of the antidumping duty order on brass sheet and strip from Germany. This review covers shipments of subject merchandise to the United States by one manufacturer/exporter, Wieland-Werke AG, during the period March 1, 1997 through February 28, 1998. Due to the respondent's withdrawal from participation in this review, we have based its margin on adverse facts available, applying the highest margin for any company during any segment of this proceeding.

FOR FURTHER INFORMATION CONTACT: Magd Zalok or Kris Campbell, AD/CVD Enforcement, Group II, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–4162 or 482–3813, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references 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 of Commerce's (the Department's) regulations are to the regulations provided in 19 CFR Part 351 (1998).

Background

On April 6, 1999, the Department published the preliminary results of its administrative review of the antidumping duty order on brass sheet and strip from Germany. *See Preliminary Results of Antidumping Duty Administrative Review: Brass Sheet and Strip from Germany,* 64 FR 16697 (April 6, 1999) (preliminary results). As stated in the preliminary results, Weiland-Werke AG (Weiland) withdrew from participation in this review on May 11, 1998, and accordingly received a preliminary rate based on adverse facts available (*i.e.*, the highest rate for any company during any segment of the proceeding). On May 6, 1999, we received a case brief from domestic interested parties,[1] requesting that the Department continue to assign Weiland the adverse rate selected in the preliminary results (16.18 percent). Additionally, since Wieland failed to cooperate by not placing any information on the record, the petitioners argued that the Department should draw the adverse inference that duty absorption occurred on all of Wieland's sales of the subject merchandise during the period of review. We received no comments on the preliminary results from Wieland.

Scope of the Review

This review covers shipments of brass sheet and strip, other than leaded and tinned, from Germany. The chemical composition of the covered products is currently defined in the Copper Development Association (C.D.A.) 200 Series or the Unified Numbering System (U.N.S.) C2000; this review does not cover products the chemical compositions of which are defined by other C.D.A. or U.N.S. series. In physical dimensions, the products covered by this review have a solid rectangular cross section over 0.006 inches (0.15 millimeters) through 0.188 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coiled, wound-on-reels (traverse wound), and cut-to-length products are included. The merchandise is currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7409.21.00 and 7409.29.00. Although the HTSUS item numbers are provided for convenience and customs purposes, the Department's written description of the scope of this order remains dispositive.

Facts Available

Section 776(a)(2) of the Act provides that if an interested party withholds information that has been requested by the Department, fails to provide such information in a timely manner or in the form requested, significantly impedes a proceeding under the antidumping statute, or provides information that cannot be verified, the Department shall use facts available in reaching the applicable determination.

In selecting from among the facts otherwise available, section 776(b) of the Act authorizes the Department to use an adverse inference if the Department finds that a party has failed to cooperate by not acting to the best of its ability to comply with requests for information. *See* the Statement of Administrative Action to the URAA at 870 (SAA).

On May 11, 1998, Wieland informed the Department that it was withdrawing from participation in the review. By withdrawing its participation, Wieland impeded the instant review. Therefore, in accordance with section 776(a)(2) of the Act and consistent with our preliminary results, we determine that

[1] The case brief was filed by petitioners Hussey Copper, Ltd.; Outokumpu American Brass; Revere Copper Products, Inc.; International Association of Machinists and Aerospace Workers; and United Steelworkers of America (AFL-CIO/CLC). Also named as interested parties were Olin Corporation—Brass Group and United Auto Workers (Local 2367).

the use of total facts available is appropriate for the final results.

As noted above, in selecting facts otherwise available, pursuant to section 776(b) of the Act, the Department may use an adverse inference if the Department finds that an interested party, such as Wieland in this case, failed to cooperate by not acting to the best of its ability to comply with requests for information. Consistent with Department practice in cases where a respondent fails to cooperate to the best of its ability, and in keeping with section 776(b)(3) of the Act, as adverse facts available we have applied a margin based on the highest margin from any prior segment of the proceeding. *See, e.g., Viscose Rayon Staple Fiber From Finland,* 63 FR 32820, 32822 (June 16, 1998) (final administrative review). In this case, the highest margin from any prior segment of the proceeding is 16.18 percent *ad valorem,* calculated for a respondent in the less-than-fair-value (LTFV) investigation.

Section 776(c) of the Act requires the Department to corroborate, to the extent practicable, secondary information used as facts available. Secondary information is described in the SAA (at 870) as ''[i]nformation derived from the petition that gave rise to the investigation or review, the final determination concerning the subject merchandise, or any previous review under section 751 concerning the subject merchandise.''

The SAA further provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information to be used has probative value. Thus, to corroborate secondary information, to the extent practicable, the Department will examine the reliability and relevance of the information used. However, unlike other types of information, such as input costs or selling expenses, there are no independent sources for calculated dumping margins. The only source for margins is an administrative determination. Thus, in an administrative review, if the Department chooses as total adverse facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin from that time period (*i.e.,* the Department can normally be satisfied that the information has probative value and that it has complied with the corroboration requirements of section 776(c) of the Act). *See, e.g., Elemental Sulphur from Canada,* 62 FR 971 (January 7, 1997) (preliminary results of administrative review) and *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, et al.,* 62 FR 2081, 2088 (January 15, 1997) (final results of administrative review). With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin inappropriate. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an appropriate margin. *See, e.g., Fresh Cut Flowers from Mexico; Final Results of Antidumping Duty Administrative Review,* 61 FR 6812, 6814 (February 22, 1996) (where the Department disregarded the highest margin for use as adverse facts available because the margin was based on another company's uncharacteristic business expense, resulting in an unusually high margin). In this review, we are not aware of any circumstances that would render the use of the margin selected for Wieland as inappropriate.

Duty Absorption

On May 21, 1998, the petitioners requested that the Department determine whether antidumping duties have been absorbed by an exporter or producer subject to this administrative review, in the event that the subject merchandise was sold during this period of review in the United States through an importer affiliated with Weiland.

Section 751(a)(4) of the Act provides that, if requested, the Department will determine whether antidumping duties have been absorbed by a foreign producer or exporter subject to the order if the subject merchandise is sold in the United States through an affiliated importer. Section 751(a)(4) of the Act authorizes this inquiry during an administrative review initiated two years or four years after publication of an order. For transition orders as defined in section 751(c)(6)(C) of the Act (*i.e.,* antidumping orders in effect as of January 1, 1995), section 351.213(j)(2) of the Department's regulations provides that the Department will make such a determination for any administrative review initiated in 1996 or 1998.

The order in this case is a transition order, which went into effect in 1987. *See Notice of Antidumping Duty Order: Brass Sheet and Strip from the Federal Republic of Germany,* 52 FR 6997 (March 6, 1987). Because this review was initiated in 1998,[2] and the petitioners made a timely request for a duty absorption determination (*i.e.,* within 30 days of the date of publication of the notice of initiation of this review), we find that the regulatory requirements for a duty absorption determination have been met. *See* 19 CFR 351.213(j).

In their May 6, 1999, case brief, the petitioners argued that since Wieland failed to cooperate by not placing any information on the record, the Department should draw the adverse inference that duty absorption occurred on all of Wieland's sales of the subject merchandise during the period of review. As explained above, we have determined that a margin exists for Wieland based on adverse facts available. Lacking other information, we find that duty absorption exists on all of its U.S. sales of the subject merchandise made by Wieland. *See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Sweden, and the United Kingdom: Final Results of Antidumping Duty Administrative Reviews,* 64 FR 35590, 35601 (July 1, 1999); *Extruded Rubber Thread From Malaysia; Final Results of Antidumping Duty Administrative Review,* 63 FR 12752, 12756 (March 16, 1998).

Final Results of Review

We have determined that the following margin exists for Wieland for the period March 1, 1997 through February 28, 1998:

Manufacturer/exporter	Percentage margin
Wieland-Werke AG	16.18

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

Furthermore, the following deposit requirements will be effective for all shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results, as provided for by section 751(a)(1) of the Act: (1) the cash deposit rate for Wieland will be the rate stated above; (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

[2] *See Notice of Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part,* 63 FR 20378 (April 24, 1998).

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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 7.30 percent, the ''all others'' rate established in the LTFV investigation.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the 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 notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.304. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: August 4, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99–20557 Filed 8–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–583–826]

Collated Roofing Nails From Taiwan: 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: The Department of Commerce is conducting an administrative review of the antidumping duty order on collated roofing nails from Taiwan in response to a request by Dinsen Fastening System, Inc., a producer/exporter of subject merchandise. This review covers the period November 20, 1997, through October 31, 1998.

We have preliminarily determined that sales have not been made below normal value. Interested parties are invited to comment on these preliminary results. If these preliminary results are adopted in our final results of administrative review, we will instruct the Customs Service not to assess antidumping duties on entries subject to this review.

EFFECTIVE DATE: August 10, 1999.

FOR FURTHER INFORMATION CONTACT: Mary J. Jenkins or Katherine Johnson, Office 2, AD/CVD Enforcement Group I, Import Administration, Room 3099, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482–1756, or 482–4929, respectively.

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (''the Act''), are references 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 of Commerce's (''the Department's'') regulations are to the regulations at 19 CFR Part 351 (1998).

SUPPLEMENTARY INFORMATION:

Background

On November 19, 1997, the Department published in the **Federal Register** the antidumping duty order on collated roofing nails from Taiwan (62 FR 61729).

On November 12, 1998, we published in the **Federal Register** (63 FR 63287) a notice of opportunity to request an administrative review of the antidumping duty order on collated roofing nails from Taiwan covering the period November 20, 1997, through October 31, 1998.

In accordance with 19 CFR 351.213(b)(1), Dinsen Fastening System, Inc. (''Dinsen'') requested that we conduct an administrative review of its sales. We published a notice of initiation of this antidumping duty administrative review on December 23, 1998 (63 FR 71091).

On January 14, 1999, the Department issued an antidumping duty questionnaire to Dinsen. We also issued a supplemental questionnaire on April 12, 1999. On March 8, March 15, and May 3, 1999, we received from Dinsen responses to the original antidumping questionnaire and the supplemental questionnaire. We conducted verification of Dinsen's antidumping duty questionnaire responses from June 1, through June 4, 1999, and issued our report on July 6, 1999, (*see* Memorandum to the File: Sales and Cost of Production Verification) (Verification Report).

On June 2, 1999, Dinsen provided the Department with changes to its response as a result of errors found during the preparation for verification. At the Department's request, on June 30, 1999, the respondent provided revised sales and cost databases reflecting the correction of certain errors found by Dinsen in preparing for verification and also to account for certain errors found at verification.

We made the following additional adjustments to Dinsen's June 30, 1999, reported databases based on verification findings:

1. We deleted threading cost for all control numbers except one, based on the verification results. We also corrected an error in the per-unit threading cost for the one control number based on the verification results.
2. We adjusted the plastic sheet cost to account for a correction in the cost of packing.
3. We corrected the product code and control number for a specific transaction.

Scope of the Review

The product covered by this review is collated roofing nails made of steel, having a length of 13⁄16 inch to 1 13⁄16 inches (or 20.64 to 46.04 millimeters), a head diameter of 0.330 inch to 0.415 inch (or 8.38 to 10.54 millimeters), and a shank diameter of 0.100 inch to 0.125 inch (or 2.54 to 3.18 millimeters), whether or not galvanized, that are collated with two wires.

Collated roofing nails within the scope of this investigation are classifiable under the Harmonized Tariff Schedule of the United States (''HTSUS'') subheadings 7317.00.55.06. Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this review is dispositive.

Fair Value Comparisons

To determine whether sales of the subject merchandise sold by Dinsen and exported to the United States were made at less than normal value (''NV''), we compared export price (''EP'') to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice.

Pursuant to section 777A(d)(2) of the Act, we compared the EPs of individual