margin above 25 percent, coupled with its majority ownership of Rulmenti Alexandria, makes it reasonable to conclude that this company would export TRBs to the United States with dumping margins significantly higher than the original Romania rate. Finally, they note that per kilogram values of Romanian exports of the subject merchandise dropped by over 25 percent between the 1994–95 and 1998–99 review periods (*see id.* at 11–12). In conclusion, Timken and Torrington urge the Department to identify a margin, based on the most recent data available, other than the calculated one for forwarding to the Commission (*see id.* at 11).

As noted in the *Sunset Regulations* and *Sunset Policy Bulletin,* only under the most extraordinary circumstances will the Department rely on dumping margins other than those it calculated and published in its prior determinations. The *Sunset Regulations,* at section 351.218(e)(2)(i), explain that ''extraordinary circumstances'' may be considered by the Department in the context of a full sunset review, where the substantive response from both domestic and respondent interested parties are adequate. In this case, however, the Department determined to conduct an expedited review because of a waiver of participation from respondent interested parties.

Further, we are not persuaded that calculation of a new margin is appropriate based on the assertions by Timken and Torrington concerning the state of the Romanian economy, alleged changes in the Romanian bearings industry, Koyo Seiko's ownership of one of the Romanian companies, and whether per kilogram values of exports to the United States have radically declined.

As explained above, the Department may consider the calculation of new margins only in full reviews. However, even if the Department had determined to conduct a full review of this order, Timken's and Torrington's assertions do not give rise to extraordinary circumstances that would warrant the calculation of a new dumping margin.

Therefore, consistent with the *Sunset Policy Bulletin,* the Department determines that the margin calculated in the original investigation is probative of the behavior of Romanian producers/exporters if the order were revoked as it is the only rate that reflects the behavior of these producers and exporters without the discipline of the order. As such, the Department will report to the Commission the country-wide rate from the original investigation as contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping duty order would likely lead to continuation or recurrence of dumping at the margin listed below:

Manufacturer/ Exporter	Margin (percent)
Country-wide rate	8.70

This notice serves as the only 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 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This five-year (''sunset'') review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: October 28, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–28768 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–437–601]

Final Results of Expedited Sunset Review: Tapered Roller Bearings From Hungary

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

ACTION: Notice of final results of expedited sunset review: Tapered roller rearings from Hungary.

SUMMARY: On April 1, 1999, the Department of Commerce (''the Department'') initiated a sunset review of the antidumping order on tapered roller bearings from Hungary (64 FR 15727) pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On the basis of a notice of intent to participate and substantive comments filed on behalf of domestic interested parties and inadequate response (in this case, no response) from respondent interested parties, the Department determined to conduct an expedited review. As a result of this review, the Department finds that revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Darla D. Brown or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482–3207 or (202) 482–1560, respectively.

EFFECTIVE DATE: November 4, 1999.

Statute and Regulations

This review was conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in *Procedures for Conducting Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders,* 63 FR 13516 (March 20, 1998) (''*Sunset Regulations*'') and 19 CFR Part 351 (1998) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies Regarding the Conduct of Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin,* 63 FR 18871 (April 16, 1998) (''*Sunset Policy Bulletin*'').

Scope

The products covered by this review are tapered roller bearings (''TRBs''), finished and unfinished, from Hungary. This merchandise includes tapered roller bearings and parts thereof, flange, take-up cartridge, and hanger units incorporating tapered roller bearings and tapered roller housings (excluding pillow block) incorporating tapered rollers, with or without spindles, whether or not for automotive use.

The Timken Company (''Timken'') and the Torrington Company (''Torrington''), in their substantive response, argue that two scope clarifications the Department made with regard to the antidumping order on TRBs, over four inches, from Japan are relevant to this order (*see* May 3, 1999, Substantive Response of Timken & Torrington at 12). Timken and Torrington argue that since the product description for that order is included in the Hungarian order, the two Japanese rulings are relevant to the scope of the Hungarian order. In the first ruling, the

Department ruled that green rings which had not been heat-treated were within the scope of the order.[1] The Department also ruled that unfinished green forged rings and tower forgings were within the scope of the order.[2]

The Department makes its scope determinations on an order-specific basis. Therefore, we conclude that the two scope clarifications the Department made on the antidumping order on TRBs, over four inches, from Japan cannot be applied to this order.

Tapered roller bearings are currently classified under the following item numbers of the Harmonized Tariff Schedule (''HTS'') of the United States: 8482.20.00.10, 8482.20.00.20, 8482.20.00.30, 8482.20.00.40, 8482.20.00.50, 8482.20.00.60, 8482.20.00.70, 8482.20.00.80, 8483.20.40.80, 8483.20.80.80, 8483.30.80.20, 8482.91.00.50, 8482.99.15.00, 8482.99.15.40, 8482.99.15.80, 8708.99.80.15, and 8708.99.80.80.[3] The HTS item numbers are provided for convenience and customs purposes. The written description remains dispositive.

History of the Order

The Department, in its final determination of sales at less than fair value (''LTFV''), published a country-wide weighted-average dumping margin for all exports from Hungary of 7.42 percent *ad valorem*.[4] The antidumping duty order on TRBs was published in the **Federal Register** on June 19, 1987, and, in the order, the dumping margins that were found in the final determination were confirmed. Since the imposition of this order, the Department has conducted four administrative reviews.[5] The order remains in effect for all manufacturers and exporters of the subject merchandise. To date, the Department has issued no duty absorption findings in this case.

This review covers all producers and exporters of TRBs from Hungary.

Background

On April 1, 1999, the Department initiated a sunset review of the antidumping order on TRBs from Hungary (64 FR 15727), pursuant to section 751(c) of the Act. The Department received a notice of intent to participate on behalf of Timken and Torrington (collectively ''the domestic parties'') on April 16, 1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulations*. We then received a complete substantive response from the domestic parties on May 3, 1999, within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i). The domestic parties claimed interested party status under section 771(9)(C) of the Act as U.S. manufacturers of TRBs. Timken stated that it was the petitioner in the original LTFV investigation and has participated in all of the subsequent reviews of this order. Torrington stated that it has not participated in any of the proceedings before the Department regarding this order, but that it supports preservation of this order and will participate in this proceeding. We did not receive a substantive response from any respondent interested party to this proceeding. As a result, pursuant to 19 CFR 351.218(e)(1)(ii)(C), the Department determined to conduct an expedited, 120-day, review of this order.

In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). Therefore, on August 5, 1999, the Department determined that the sunset review of the antidumping duty order on TRBs from Hungary is extraordinarily complicated and extended the time limit for completion of the final results of these reviews until not later than October 28, 1999, in accordance with section 751(c)(5)(B) of the Act.[6]

Determination

In accordance with section 751(c)(1) of the Act, the Department conducted this review to determine whether revocation of the antidumping order would be likely to lead to continuation or recurrence of dumping. Section 752(c) of the Act provides that, in making this determination, the Department shall consider the weighted-average dumping margins determined in the investigation and subsequent reviews and the volume of imports of the subject merchandise for the period before and the period after the issuance of the antidumping order, and shall provide to the International Trade Commission (''the Commission'') the magnitude of the margin of dumping likely to prevail if the order is revoked.

The Department's determinations concerning continuation or recurrence of dumping and the magnitude of the margin are discussed below. In addition, parties' comments with respect to continuation or recurrence of dumping and the magnitude of the margin are addressed within the respective sections below.

Continuation or Recurrence of Dumping

Drawing on the guidance provided in the legislative history accompanying the Uruguay Round Agreements Act (''URAA''), specifically the Statement of Administrative Action (''the SAA''), H.R. Doc. No. 103–316, vol. 1 (1994), the House Report, H.R. Rep. No. 103–826, pt. 1 (1994), and the Senate Report, S. Rep. No. 103–412 (1994), the Department issued its *Sunset Policy Bulletin* providing guidance on methodological and analytical issues, including the bases for likelihood determinations. In its *Sunset Policy Bulletin*, the Department indicated that determinations of likelihood will be made on an order-wide basis (*see* section II.A.2). In addition, the Department indicated that normally it will determine that revocation of an antidumping order is likely to lead to continuation or recurrence of dumping where (a) dumping continued at any level above *de minimis* after the issuance of the order, (b) imports of the subject merchandise ceased after the issuance of the order, or (c) dumping was eliminated after the issuance of the order and import volumes for the subject merchandise declined significantly (*see* section II.A.3).

In addition to considering the guidance on likelihood cited above, section 751(c)(4)(B) of the Act provides that the Department shall determine that revocation of an order would be likely

[1] *See* unpublished scope ruling dated May 16, 1989.

[2] *See Final Affirmative Determination in Scope Inquiry on Antidumping Duty Order on Tapered Roller Bearings and Parts Thereof from Japan*, 60 FR 6519 (February 2, 1995).

[3] Per phone conversation with United States Customs officials, the HTS numbers listed above are those that customs uses for official duty collection. *See* Memorandum to File regarding HTS numbers for tapered roller bearings, dated June 8, 1999.

[4] *See Final Determination of Sales at Less Than Fair Value; Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From the Hungarian People's Republic*, 52 FR 17428 (May 8, 1987).

[5] *See Final Results of Antidumping Duty Administrative Review; Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the Republic of Hungary*, May 22, 1990 (55 FR 21066); *Final Results of Antidumping Duty Administrative Review; Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the Republic of Hungary*, November 19, 1990 (55 FR 48146); *Final Results of Antidumping Duty Administrative Review; Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the Republic of Hungary*, August 23, 1991 (56 FR 41819); and *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the Republic of Hungary; Final Results of Antidumping Duty Administrative Review*, September 13, 1993 (58 FR 47861).

[6] *See Tapered Roller Bearings, 4 Inches and Under From Japan, et al.; Extension of Time Limit for Final Results of Five-Year Reviews*, 64 FR 42672 (August 5, 1999).

to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In this instant review, the Department did not receive a response from any respondent interested party. Pursuant to section 351.218(d)(2)(iii) of the *Sunset Regulations,* this constitutes a waiver of participation.

In their substantive response, the domestic parties argue that revocation of the order will likely lead to continuation or recurrence of dumping of TRBs from Hungary. Citing the SAA at 889, the domestic parties argue that the continued existence of dumping margins above *de minimis* over the life of the order is indicative of the fact that foreign producers would have to dump in order to compete in the U.S. market. The domestic parties argue that dumping margins above *de minimis* levels have been in existence throughout the entire life of the order on TRBs from Hungary and, therefore, dumping would likely continue if the order were revoked (*see* May 3, 1999, Substantive Response of the domestic parties at 7).

With respect to whether imports of the subject merchandise declined significantly or ceased after the issuance of the order, the domestic parties maintain that imports of TRBs began to decline with the succession of confirmed dumping determinations in November 1990 and August 1991. The domestic parties assert that these determinations resulted in a decline in imports of TRBs from $1.8 million in 1992 to less than $400,000 in 1993, with import volumes falling from over 5 million units in 1992 to less than 1 million units. Moreover, they argue that import volumes of TRBs from Hungary have remained at low levels since 1993. The domestic parties argue that, while in the years immediately following the imposition of the order, from 1988 to 1991, import volumes remained high and even increased in 1988, the year immediately following the order, the low level of imports that has existed since 1993 is probative of the fact that Hungarian producers/exporters are unable to sell at high volumes in the U.S. without dumping (*see id.* at 8–9).

In addition to arguments regarding dumping margins and import volumes, the domestic parties also argue that there are other outside pressures on Hungarian producers and exporters that would lead to continuation or recurrence of dumping of TRBs from Hungary if the order were revoked. Specifically, the domestic parties argue that since most of the TRBs produced in Hungary are exported and Hungary has limited export markets, it is likely that TRBs from Hungary would be dumped in the U.S. market. Additionally, the domestic parties assert that it is likely that dumping would continue or recur if the order were to be revoked because of the openness of the U.S. market and because the current low level of imports of TRBs from Hungary is due primarily to the existence of the antidumping duty order, rather than any changes in the market for this product (*see id.* at 9–10).

In conclusion, the domestic parties argue that the Department should determine that there is a likelihood that dumping of imports of TRBs from Hungary would continue or recur if the antidumping duty order were revoked. The domestic parties argue that the continued existence of dumping margins above *de minimis* over the life of the order, the decline in import volumes following imposition of the order, and the accessibility of the U.S. market compared to other countries indicate that dumping of TRBs from Hungary is likely to continue or recur if the order were revoked.

As discussed in section II.A.3 of the *Sunset Policy Bulletin,* the SAA at 890, and the House Report at 63–64, if companies continue dumping with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline were removed. Since the imposition of the antidumping duty order in 1987, dumping margins above *de minimis* have been in existence for all producers and exporters of TRBs from Hungary.

With respect to whether imports of the subject merchandise declined significantly or ceased after the imposition of the order, it is evident from the data provided by the domestic parties, and confirmed by the Department using U.S. Census Bureau IM146s, that imports did not cease or decline significantly immediately following the imposition of the order. While imports of TRBs from Hungary have decreased over the life of the order, recently declining to minimal levels, in the years immediately following the order, imports remained fairly constant. The domestic parties recognize this fact, as stated in their response, that Hungarian exports did not immediately decline after the imposition of the order (*see* May 3, 1999, Substantive Response of the domestic parties at 8). Therefore, the Department determines that, while imports did not decline immediately following the imposition of the order, they have fallen over the life of the order.

According to the *Sunset Policy Bulletin,* the Department will normally find that revocation of the antidumping duty order will likely lead to continuation or recurrence of dumping where dumping margins continued at any level after the issuance of the order or where dumping was eliminated after the issuance of the order and import volumes of the subject merchandise declined significantly. (*See Sunset Policy Bulletin* at section II.A.3.) Therefore, given the continued existence of dumping margins, as well as the fact that respondent parties waived participation, and absent argument and evidence to the contrary, the Department determines that dumping is likely to continue or recur if the order were revoked.

Magnitude of the Margin

In the *Sunset Policy Bulletin,* the Department stated that it normally will provide to the Commission the margin that was determined in the final determination in the original investigation. Further, for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department normally will provide a margin based on the ''all others'' rate from the investigation. (*See* section II.B.1 of the *Sunset Policy Bulletin.*) Exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determinations. (*See* sections II.B.2 and 3 of the *Sunset Policy Bulletin.*)

The Department, in its final determination of sales at LTFV, published a weighted-average country-wide dumping margin of 7.42 percent for all producers/exporters of TRBs from Hungary (55 FR 21066, May 22, 1987). Since the original investigation, as noted above, there have been four administrative reviews of this order.

The domestic parties, in their substantive response, citing the *Sunset Policy Bulletin,* argue that, absent a finding of unusual circumstances, the Department should suggest to the Commission the country-wide rate from the original investigation as the rate that is likely to prevail if the order were to be revoked. However, the domestic parties argue that the Department should find that unusual circumstances exist in Hungary and, on that basis, should calculate a new rate to provide to the Commission. The domestic parties argue that the economic conditions in Hungary are not ''normal'' conditions since the Hungarian economy is in the process of changing from a state-run economy to a free-market economy. Because of this change, the domestic parties argue that more recent information is more likely

to be accurate than older information based on economic conditions that no longer exist. Therefore, it is the opinion of the domestic parties that a newly calculated dumping margin based on exports of Hungarian TRBs to the European Union should be used to determine a new rate. Without explanation, the domestic parties project the new dumping margin to be 45.96 percent (*see* May 3, 1999, Substantive Response of the domestic parties at 11–12).

As noted in the *Sunset Regulations* and *Sunset Policy Bulletin,* only under the most extraordinary circumstances will the Department rely on dumping margins other than those it calculated and published in its prior determinations. The *Sunset Regulations* at 19 CFR 351.218(e)(2)(i) explain that ''extraordinary circumstances'' may be considered by the Department in the context of a full sunset review, where the substantive response from both domestic and respondent interested parties are adequate. In this case, however, the Department determined to conduct an expedited review because respondent interested parties waived participation. While only in full reviews will the Department consider the calculation of new margins, it must be further noted that even if the Department had determined to conduct a full review of this order, we are not persuaded by the evidence presented by the domestic parties that such extraordinary circumstances exist in this case as to warrant the calculation of a new dumping margin.

Further, we are not persuaded that calculation of a new margin is appropriate based on the assertions by the domestic parties concerning the state of the Hungarian economy, alleged changes in the Hungarian bearings industry, and the accessibility of the U.S. market for Hungarian producers/exporters.

Therefore, consistent with the *Sunset Policy Bulletin,* the Department determines that the margin calculated in the original investigation is probative of the behavior of Hungarian producers/exporters if the order were revoked as it is the only rate that reflects the behavior of these producers and exporters without the discipline of the order. As such, the Department will report to the Commission the country-wide rate from the original investigation as contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of this review, the Department finds that revocation of the antidumping order would likely lead to continuation or recurrence of dumping at the margins listed below.

Manufacturer/ Exporter	Margin (percent)
Country-wide rate	7.42

This notice serves as the only 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 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This five-year (''sunset'') review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: October 28, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–28769 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–588–804]

Final Results of Expedited Sunset Reviews: Antifriction Bearings From Japan

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

ACTION: Notice of final results of expedited sunset reviews: antifriction bearings from Japan.

SUMMARY: On April 1, 1999, the U.S. Department of Commerce (''the Department'') initiated sunset reviews of the antidumping duty orders on ball bearings (''BBs''), cylindrical roller bearings (''CRBs''), and spherical plain bearings (''SPBs'') (collectively, antifriction bearings) from Japan pursuant to section 751(c) of the Tariff Act of 1930, as amended (''the Act''). On the basis of a notice of intent to participate and an adequate response filed on behalf of a domestic interested party and inadequate response from respondent interested parties in each of these reviews, the Department conducted expedited sunset reviews. As a result of these reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at the levels indicated in the Final Result of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Scott E. Smith or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone (202) 482–6397 or (202) 482–1560, respectively.

EFFECTIVE DATE: November 4, 1999.

Statute and Regulations

These reviews were conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for the conduct of sunset reviews are set forth in Procedures for Conducting Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders, 63 FR 13516 (March 20, 1998) (''Sunset Regulations''), and 19 CFR 351(1998) in general. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—Policies Regarding the Conduct of Five-year (''Sunset'') Reviews of Antidumping and Countervailing Duty Orders; Policy Bulletin, 63 FR 18871 (April 16, 1998) (''Sunset Policy Bulletin'').

Scope

The products covered by these orders, antifriction bearings (other than tapered roller bearings), mounted or unmounted, and parts thereof (AFBs), constitute the following three types of subject merchandise:

Ball Bearings and Parts Thereof: These products include all AFBs that employ balls as the roller element. Imports of these products are classified under the following categories: antifriction balls, ball bearings with integral shafts, ball bearings (including radial ball bearings) and parts thereof, and housed or mounted ball bearing units and parts thereof. Imports of these products are classified under the following Harmonized Tariff Schedule (HTS) subheadings: 3926.90.45, 4016.93.00, 4016.93.10, 4016.93.50, 6909.19.5010, 8431.20.00, 8431.39.0010, 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.35, 8482.99.2580, 8482.99.6595, 8483.20.40, 8483.20.80, 8483.50.8040, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.80, 8708.70.6060, 8708.70.8050, 8708.93.30, 8708.93.5000, 8708.93.6000, 8708.93.75, 8708.99.06, 8708.99.31, 8708.99.4960,