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. 99–28775 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–801]

Final Results of Expedited Sunset Reviews: Antifriction Bearings From Germany

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

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

SUMMARY: On April 1, 1999, the Department of Commerce (''the Department'') initiated sunset reviews of the antidumping duty orders on ball bearings, cylindrical roller bearings, and spherical plain bearings (collectively, ''antifriction bearings'') from Germany 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 an inadequate response from respondent interested parties in each of these reviews, the Department decided to conduct expedited reviews. As a result of these reviews, the Department finds that revocation of the antidumping duty orders would be likely to lead to the continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Mark D. Young 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

These reviews were conducted pursuant to sections 751(c) and 752 of the Act. The Department's procedures for conducting 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 (1999) 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 reviews are antifriction bearings (''AFBs'') from Germany, which include ball bearings (''BBs''), cylindrical roller bearings (''CRBs''), and spherical plain bearings (''SPBs'') and parts thereof. For a detailed description of the products covered by these orders, including a compilation of all pertinent scope determinations, refer to the notice of final results of expedited sunset reviews on AFBs from Japan, published concurrently with this notice.

History of the Orders

On May 3, 1989, the Department issued final determinations of sales at less than fair value (''LTFV'') with respect to imports of AFBs from Germany.[1] The antidumping duty orders on AFBs were issued by the Department on May 15, 1989, and the dumping margins that were found in the final determinations of sales at LTFV were affirmed.[2] Since the imposition of these orders, the Department has conducted nine administrative reviews.[3] The orders remain in effect for all manufacturers and exporters of the subject merchandise. In the final results of the 1995–1996 and 1997–1998 administrative reviews of these antidumping duty orders, the Department found that antidumping duties were being absorbed by German producers of AFBs.[4] This review covers all producers and exporters of AFBs from Germany.

Background

On April 1, 1999, the Department initiated sunset reviews of the antidumping duty orders on AFBs from Germany, pursuant to section 751(c) of the Act. By April 16,1999, within the deadline specified in section 351.218(d)(1)(i) of the *Sunset Regulation*, we received notices of intent to participate from the following parties: Link-Belt Bearing Division (''Link-Belt''); The Torrington Company (''Torrington''); MPB Corporation (''MPB''); Roller Bering Company of America (''RBC''); New Hampshire Ball Bearing, Inc. (''NHBB''); and NSK Corporation (''NSK Corporation''). Each of these parties claimed status as domestic interested parties on the basis that they are a domestic producer, manufacturer, or wholesaler of one or more of the products subject to these orders.[5]

Within the deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(i), on May 3, 1999, the Department received complete substantive responses from each of these domestic interested parties with the exception of Link-Belt. In addition, SKF USA and SKF GmbH (collectively ''SKF'') notified the Department that they would not file a substantive response in the sunset reviews of the AFBs orders. Finally, we received a complete substantive response on behalf of FAG Kugelfischer Georg Schäfer AG and FAG Bearings Corporation (collectively ''FAG''). FAG asserts that it is a foreign manufacturer and exporter of BBs and CRBs and is, therefore, an interested party within the meaning of section 771(9)(A) of the Act. We received rebuttal comments from Torrington and MPB, RBC, NHBB, NSK Corporation, and FAG on May 12, 1999, within the deadline. On May 21 and May 24, 1999, we informed the International Trade Commission (''Commission'') that, on the basis of inadequate response from respondent interested parties, we were conducting expedited sunset reviews of these orders

[1] See Final Determination of Sales at Less Than Fair Value; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From the Federal Republic of Germany, May 3, 1989, 54 FR 18992.

[2] See Ball Bearings, Cylindrical Roller Bearings, and Spherical Plain Bearings and Parts Thereof From the Federal Republic of Germany; Antidumping Duty Order, May 15, 1989 54 FR 20900.

[3] See Ball Bearings, Cylindrical Roller Bearings, and Spherical Plain Bearings and Parts Thereof From the Federal Republic of Germany; Final Results of Antidumping Duty Administrative Review, 64 FR 35590 (July 1, 1999); 63 FR 33320 (June 18, 1998); 62 FR 54043 (October 17, 1997); 62 FR 2081(January 15, 1997); 61 FR 66472 (December 17, 1996); 60 FR 10900 (February 28, 1995); 58 FR 39729 (July 26, 1993); 57 FR 28360 (June 24, 1992); and 56 FR 31692 (July 11, 1991).

[4] See Final Results of Antidumping Duty Administrative Reviews, 62 FR 54043 (October 17, 1997) (1995–96); and Final Results of Antidumping Duty Administrative Reviews, 64 Fed. Reg. 35590 (July 1, 1999) (1997–98).

[5] Torrington, RBC, and NHBB filed with respect to BBs, CRBs, and SPBs. Link-Belt and MPB filed with respect to BBs and CRBs. NSK Corporation filed with respect to BBs only.

consistent with 19 CFR 351.218(e)(1)(ii)(C)(*2*). (*See* Letters to Lynn Featherstone, Director, Office of Investigations, USITC, from Jeffrey A. May, Director, Office of Policy.)

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 reviews of the antidumping duty orders on AFBs from Germany are 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 these reviews to determine whether revocation of the antidumping duty orders 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 duty order. Pursuant to section 752(c)(3) of the Act, the Department shall provide to the Commission the magnitude of the margin likely to prevail if the order is revoked.

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

Adequacy

As noted above, we notified the Commission that we intended to conduct expedited reviews of these orders. On June 10, 1999, we received comments on behalf of Torrington and MPB supporting our determination to conduct expedited reviews. NHBB and NSK Corporation also submitted comments on whether expedited sunsets review were warranted. In their submissions, both parties assert that most of the domestic interested parties that submitted substantive responses are in favor of revocation of the various orders on antifriction bearings. These parties also offered new argument regarding the likely effect of revocation of the orders.

The magnitude of domestic support for continuation or revocation of an order, however, does not enter into the Department's determination of adequacy of participation nor, for that matter, the Department's determination of likelihood. The Department made clear in its regulations that a complete substantive response from one domestic interested party would be considered adequate for purpose of continuing a sunset review (see section 351.218(e)(1)). Nowhere in the statute or legislative history is there reference to consideration of domestic industry support during the course of a sunset review (other than the statutory provision that, if there is *no* domestic industry interest in continuation of the order, the Department will revoke the order automatically). In fact, the Senate Report (at 46) makes clear that the purpose of adequacy determinations in sunset reviews is for the Department to determine whether to issue a determination based on the facts available without further fact-gathering. Further, the statute, at section 751(c)(1), specifies that the Department is to determine whether revocation of an order would be likely to lead to continuation or recurrence of dumping. Section 752(c) specifies that the Department is to consider the weighted-average dumping margins determined in the investigation and subsequent reviews, as well as the volume of imports of the subject merchandise for the period before and the period after the issuance of the order.

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 duty order is likely to lead to continuation or recurrence of dumping when (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 their joint substantive response, Torrington and MPB argue that revocation of the antidumping duty orders on the subject merchandise would be likely to lead to continuation of dumping. They base this conclusion on the fact that dumping continued at levels above *de minimis* levels after the issuance of the orders. RBC also argues that, given that dumping margins continued to exist after the issuance of the orders, the Department must conclude that dumping would be likely to continue or recur if the orders were revoked. Torrington and MPB also assert that an examination of import volumes is not necessary because dumping continued. Using pre- and post-order statistics for complete unmounted BBs, which Torrington and MPB assert is the only category for which statistics are available on a consistent basis, they argue that post-order declines in import volumes provide strong additional support for a determination that dumping is likely to continue or recur were the orders revoked. In conclusion, Torrington and MPB assert that no ''good cause'' exists to consider other factors. However, if the Department were to consider other factors, they contend, it should acknowledge that, in each review period, it has found that home market sales by German producers were below the cost of production requiring that such sales be disregarded for purposes of determining formal market value or normal value.

NHBB and NSK Corporation assert that revocation of the orders is not likely to result in continuation or recurrence of dumping. NHBB bases its assertion on the fact that dumping would undercut the U.S. domestic price structure, thus causing injury to the very industry of which foreign owners are a part. NSK Corporation supports its assertion on the basis that the margin of dumping would be *de minimis*. In addition, the respondent interested party in these sunset reviews of BBs and CRBs, FAG, asserts that revocation of the order would lead to a continued decrease in dumping, as evidenced by the decline in the level of dumping in recent years. FAG bases its conclusion

[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).

on the following factors: the decrease in value and volume of exports of the subject merchandise; its significant reduction of its U.S. resales of subject merchandise; its shift in production to its U.S. facilities and its ability to source product from third countries that are not covered by the antidumping duty orders; and decreasing dumping margins.

Furthermore, the respondent argues that the range of subject merchandise sold by FAG and other large bearing companies consists of thousands of different models, sold in differing quantities and into many different market sectors, tends to breed a certain percentage of ''random dumping.'' FAG uses charts to support its argument that the analysis of the top ten sales for BBs and CRBs in the 1994–1995 and 1995–1996 reviews alone account for nearly 50 percent of the dumping margins in each case.[7] They argue that these sales were only ten of tens of thousands of sales made during a full review period and this would tend to negate any argument that there was chronic pattern of dumping by FAG. Therefore, it asserts that these dumped sales were extrapolated onto the wider selling and pricing patterns of the company as a whole, which led to arbitrary and unfair results. FAG notes further that the ''random dumping'' can explain the inevitable percentage of dumping that recurs from year to year, as evidenced by the fact that none of the large bearing manufacturers/exporters have achieved a *de minimis* margin in the past nine reviews.

In their rebuttal comments, Torrington and MPB assert that the Department should take into account the submitter's affiliation in its consideration of comments of various parties filing as domestic producers. Further, citing to Ball Bearings and Parts Thereof From Thailand; Final Results of Changed Circumstances Countervailing Duty Review and Revocation of Countervailing Duty Order, 61 FR 20799, 20800 (May 8, 1996), they argue that the Department has recognized that domestic producers who are affiliated with subject foreign producers and exporters do not have a common ''stake'' with the petitioner in the maintenance of the orders. Additionally, Torrington and MPB argue that other parties' comments addressing issues other than margins and import volumes should not be considered unless such parties establish ''good cause'' to consider such additional factors, which, in these reviews, they have not done.

[7] *See* May 3, 1999, Substantive Response of the Respondent at Appendix 5 Chart 3.

Torrington and MPB argue further that FAG's admission that its imports and sales have decreased strongly supports a determination that FAG cannot resume selling at pre-order volumes without resorting to dumping. Torrington and MPB also note that FAG's reliance on current margins to predict likely post-revocation margins ignores the fact that the investigation margins are the only margins which reflect the exporter's behavior without the discipline of the orders. Finally, Torrington and MPB note that if FAG's ''random dumping'' is in fact ''inevitable,'' then under FAG's own argument dumping will continue.

In its rebuttal comments, FAG concurs with the substantive response of NSK Corporation which pointed out that the Department's methodology for calculating dumping margins in an investigation has fundamentally changed since the original LTFV investigation in AFBs ten years ago. FAG argues further that Torrington, MPB, and RBC erred in their reasoning to use the original investigation margins for purposes of these sunset reviews. According to FAG, the analyses presented by these domestic parties were not supported by empirical data, and that they erroneously presumed that even if dumping continued at levels above *de minimis*, and import volume decreased, there is a *prima facie* assumption of continued dumping at investigation levels and a mandatory requirement that these original margins be adopted.

FAG maintains that import levels for the subject merchandise increased 40 percent between fiscal years 1993 and 1997, and that dumping margins have decreased. Where margins have not declined over time, FAG contends, an explanation exists insofar as the Department changed its methodologies during the 1994–1995 administrative review. In light of the above, FAG argues, the Department should calculate projected dumping rates based on more recent reviews.

As discussed in section II.A.3 of the Sunset Policy Bulletin, the SAA at 890, and the House Report at 63–64, existence of dumping margins after the order is highly probative of the likelihood of continuation or recurrence of dumping. If companies continue to dump with the discipline of an order in place, the Department may reasonably infer that dumping would continue if the discipline of the order were removed. Further, as noted above, in determining whether revocation of an order is likely to lead to continuation or recurrence of dumping, the Department considers the margins determined in the investigation and subsequent administrative reviews and the volume of imports. Whatever relevance the arguments of NHBB and NSK concerning possible disincentives for producers and/or exporters to dump in the U.S. market might have had is mooted by the evidence that dumping continues and has continued over the life of the orders.

In the instant proceedings, dumping margins above *de minimis* continue to exist with respect to each of the orders. Therefore, given that dumping has continued over the life of the orders, the Department determines that dumping is likely to continue if the orders were revoked. Because we have based this determination on the fact that dumping continued at levels above *de minimis*, we have not addressed the comments submitted by Torrington and MPB with respect to ''good cause'' and sales below the cost of production, nor have we addressed the arguments of other interested parties regarding the condition of the U.S. market.

Magnitude of the Margin

In the Sunset Policy Bulletin, the Department stated that, consistent with the SAA and House Report, the Department will normally provide to the Commission a margin from the investigation because that is the only calculated rate that reflects the behavior of exporters without the discipline of an order in place. Further, for companies not specifically investigated or for companies that did not begin shipping until after the order was issued, the Department will normally 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.)

In their joint substantive response, Torrington and MPB argue that the margins that are likely to prevail should the orders be revoked are the dumping margins found for each company in the original investigations (as opposed to margins calculated in succeeding annual administrative reviews), including margins based on best information available, except where the most current margin, increased by the Department's duty absorption determination, exceeds the original investigation margin. With respect to BBs, RBC argues that the margins from the original investigation are the margins likely to prevail were the order revoked.

NHBB argues that the dumping margins likely to prevail if the orders were revoked are *de minimis.* NHBB goes on to argue that it would be illogical for companies with significant U.S. bearings investments to undercut that investment by dumping. In addition, NHBB argues that the Department should not report margins from the original investigation, asserting that the SAA provides that, in certain instances, it is more appropriate to rely on a more recently calculated margin. NHBB also asserts that one such instance is where, as in the AFBs cases, dumping margins have declined over the life of the orders and imports have remained steady or increased. Additionally, NHBB argues that, because the structure of the U.S. domestic industry that exists today bears little resemblance to the industry when the antidumping duty orders were imposed in 1989, the rates from the original investigation are inappropriate as indicators of the rates that would be found upon revocation. Finally, NHBB argues that, in light of changes in the methodology used to calculated antidumping duty margins introduced by the Uruguay Round, use of margins calculated by the Department prior to the URAA would be unfair and would be contrary to the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

Similarly, NSK Corporation and FAG argue that the margins likely to prevail are *de minimis.* As support, NSK Corporation argues that, were the orders not in existence, the Department would apply the average-to-average methodology used in an investigation as opposed to the transaction-to-average methodology common to administrative reviews to measure the extent of any dumping. In such a case, NSK Corporation states that it believes any margin found would be below the two-percent *de minimis* level applicable in investigations. NSK Corporation argues further that the Department's unorthodox approach during the original investigation, plus the liberal use of best information available, skewed the results of the original investigation seriously, rendering those results inappropriate indicators of the magnitude of the margin likely to prevail were the orders revoked. Finally, NSK Corporation also argues that dumping margins have declined over time with respect to importations of BBs while, at the same time, importations have remained at or around 20 percent of the U.S. market. As support, it cites to The Economic Effects of Antidumping and Countervailing Duty Orders and Suspension Agreements, USITC Pub. 2900, Inv. No. 332–334, at 14–26—14–31 (June 1995).

FAG points out that 751(a)(4) of the Act permits the Department to conduct a duty absorption inquiry during any administrative review initiated two years or four years after the publication of an antidumping duty order. Notwithstanding this provision, FAG notes that the Department conducted duty absorption inquiries in the 1995–1996 and 1997–1998 administrative reviews, and, therefore, its duty absorption inquiry is unlawful and cannot be used.

In addition to the aforementioned argument, FAG challenges the methodology chosen by the Department to calculate duty absorption rates, stating that it was arbitrary and capricious, as well as contrary to language found in 19 U.S.C. 1675(a)(4). FAG asserts that the Department has merely calculated the percentage of FAG's U.S. affiliate's sales with dumping margins versus total sales and concluded that this figure demonstrates duty absorption within the meaning of the statute. FAG claims that there is no connection between the percentage of sales of a U.S. importer with dumping margins and any alleged duty absorption by the affiliated foreign producer or exporter.

In their rebuttal comments, Torrington and MPB argue that other parties' comments ignore the Department's stated policies regarding the selection of margins likely to prevail and ignore the Department's duty absorption findings. Citing to the Sunset Policy Bulletin, Torrington and MPB argue that the Department's policies are clear '' normal reliance on the margins from the investigation as the only margins that reflect the behavior of exporters without the discipline of the order and rejection of margins from administrative reviews in which the Department found duty absorption. Torrington and MPB argue that the two-percent *de minimis* standard is not applicable to sunset reviews. Further, they contend that there is no authority which would authorize or justify the rejection of the investigation rates on the basis of the particular methodology used at the time of the investigations. Additionally, they argue that, with respect to claims that more recent margins should be used based on declining margins accompanied by steady or increasing imports, it is the responsibility of such claimants to provide information regarding companies' relative market share. Since no such information was provided, the Department should not accept these assertions since imports of certain BBs have actually declined since the imposition of the order.

In its rebuttal comments, FAG notes that Torrington erred in relying on the highest dumping margins calculated in each review period rather than the average. Furthermore, FAG argues that Torrington relied upon margins calculated using facts available. FAG asserts that, if the Department assesses margin levels based on actual calculated dumping rates, taken as averages for each review period, it will determine that, but for changes in calculation methodologies, margins have decreased over time.

We agree with Torrington, MPB, and RBC that, normally, we will provide a margin from the original investigation because that is the rate that reflects the behavior of exporters absent the discipline of the order. As noted above, exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty absorption determinations.

In the Sunset Policy Bulletin we indicated that, consistent with the SAA at 889–90 and the House Report at 63, we may determine, in cases where declining (or no) dumping margins are accompanied by steady or increasing imports, that a more recently calculated rate reflects that companies do not have to dump to maintain market share in the United States and, therefore, that dumping is less likely to continue or recur if the order were revoked. Alternatively, if a company chooses to increase dumping in order to increase or maintain market share, the Department may provide the Commission with a more recently calculated margin for that company. The Sunset Policy Bulletin provides that we will entertain such considerations in response to argument from an interested party. Further, we noted that, in determining whether a more recently calculated margin is probative of an exporters behavior absent the discipline of an order, we will normally consider the company's relative market share, with such information to be provided by the parties. It is clear, therefore, that in determining whether a more recently calculated margin is probative of the behavior of exporters were the order revoked, the Department considers company-specific exports and company-specific margins. Additionally, although we expressed a clear preference for market share information, in past sunset reviews where market share information was not available, we relied on changes in import volumes between the periods before and after the issuance of the

order. *See, e.g.,* Final Results of Expedited Sunset Review: Stainless Steel Plate from Sweden, 63 FR 67658 (December 8, 1998), and Final Results of Expedited Sunset Reviews: Certain Iron Construction Castings From Brazil, Canada, and the People's Republic of China, 64 FR 30310 (June 7, 1999).

In sunset reviews, although we make likelihood determinations on an order-wide basis, we report company-specific margins to the Commission. Therefore, it is appropriate that our determinations regarding the magnitude of the margin likely to prevail be based on company-specific information. Generic arguments that margins decreased over the life of the orders while at the same time, exporters' share of the U.S. market remained constant do not address the question of whether any particular company decreased its margin of dumping while at the same time maintaining or increasing market share. In fact, such generic argument may disguise company-specific behavior demonstrating increased dumping coupled with increased market share.

FAG provided company-specific value and volume information concerning its exports of BBs and CRBs, and it argued that exports of the subject merchandise have generally decreased since the inception of this case in 1987. The Department can confirm that current exports of the subject merchandise are indeed lower than pre-order exports. FAG's decrease in exports of the subject merchandise to the United States over the life of the orders indicate that FAG is unable to sell subject merchandise in the United States at pre-order volumes without dumping. Therefore, absent such evidence, we find no reason to deviate from our standard practice of using the margin we calculated in the original investigation.

In the final results of the 1995/96 [8] and 1997/98 administrative reviews of these orders, the Department found that antidumping duties have been absorbed by foreign producers. With respect to the 1997/98 administrative reviews we made the following determinations [9]:

Ball bearings	Percent of sales
SKF	3.17
FAG	10.31
INA	9.14
Cylindrical Roller Bearings:	
SKF	33.52
FAG	24.59
Torrington Nadellage	0.26
INA	9.24
Spherical Plain Bearings:	
INA	3.53
SKF	20.31

[8] See Final Results of Antidumping Duty Administrative Reviews, 62 FR 54043 (October 17, 1997) (1995–96).

[9] See Final Results of Antidumping Duty Administrative Reviews, 64 FR 35590 (July 1, 1999) (1997–98).

Consistent with the statute and the Sunset Policy Bulletin, the Department will notify the Commission of its findings regarding such duty absorption for the Commission to consider in conducting a sunset review.

Additionally, the *Sunset Policy Bulletin* refers to the SAA at 885 and the House Report at 60 and provides that, where the Department has found duty absorption, the Department normally will provide to the Commission the higher of the margin that the Department otherwise would have reported or the most recent margin for that company, adjusted to account for the Department's findings on duty absorption. In this case, the margins adjusted to account for our duty absorption findings are less than the margins we would otherwise report to the Commission.

Therefore, the Department agrees with Torrington, MPB, and RBC concerning the margin likely to prevail if the order were to be revoked. We find that the dumping margins calculated in the original investigation are the only calculated rates that reflect the behavior of exporters without the discipline of the orders. Consistent with the *Sunset Policy Bulletin,* we determine that the margins we calculated in the original investigation are probative of the behavior of German producers and exporters of BBs, CRBs, and SPBs if the order were revoked. Therefore, we will report to the Commission the company-specific and ''all others'' rates from the original investigation contained in the Final Results of Review section of this notice.

Final Results of Review

As a result of these reviews, the Department finds that revocation of the antidumping duty orders would likely lead to continuation or recurrence of dumping at the margins indicated below:

Manufacturer/ Exporter	Margin (percent)
Ball Bearings:	
SKF	132.25
FAG	70.41
INA	31.29
GMN	35.43
All Others	68.89
Cylindrical Roller Bearings:	
SKF	76.27
FAG	52.43
INA	52.43
All Others	55.65
Spherical Plain Bearings:	
SKF	118.98
FAG	74.88
All Others	114.52

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.

These five-year (''sunset'') reviews 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. 99–28776 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–485–801]

Final Results of Expedited Sunset Review: Ball Bearings From Romania

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

ACTION: Notice of Final Results of Expedited Sunset Review: Ball Bearings from Romania.

SUMMARY: On April 1, 1999, the U.S. Department of Commerce (''the Department'') initiated a sunset review of the antidumping duty order on ball bearings from Romania 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 adequate response filed on behalf of a domestic interested party and inadequate response from respondent interested parties in this review, the Department conducted an expedited sunset review. As a result of this review, the Department finds that revocation of the antidumping duty order would likely lead to recurrence of dumping at