Seiko and NSK, were absorbing duties.[9] Consistent with the statute and the *Sunset Policy Bulletin*, the Department will notify the Commission of its findings regarding duty absorption.

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 report 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 the Department's duty absorption findings are less than the margins we would otherwise report to the Commission. As such, the Department will report to the Commission the margins from the first administrative review 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 margins listed below:

Manufacturer/Exporter	Margin (percent)
Koyo Seiko Co.	20.56
Nippon Seiko K.K. Ltd. (NSK)	17.42
Auto Dynamics International of Japan	18.07
Caterpillar Mitsubishi, Ltd.	16.92
Deer Island Industries, Ltd.	9.80
Nachi Fujikoshi Corp./ Kanematsu-Gosho, Ltd./ Nachi America	8.30
Nachi Fujikoshi Corp./ Kanematsu/Gosho, Ltd./ Nachi Western	18.07
Nachi Fujikoshi Corp./ Kanematsu/Gosho, Ltd./ all other purchasers	8.30
Kobe Steel	18.07
Komatsu, Ltd.	18.07
Kubota, Ltd.	18.07
Maekawa Bearing Manufacturing Co., Ltd.	0.71
Maekawa Bearing Manufacturing Co., Ltd./Daido Enterprising Co., Ltd.	16.92
Maekawa Bearing Manufacturing Co., Ltd./Hajime Industries, Ltd.	16.92
Maekawa Bearing Manufacturing Co., Ltd./Taisei Industries, Ltd.	16.92
Maekawa Bearing Manufacturing Co., Ltd./Schneider Engineering, Ltd.	18.07
Marubeni Corp.	18.07
Mitsubishi Corp.	16.92
Nachi Fujikoshi Corp.	18.07
Naniwa Kogyo Co., Ltd.	18.07
Nichimen Co.	16.92
Nissho-Iwai Co., Ltd.	16.92
Sumitomo Shoji Kaisha	3.40
Sumitomo Yale Co., Ltd.	16.92
Tatsumiya Kogyo Co., Ltd.	18.07
Toyo Kogyo Co., Ltd.	3.40
Toyosha Co., Ltd.	16.92
United Trading Co., Ltd.	9.80
All Others	18.07

Third country resellers	Margin (percent)
Federal Mogul Canada, Ltd.	18.07
Flanders Enterprises, Ltd.	16.92
John Deere Welland Works (Canada)	18.07
Nachi Canada, Ltd.	18.07
Superior Bearing Industrial Supplies, Ltd. (Canada)	18.07

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. 99–28778 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

[9] *See Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan; Final Results of Antidumping Duty Administrative Reviews,* 63 FR 2558 (January 15, 1998).

DEPARTMENT OF COMMERCE

International Trade Administration

[A–427–801]

Final Results of Expedited Sunset Reviews: Antifriction Bearings From France

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

ACTION: Notice of Final Results of Expedited Sunset Reviews: Antifriction Bearings from France.

SUMMARY: On April 1, 1999, the U.S. 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 France 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 responses 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 likely 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: Martha V. Douthit 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) 482–5050 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 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 these orders are antifriction bearings (''AFBs'') from France, which include ball bearings (''BBs''), cylindrical roller bearings (''CRBs''), and spherical plain bearings (''SPBs'') and parts thereof from France. 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, publishing concurrently with this notice.

History of the Orders

On May 3, 1989, the Department issued a final determination of sales at less than fair value on imports of AFB's from France (54 FR 19092). On May 15, 1989, the Department published in the **Federal Register** (54 FR 20902) the antidumping duty orders on the subject merchandise.

As part of these antidumping duty orders, the Department established a estimated weighted-average dumping margin for three respondents, Compagnie d'Applications Mecaniques S.A. (SKF), Societe Nouvelle de Roulements (SNR), and Roulements S.A. (INA), and an ''all others'' rate.[1] There have been several administrative reviews of these orders.[2] In the 1995–1996, 1997–1998 administrative reviews, the Department found that antidumping duties were being absorbed.[3]

The antidumping duty orders remain in effect for all French producers and exporters of AFBs from France.

Background

On April 1, 1999, the Department initiated sunset reviews of the antidumping duty orders on AFBs from France 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'') and MPB Corporation (''MPB''); Roller Bearing Company of America, Inc. (''RBC''); New Hampshire Ball Bearings, Inc. (''NHBB'')[4]; and NSK Corporation (''NSK''). 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 France and Sarma (collectively ''SKF'') notified the Department that they would not file a substantive response in the sunset reviews of the AFB orders. We received rebuttal comments from Torrington, MPB, and NSK on May 12, 1999, within the deadline.

On May 21, 1999, we informed the International Trade Commission (''Commission'') that, on the basis of inadequate responses from respondent interested parties, we were conducting expedited sunset reviews of these orders consistent with 19 CFR 351.218(e)(1)(ii)(C)(2). (*See* Letter to Lynn Featherstone, Director, Office of Investigations 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 France 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 import volume of the subject merchandise for the period before the issuance of the antidumping duty order 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 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 in 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 MPB and Torrington, supporting our determination to conduct expedited

[1] In the Antidumping Duty Orders of AFBs from France, dumping margins for French producers and exporters of BBs, CRBs, and SPBs ranged from 11.03 percent to 66.42 percent.

[2] 1. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France; Final Results of Antidumping Duty Administrative Review,* 56 FR 31748 (July 11, 1991). 2. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France; et al.; Final Results of Antidumping Duty Administrative Review,* 57 FR 28360 (June 24, 1992). 3. *Final Results of Antidumping Duty Administrative Reviews and Revocation in Part of an Antidumping Duty Order,* 58 FR 39729 (July 26, 1993). 4. *Final Results of Antidumping Duty Administrative Reviews, Partial Termination of Administrative Reviews, and Revocation in Part of Antidumping Duty Order,* 60 FR 10900 (February 28, 1995). 5. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Singapore, Sweden, and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews,* 61 FR 66472 (December 17, 1996), as corrected, *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Singapore, Sweden, and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews,* 62 FR 149 (January 2, 1997). 6. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Singapore, and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews,* 62 FR 2081 (January 15, 1997). 7. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews,* 62 FR 54043 (October 17, 1997). 8. *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews,* 63 FR 33320 (June 18, 1998). 9. *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 (July 1, 1999)

[3] *See Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore; Sweden and the United Kingdom; Final Results of Antidumping Duty Administrative Reviews,* 62 FR 54043 (October 17, 1997), *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore; Sweden and the United Kingdom; Amended Final Results of Antidumping Duty Administrative Reviews,* 62 FR 61963 (November 20, 1997), *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 (July 1, 1999).

[4] NHBB states that it is affliated with the following respondent producers, exporters, and importers: Minebea Co., Ltd., NMB Singapore Ltd., Pelmec Industries (Pte.) Ltd., and NMB Corporation.

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

[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).

reviews.[7] On June 10, 1999, NHBB and NSK Corporation also submitted comments on whether expedited sunsets review were warranted. In their submissions, NHBB and NSK assert that most of the domestic interested parties that submitted substantive responses favor 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, is not a consideration in 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 basis for likelihood determinations. In its Sunset Policy Bulletin, the Department indicates 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 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 is likely to lead to continuation or recurrence of dumping where a respondent interested party waives its participation in the sunset review. In the 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 responses, Torrington, MPB, and RBC argue that revocation of the antidumping duty orders on the subject merchandise would be likely to lead to continuation of dumping. All three point out that, because dumping continued at levels above *de minimis* after the issuance of the orders, therefore, a consideration of import volumes is not necessary.

Nonetheless, using pre-and post-order import statistics for complete unmounted BBs, which Torrington and MPB assert is the only product category for which full time series data are available on a consistent basis, Torrington and MPB argue that post-order volumes are significantly lower than pre-order volumes. Torrington and MPB also assert that the same decline is evident from slightly aggregated value data covering CRBs. Based on the continued existence of dumping margins and the declining trend in imports after the imposition of the orders, Torrington and MPB assert that no ''good cause'' exists to consider other factors. However, in this regard, Torrington and MPB observe that, in each administrative review, the Department has found French producers selling below the cost of production.

NHBB argues that, given the ''internationalization of operations'' and the large percentage of foreign ownership of U.S. based companies, dumping would not be likely if the orders were revoked because any such dumping would undercut the U.S. domestic price structure, thus causing injury to the very industry of which foreign owners are a part. In addition, NHBB argues that the downward trend in the margins coupled with the change in the Department's margin-calculation methodology, brought about by the URAA, results in margins that are *de minimis.* NHBB asserts that dumping margins have declined significantly and trade data generally show that import volumes have not declined since the time of the investigations. For these reasons, NHBB claims that the decline in dumping margins and imports show that French producers do not need to dump to maintain U.S. market share. Therefore, it concludes, revocation of the orders will not likely lead to dumping.

NSK also argues that dumping margins have declined significantly and that imports have declined since the issuance of the antidumping duty orders. NSK explains that the fact that dumping margins have declined and imports remain at or around 20 percent of market share demonstrates that foreign companies do not have to dump if the orders were revoked. NSK adds that other factors for the Department's consideration in support of revocation of these orders include the lack of industry support and a change in the U.S. bearings industry.

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 order. 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.

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

[7] These companies filed one submission providing comments on all ongoing sunset reviews covering bearings.

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.

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 order and respondent interested parties waived their participation, we determine that dumping is likely to continue if the orders were revoked. Because we 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 normally will provide to the Commission a margin from the investigation because that is the only calculated rate that reflects the behavior or 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, we 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.)

In their substantive responses, 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 to be revoked.

NHBB argues that the dumping margins likely to prevail if the orders were revoked would be *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 investigations. In support of this argument, NHBB notes that the SAA provides that, in certain instances, it is more appropriate to rely on a more recently calculated margin. NHBB asserts that one such instance is where, as in the bearings cases, dumping margins have declined over the life of the order 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 calculate antidumping duty margins introduced by the Uruguay Round, use of margins calculated by the Department prior to the URAA would be unfair and contrary to the WTO Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

Similarly, NSK Corporation argues that the margins likely to prevail would be *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 believes that 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 to be revoked.

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 rate on the basis of the particular methodology used at the time of the investigation. 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, Torrington and MPB argue that it is the responsibility of such claimants to provide information regarding companies' relative market share. Since no such information was provided they contend, 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, NSK Corporation repeats its point that dumping margins have declined significantly over time with respect to imports of BBs while, at the same time, importations have remained steady or around 20 percent of the U.S. market, showing that foreign exporters do not have to dump to maintain market share.[8]

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. With respect to NSK's argument concerning the magnitude of the margin likely to prevail, we disagree. As discussed above, we do find that there is a likelihood of continuation or recurrence of dumping. Furthermore, we find the level of dumping likely to prevail is best reflected by the dumping margins we calculated in the original investigation. Specifically, the Department finds that there is no basis to reject margins calculated in an investigation because of

[8] As support, NSK Corporation 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).

subsequent changes in methodology since changes do not invalidate margins calculated under the prior methodology. Therefore, the dumping margins from the original investigation are the only rates which reflect the behavior of exporters without the discipline of the order, regardless of the methodology used to calculate that margin or the use of best information available (*see* section 752(c)(3) of the Act). As noted above, exceptions to this policy include the use of a more recently calculated margin, where appropriate, and consideration of duty-absorption determinations.

With respect to NHBB's argument concerning the dumping margin likely to prevail, the Department disagrees. First, NHBB claims that dumping margins have declined over the life of the order and imports have remained steady or increased. However, NHBB provides no evidence to support these claims. Nothing submitted in the course of sunset proceedings indicates that imports have remained steady or increased. In fact, evidence submitted by Torrington and MPB indicate that 1998 import volumes of the subject merchandise are more than 8.1 percent below pre-order volumes (*see* Torrington and MPB's Substantive Response at 10). Regardless of the level of imports, dumping margins at levels above *de minimis* continue, as do imports of the subject merchandise.

In the Sunset Policy Bulletin, consistent with the SAA at 889–90 and the House Report at 63, we indicated that in cases where declining (or no) dumping margins are accompanied by steady or increasing imports, it may be more appropriate to use a more recently calculated rate. Such a rate would reflect the fact 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 considerations of such fact patterns in response to argument from an interested party. Further, we noted that, in determining whether a more recently calculated margin is probative of an exporter behavior absent the discipline of an order, we normally will consider a company's relative market-share data 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).

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 arguments may disguise company-specific behavior demonstrating increased dumping coupled with increased market share. In the instant proceedings, we did not receive any company-specific arguments.

Additionally, the SAA at 885 and the House Report at 60, provide that duty absorption is a strong indicator that the current dumping margins calculated in reviews may not be indicative of the margins that would exist in the absence of an order. Since, once an order is revoked, the importer could achieve the same pre-revocation return on its sales by lowering its prices in the United States in the amount of the duty that was previously being absorbed. Therefore, in the Sunset Policy Bulletin we indicated that, in the case of duty absorption, we normally will determine that a company's current dumping margin is not indicative of the margin likely to prevail were the order to be revoked. Further, we indicated that normally we will provide to the Commission the higher of (1) the margin that we would otherwise have reported to the Commission or (2) the most recent margin for that company, adjusted to account for our findings on duty-absorption. For purposes of considering duty absorption for these sunset reviews, we relied on the level of duty absorption found in the administrative review initiated in 1998. See 64 FR 35590 (July 1, 1999).

In their comments, Torrington and MPB argue that the Sunset Policy Bulletin requires that the Department report to the Commission the higher of the margin from the original investigation or the margin from a more recent administrative review adjusted to reflect duty absorption findings. Although we found that duties were being absorbed during the 1998 administrative review (64 FR 35590) for BBs and CRBs from France by SKF and SNR, our calculations found the adjusted margins to be less than the rates from the original investigation.

As noted above, there is no evidence on the record to indicate that the margin of dumping for any particular producer/exporter decreased at the same time that it was increasing or maintaining U.S. market share nor is there evidence on the record to indicate corresponding increases in dumping margins and exports. Therefore, we are relying on the margins from the original investigations as probative of the behavior of producers/exporters without the discipline of the orders.

Based on the above analysis, we will report to the Commission the margins indicated in the Final Results of the 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 be likely to lead to continuation or recurrence of dumping at the margins listed below:

Manufacturers/ Exporters	Margin (percent)
Ball Bearings:	
INA	66.18
SKF (including all relevant affiliates)	66.42
SNR	56.50
All others	65.13
Cylindrical Roller Bearings:	
INA	11.03
SNR	18.37
All others	17.31
Spherical Plain Bearings	
SKF	39.00
All others	39.00

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 section 19 CFR 351.305 of the Department's regulation. 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 sanctionable violation.

These five-year (''sunset'') reviews and notice are published in accordance

with sections 751(c) and 777(i)(1) of the Act.

Dated: October 28, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–28779 Filed 11–3–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–412–801]

Final Results of Expedited Sunset Reviews: Antifriction Bearings From the United Kingdom

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

ACTION: Notice of final results of expedited sunset reviews: antifriction bearings from the United Kingdom.

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 the United Kingdom (64 FR 15727) pursuant to section 751(c) of the Tariff Act of 1930, as amended (the ''Act''). On the basis of notices of intent to participate and adequate substantive responses filed on behalf of domestic interested parties and inadequate response from respondent interested parties, the Department determined 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 continuation or recurrence of dumping at the levels indicated in the Final Results of Review section of this notice.

FOR FURTHER INFORMATION CONTACT: Eun W. Cho 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) 482–1698 or (202) 482–1560, respectively.

EFFECTIVE DATE: November 4, 1999.

Statute and Regulations

This review was conducted pursuant to sections 751(c) and 752(c) 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 these orders are antifriction bearings (''AFBs'') from the U.K., which includes ball bearings (''BBs'') and cylindrical roller bearings (''CRBs'') 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 antifriction bearings from Japan, publishing concurrently with this notice.

History of the Order

The antidumping duty orders on antifriction bearings from the United Kingdom were published in the **Federal Register** on May 15, 1989 (54 FR 20910).[1] In those orders, the Department announced the weighted-average dumping margins for the following companies and all others:

Company	Ball bearings (''BBs'')	Cylindrical roller bearings (''CRBs'')
Barden Corporation (U.K.) Ltd.; the Barden Corporation.(Barden) *		
NSK Bearings Europe, Ltd. RHP Bearings; RHP Bearings, Inc. (NSK/RHP)	44.02	43.36
SKF (U.K.) Limited (SKF)	61.14	(**)
All-others	54.27	43.36

* Barden was not subjected to the original antidumping investigation.
** SKF made no shipments or sales pertaining to this category during the period of investigation.

[1] See Final Determinations of Sales at Less than Fair Value; Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from the United Kingdom, 54 FR 19120 (May 3, 1989), as amended, Antidumping Duty Orders and Amendments to the Final Determinations of Sales at Less Than Fair Value: Ball Bearings, and Cylindrical Roller Bearings and Parts Thereof From the United Kingdom, 54 FR 20910 (May 15, 1989). The crux of the amendment was to reflect the International Trade Commission's determination that critical circumstances for certain respondents did not exist, which was contrary to the affirmative findings thereof by the Department, and to correct ministerial errors.