

publication date of these final results, as provided for by section 751(a)(1) of the Act:

(1) The cash deposit rates for OAB will be the rate outlined above;

(2) For previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be the "all others" rate of 11.96 percent established in the LTFV investigation.

All U.S imports of subject merchandise by the respondent will be subject to the deposit rate found in this proceeding. The cash deposit rates have been determined on the basis of the selling price to the first unrelated customer in the United States. The Department will use the total value of USP calculated from OAB's response to determine the appraisement rate.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during the review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

This administrative review and this notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: January 9, 1995.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

[FR Doc. 95-1215 Filed 1-17-95; 8:45 am]

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[A-588-054]

Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan; Affirmation of the Results of Redetermination Pursuant to Court Remand

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

SUMMARY: On June 8, 1994, the United States Court of International Trade (CIT) affirmed the Department of Commerce's (the Department's) redetermination on remand of the final results of administrative review of the antidumping finding on tapered roller bearings, four inches or less in outside diameter, and certain components thereof (TRBs) from Japan (56 FR 26054, June 6, 1991) (*The Timken Company v. United States* (Slip Op. 94-41 (March 7, 1994)) (*Timken*). The results covered the period August 1, 1987, through July 31, 1988, and TRBs produced by Koyo Seiko Co., Ltd., and distributed by its subsidiary, Koyo Corporation of U.S.A. (collectively, Koyo), and by NSK Ltd., and distributed by its subsidiary, NSK Corporation (collectively, NSK).

EFFECTIVE DATE: June 18, 1994.

FOR FURTHER INFORMATION CONTACT: Chip Hayes or John Kugelman, Office of Antidumping Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230, telephone: (202) 482-5253.

SUPPLEMENTARY INFORMATION:

Background

On March 7, 1994, the CIT issued an order remanding to the Department the final results of administrative review of the antidumping finding on TRBs from Japan (56 FR 26054, June 6, 1991).

In its decision in *Timken*, the CIT remanded the final results to the Department to allow the Department to determine whether it has statutory authority to adjust foreign market value (FMV) for pre-sale inland freight in light of the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Ad Hoc Comm. of AZ-NM-TX-FL Producers of Gray Portland Cement v. United States*, No. 93-1239 (Fed. Cir., January 5, 1994) (*Ad*

Hoc Comm.). In response to that order, we explained that we adjust FMV for post-sale movement expenses as differences in circumstances of sale (19 CFR § 353.56(a)) and we consider pre-sale freight to be appropriate expenses to include in the exporter's sales price (ESP) offset under 19 CFR § 353.56(b)(2), because they are post-production expenses borne in preparation to sell the merchandise. We further clarified that § 353.56(b)(2) of the Department's regulations allows the Department to deduct from FMV all expenses, other than direct selling expenses enumerated in § 353.56(a), incurred in selling such or similar merchandise up to the amount of expenses incurred in selling the merchandise in the United States. Consequently, the Department has determined it will evaluate claims of pre-sale inland freight expenses for home market (or third-country) sales using the ESP offset provision in the regulations.

Subsequent to the Department's explanation of the treatment of pre-sale freight expenses in *Timken*, we have determined that there are circumstances when pre-sale movement expenses may be direct expenses. Since direct expenses are adjusted for under the circumstance-of-sale provision, the Department evaluates whether the pre-sale movement expenses are direct expenses by examining each respondent's pre-sale warehousing expenses, since the pre-sale movement charges incurred in positioning the merchandise at the warehouse are, for analytical purposes, linked to pre-sale warehousing expenses. If the pre-sale warehousing expenses constitute indirect expenses, the expenses involved in getting the merchandise to the warehouse also must be indirect.

In its affirmation of June 8, 1994 (Slip Op. 94-95), the CIT accepted the Department's explanation of its methodology and ordered its implementation for this review period.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken I*), the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish a notice of a court decision which is not "in harmony" with a Departmental determination, and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in *Timken* constitutes a decision not in harmony with the Department's final results of review. This notice fulfills the publication requirements of *Timken I*.

Accordingly, the Department will continue the suspension of liquidation of the subject merchandise.

Furthermore, absent an appeal, or, if appealed, upon a "conclusive" court decision affirming the CIT's opinion, the Department will amend the final results of the administrative review of the antidumping finding on tapered roller bearings, four inches or less in outside diameter, and certain components thereof from Japan to reflect the amended margins of 49.63 percent for Koyo and 16.28 percent for NSK for the period August 1, 1987 through July 31, 1988, in the Department's redetermination on remand, as affirmed by the CIT.

Dated: January 9, 1995.

Susan G. Esserman,
Assistant Secretary for Import
Administration.

[FR Doc. 95-1216 Filed 1-17-95; 8:45 am]

BILLING CODE 3510-DS-P

National Oceanic and Atmospheric Administration

[I.D. 010995B]

Mid-Atlantic Fishery Management Council; Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) and its Surf Clam and Ocean Quahog Committee, Habitat Committee, and Squid, Mackerel and Butterfish Committee will hold public meetings on January 31-February 2, 1995, at the Dunes Manor Hotel, 28th Street and the Ocean, Ocean City, MD 21842, telephone: (410) 289-1100. On January 31, the Surf Clam and Ocean Quahog Committee will meet from 1:00 p.m. until 4:00 p.m., and the Habitat Committee will meet from 4:00 p.m. until 5:00 p.m. On February 1, the Squid, Mackerel, and Butterfish Committee will meet from 8:00 a.m. until 11:30 a.m., followed by the full Council meeting until 5:00 p.m. On February 2, the full Council will meet from 8:00 a.m. until approximately noon.

The following topics may be discussed:

- (1) Review stock assessment for surf clams and ocean quahogs;
- (2) Review North Carolina surf clam situation;
- (3) Review hearing record and comments on Amendment 5 to Squid, Mackerel, Butterfish Fishery Management Plan and decide on changes, if any;

(4) Have an information and education report on hook and release mortality;

(5) Discuss habitat agenda items for 1995; and

(6) Other fishery management matters.

The Council meeting may be revised, lengthened or shortened based on the progress of the meeting. The Council may go into closed session to discuss personnel or national security matters.

FOR FURTHER INFORMATION CONTACT: David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, 300 S. New Street, Dover, DE 19901; telephone: (302) 674-2331.

SUPPLEMENTARY INFORMATION: This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joanna Davis on (302) 674-2331, at least 5 days prior to the meeting date.

Dated: January 11, 1995.

Richard H. Schaefer,
Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-1164 Filed 1-17-95; 8:45 am]

BILLING CODE 3510-22-F

[I.D. 010995A]

South Atlantic Fishery Management Council; Public Meetings and Hearings

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of public meetings and hearings.

SUMMARY: The South Atlantic Fishery Management Council and its Committees will hold public meetings on February 6-10, 1995, at the Ponce de Leon on 4000 U.S. Highway 1 North, St. Augustine, FL; telephone: 1-800-228-2821.

The Habitat Committee will meet on February 6, from 1:30 p.m. until 5:00 p.m., to consider approving an amendment to the Coral Fishery Management Plan (FMP) which would allow for aquaculture of live rock in South Atlantic Federal waters. The amendment establishes a permit system which will enable NMFS to issue Federal live rock aquaculture permits to applicants with approved U.S. Army Corps of Engineers general aquaculture permits. These combined permits will provide for placement and removal of aquacultured live rock. The amendment also contains a proposed prohibition on octocoral harvest north of Cape Canaveral, FL, and a prohibition on all

anchoring of fishing vessels in the Oculina Bank.

On February 7, from 8:30 a.m. until 12:00 noon, the Wreckfish Advisory Panel will meet jointly with the Snapper-Grouper Committee to review wreckfish stock assessments and staff reports before recommending a new total allowable catch. The Snapper-Grouper Committee will convene from 1:30 p.m. until 5:00 p.m., to review public scoping meeting minutes before preparing options to take to public hearings on Amendment 8 to the Snapper-Grouper FMP. Draft Amendment 8 may include new regulations for various snapper-grouper species and gear types, limited access into the snapper-grouper fishery, modifications to commercial permits and changes to multi-day bag limits.

At 6:30 p.m., a final public hearing will be held on Amendment 1 to the Shrimp FMP (Rock Shrimp) which would prohibit rock shrimp trawling south of a demarcation line of 28 degrees 30 minutes latitude off central eastern Florida. Directly following the hearing, public scoping meetings will be held to solicit comments on finfish bycatch in the shrimp fishery and on developing an FMP for the golden crab fishery.

The Controlled Access Committee will meet on February 8, from 8:30 a.m. until 12:00 noon, to review public scoping meeting minutes, and then determine if a controlled access program is necessary for the Atlantic Spanish mackerel fishery. From 1:30 p.m. until 5:00 p.m., the Shrimp Committee will review Amendment 1 to the Shrimp FMP (Rock Shrimp) for submission to the Secretary of Commerce for final approval.

The full Council will hold a meeting on February 9-10, 1995, to discuss and act on Committee recommendations. The meeting on February 9 will begin at 8:30 a.m. and adjourn at 5:00 p.m. It will reconvene on February 10 from 8:30 a.m. until 12:00 p.m. A detailed agenda of the meeting will be available on January 16.

FOR FURTHER INFORMATION CONTACT: South Atlantic Fishery Management Council; One Southpark Circle, Suite 306, Charleston, SC 29407-4699; telephone: (803) 571-4366.

SUPPLEMENTARY INFORMATION: This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office at the above address by January 30, 1995.