

Dated: July 28, 2000.

Holly A. Kuga,

Acting Deputy Assistant Secretary, Import Administration, Group II.

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-601]

Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China; Amended Final Results of 1990/1991, 1991/1992, and 1992/1993 Antidumping Duty Administrative Reviews

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

ACTION: Notice of amended final results of administrative reviews.

SUMMARY: The United States Court of International Trade and the United States Court of Appeals for the Federal Circuit have affirmed the Department of Commerce's final remand results affecting final assessment rates for the administrative reviews of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished, from the People's Republic of China. The periods of review are June 1, 1990 through May 31, 1991, June 1, 1991 through May 31, 1992, and June 1, 1992 through May 31, 1993. As there is now a final and conclusive court decision in these cases, we are amending the final results of reviews and we will instruct the

Customs Service to liquidate entries subject to these reviews.

EFFECTIVE DATE: August 8, 2000.

FOR FURTHER INFORMATION CONTACT: George Callen or Robin Gray, AD/CVD Enforcement, Group I, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-0180 or (202) 482-4023, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions in effect as of December 31, 1994. In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to 19 CFR part 353 (1995).

Background

On December 13, 1996, the Department published final results of administrative reviews of the antidumping duty order on tapered roller bearings and parts thereof, finished and unfinished (TRBs), from the People's Republic of China covering the periods June 1, 1990 through May 31, 1991, June 1, 1991 through May 31, 1992, and June 1, 1992 through May 31, 1993. See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From the People's Republic of China, Final Results of Antidumping Duty Administrative Reviews*, 61 FR 65527 (December 13, 1996) (*Final Results*).

The Peer Bearing Company and the Timken Company contested the

Department's decision in the *Final Results*. In issuing its decision in this case, the United States Court of International Trade (CIT) instructed the Department to make the following changes to its margin calculations for the *Final Results*: (1) change the best-information-available (BIA) rate for Chin Jun Industrial, Ltd. (Chin Jun), (2) correct a clerical error in the calculation of inland freight, (3) recalculate marine insurance expense on a value, rather than weight, basis, and (4) recalculate the exporter's-sales-price (ESP) offset of foreign market value (FMV). See *Peer Bearing Company v. United States*, Consol. Court No. 97-01-00023, Slip Op. 98-70 (CIT May 27, 1998). The Department issued final results of redetermination on remand on August 26, 1998, and the CIT affirmed the Department's final remand results. See *Peer Bearing Company v. United States*, Slip Op. 98-161 (CIT December 7, 1998) *aff'd mem., sub nom. The Timken Co. v. United States*, No. 99-1204 (Fed. Cir. October 6, 1999). As there is now a final and conclusive court decision in this action, we are amending our final results of reviews, and we will instruct the Customs Service to liquidate entries subject to these reviews.

Amendment to Final Results

Pursuant to section 516A(e) of the Act, we are now amending the final results of administrative reviews of the antidumping duty order on TRBs from the People's Republic of China for the periods of review 6/90 through 5/91, 6/91 through 5/92, and 6/92 through 5/93. The revised weighted-average margins are as follows:

Company	6/90 through 5/91	6/91 through 5/92	6/92 through 5/93
Premier Bearing and Equipment, Ltd.	¹ 4.24	¹ 5.251	¹ 5.25
Guizhou Machinery Import and Export Corporation	2.59	13.70	0.00
Henan Machinery and Equipment Import and Export Corporation	0.00	0.14	0.00
Luoyang Bearing Factory	1.14	0.00	0.00
Shanghai General Bearing Company, Ltd.	0.00	0.00	0.25
Jilin Machinery Import and Export Corporation	4.21	5.04	0.00
Chin Jun Industrial, Ltd.	² 7.07	0.48	1.23
Wafangdian Bearing Factory	² 7.07	6.15	No Sales
Lianoning Co., Ltd.	² 7.07	3.47	0.73
PRC rate	7.07	7.07	7.07

¹ As cooperative BIA, we assigned in each review the higher of (1) the highest rate ever applicable to that company in the investigation or any previous review; or (2) the highest calculated margin for any respondent in the same review.

² This party did not respond to the questionnaire or did not respond to the supplemental questionnaire; therefore, as uncooperative BIA, we assigned the highest rate calculated in the investigation or in this or any other review of sales of subject merchandise from the PRC. This does not constitute a separate-rate finding for this firm.

Accordingly, the Department will determine and the Customs Service will assess appropriate antidumping duties on entries of the subject merchandise

exported by firms covered by these reviews. We will instruct the Customs Service to apply 7.07 percent in its liquidation of entries from companies to

which we assigned a BIA rate or which did not receive a separate rate.

We are issuing and publishing this determination in accordance with section 751(a) of the Act.

Dated: August 1, 2000.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-475-819]

Certain Pasta From Italy: Preliminary Results and Partial Rescission of Countervailing Duty Administrative Review

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

ACTION: Notice of preliminary results and partial rescission of countervailing duty administrative review.

SUMMARY: The Department of Commerce is conducting an administrative review of the countervailing duty order on certain pasta from Italy for the period January 1, 1998, through December 31, 1998. We have preliminarily determined that certain producers/exporters have received net subsidies during the period of review. If the final results remain the same as these preliminary results, we will instruct the U.S. Customs Service to assess countervailing duties as detailed in the Preliminary Results of Review section of this notice.

Because its request for review was withdrawn, we are rescinding this review for La Molisana Industrie Alimentari S.p.A. ("La Molisana").

Interested parties are invited to comment on these preliminary results (*see* the Public Comment section of this notice).

EFFECTIVE DATE: August 8, 2000.

FOR FURTHER INFORMATION CONTACT: Craig Matney, Sally Hastings, Annika O'Hara, or Andrew Covington, AD/CVD Enforcement, Group I, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-1778, 482-3464, 482-3798, or 482-3534, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions of section 751(a) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act ("URAA") effective January 1, 1995 ("the Act"). Unless otherwise indicated, all citations to the Department's

regulations are to the regulations codified at 19 CFR part 351 (1999).

Case History

On July 24, 1996, the Department of Commerce ("the Department") published in the **Federal Register** (61 FR 38544) the countervailing duty order on certain pasta from Italy. On July 15, 1999, the Department published a notice of "Opportunity to Request Administrative Review" of this countervailing duty order (64 FR 38181). We received requests for review and initiated the review, covering calendar year 1998, on August 30, 1999 (64 FR 47167). Corrections to the initiation notice were published in the **Federal Register** on September 8, 1999 (64 FR 48897) and November 4, 1999 (64 FR 60161). In accordance with 19 CFR 351.213(b), this review of the order covers the following producers or exporters of the subject merchandise for which a review was specifically requested: Delverde S.p.A. ("Delverde"), Tamma Industrie Alimentari S.r.L. ("Tamma"), Rummo S.p.A. Molino e Pastificio ("Rummo"), and Pastificio Riscossa F.lli Mastromauro S.r.L. ("Riscossa"). La Molisana, which had requested to be included in this review, withdrew its request on October 14, 1999 (*see* Partial Rescission of Review section, below). This review covers 29 programs.

On October 4, 1999, we issued countervailing duty questionnaires to the Government of Italy ("GOI"), the Commission of the European Union ("EC"), and the above-named companies under review. We received responses to our questionnaires and issued supplemental questionnaires throughout the period November 1999 through January 2000. Responses to the supplemental questionnaires were received in January and February 2000.

On April 6, 2000, the Department published a notice in the **Federal Register** extending the time limit for issuing these preliminary results until no later than July 31, 2000 (65 FR 18069). We issued a second set of supplementary questionnaires to Delverde and Tamma on June 6, 2000, and to the GOI on June 9, 2000. We received responses to these supplemental questionnaires on June 23, 2000.

Partial Rescission

On October 14, 1999, La Molisana submitted a timely request for withdrawal from this administrative review. Therefore, consistent with the Department's regulations and practice, we are rescinding this review with

respect to La Molisana. *See* 19 CFR 351.213(d)(1).

Scope of the Review

Imports covered by this review are shipments of certain non-egg dry pasta in packages of five pounds (2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags, of varying dimensions.

Excluded from the scope of this review are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Also excluded are imports of organic pasta from Italy that are accompanied by the appropriate certificate issued by the Istituto Mediterraneo Di Certificazione ("IMC"), by Bioagricoop Scrl, by QC&I International Services, by Ecocert Italia, or by the Conorzio per il Controllo dei Prodotti Biologici.

The merchandise subject to review is currently classifiable under item 1902.19.20 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"). Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the merchandise subject to the order is dispositive.

Scope Rulings

The Department has issued the following scope rulings to date:

(1) On August 25, 1997, the Department issued a scope ruling that multicolored pasta, imported in kitchen display bottles of decorative glass that are sealed with cork or paraffin and bound with raffia, is excluded from the scope of the countervailing duty order. (*See* August 25, 1997 memorandum from Edward Easton to Richard Moreland, which is on file in the Central Records Unit ("CRU") in Room B-099 of the main Commerce building.)

(2) On July 30, 1998, the Department issued a scope ruling, finding that multipacks consisting of six one-pound packages of pasta that are shrink-wrapped into a single package are within the scope of the countervailing duty order. (*See* July 30, 1998 letter from Susan H. Kubbach, Acting Deputy Assistant Secretary for Import Administration, to Barbara P. Sidari, Vice President, Joseph A. Sidari