

the description in the Scope of the Review section above, and sold in the home market during the POR, to be foreign like products for purposes of determining appropriate product comparisons to U.S. sales. Since there were no sales of identical merchandise in the home market to compare to U.S. sales, we matched U.S. sales to the most similar foreign like product based on the physical characteristics reported by the respondent, Lafarge. Among similar products sold in the home market we chose that product with the least difference in size (i.e., the type of crushing and screening performed) and packaging between the home market and the U.S. product. In any case, we did not use any home market product which, when compared to the U.S. model, resulted in a difference-in-merchandise adjustment in excess of 20 percent of the total cost of manufacture of the U.S. model.

### C. Price to Price Comparisons

Pursuant to section 777A(d)(2) of the Act, we compared the CEPs of individual transactions to the monthly weighted-average price of sales of the foreign like product.

We based NV on the price at which the foreign like product is sold for consumption in the exporting country to the first unaffiliated party, in the usual commercial quantities and in the ordinary course of trade in accordance with sections 773(a)(1)(B)(i) and 773(a)(5) of the Act. Where appropriate, we deducted loading expenses, inland freight, credit, credit insurance, travel expenses incurred by technicians, product liability insurance, and packing. We deducted indirect selling expenses incurred in the home market up to the amount of the U.S. indirect selling expenses. We also made adjustments for home market indirect selling expenses to offset U.S. commissions. Prices were reported net of value-added taxes (VAT) and, therefore, no adjustment for VAT was necessary. No other adjustments were claimed or allowed.

### Preliminary Results of Review

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists:

Manufacturer/exporter	Period of review	Margin (percent)
Lafarge Alumina ..	06/01/95-05/31/96	7.30

Parties to the proceeding may request disclosure within five days of the date

of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be filed not later than 37 days after the date of publication. Parties who submit arguments in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. The Department will issue the final results of this administrative review, including the results of its analysis of issues raised in any such written comments.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between CEP and NV may vary from the percentage stated above. The Department will issue appraisal instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties.

Furthermore, the following deposit requirements will be effective upon the publication of the final results of this administrative review for all shipments of CA flux from France entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for Lafarge will be the rate established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in these reviews but covered in the original less-than-fair-value (LTFV) investigation or a previous review, the cash deposit will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) if the exporter is not a firm covered in this review, or the original 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) for all other producers and/or exporters of this merchandise, the cash deposit rate will be 37.93 percent, the rate established in the LTFV investigation (59 FR 5994, February 9, 1994).

This notice also serves as a preliminary 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 this 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 administrative review and 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: March 3, 1997.

Robert. S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-6039 Filed 3-10-97; 8:45 am]

BILLING CODE 3510-DS-P

[A-485-602]

### Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, From Romania; Preliminary Results of Antidumping Duty Administrative Review

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

**ACTION:** Notice of preliminary results of antidumping duty administrative review.

**SUMMARY:** In response to a request by the petitioner, The Timken Company (Timken), the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on tapered roller bearings and parts thereof, finished or unfinished (TRBs), from Romania. The review covers shipments of the subject merchandise to the United States during the period June 1, 1995, through May 31, 1996.

Interested parties are invited to comment on these preliminary results. Parties who submit arguments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

**EFFECTIVE DATE:** March 11, 1997.

**FOR FURTHER INFORMATION CONTACT:** Rick Johnson or Jean Kemp, Office of Antidumping and Countervailing Duty Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3793.

**SUPPLEMENTARY INFORMATION:****The Applicable Statute**

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

**Background**

On June 19, 1987, the Department published in the Federal Register (52 FR 23320) the antidumping duty order on TRBs from Romania. On June 6, 1996, the Department published in the Federal Register (61 FR 28840, 28841) a notice of opportunity to request an administrative review of this antidumping duty order. On June 28, 1996, in accordance with 19 CFR 353.22(a), the petitioner requested that we conduct an administrative review of the following firms: Tehnoimportexport, S.A. (TIE); Tehnoforestimportexport; S.C. Rulmenti S.A. Alexandria (Alexandria); S.C. Rulmentul S.A. Brasov (Brasov); S.C. Rulmenti S.A. Birlad (Birlad); S.C. Rulmenti Grei S.A. Ploiesti (Ploiesti); S.C. Rulmenti S.A. Slatina (Slatina); and S.C. URB Rulmenti S.A. Suceava (Suceava); S.C. Ocromfer SRL; A. Hartrodt; Shanghai Yawa Printing Machinery Co., Ltd.; Famous Freight Forwarding Company; Accord Shipping Pte Ltd.; ABCO International Freight (Hong Kong) Ltd.; Thompson Russel & Ulrich Semiconductor Technologies Inc.; Votainer Nederland B.V.; Sunrise Bearing and Technology Ltd.; Destrex Dora AFV SA DE CV AVE; Madison Metals Corp.; Euro Precision Bearings and Commodities, Inc.; William McGinty Company; Associated Dynamics Inc.; Universal Automotive Trading Company, Ltd.; Stevens Graphics; Eurasia Freight Service Inc.; ABCO International Freight Inc.; Ameru Trading del Peru, S.A.; and Madison Bearing Co. We published the notice of initiation of this antidumping duty administrative review on August 8, 1996 (61 FR 41373, 41374). On September 12, 1996, the petitioner withdrew its request that the administrative review include Ameru Trading del Peru.

**Scope of This Review**

Imports covered by this review are shipments of TRBs from Romania. These products include flange, take-up

cartridge, and hanger units incorporating tapered roller bearings, and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, whether or not for automotive use. This merchandise is currently classifiable under Harmonized Tariff Schedule (HTS) item numbers 8482.20.00, 8482.91.00, 8482.99.30, 8483.20.40, 8483.30.40, and 8483.90.20. Although the HTS item numbers are provided for convenience and Customs purposes, the written description of the scope of this order remains dispositive.

This review covers 28 companies and the period June 1, 1995 through May 31, 1996. Of the 28 companies for which petitioner requested a review, only TIE made shipments of the subject merchandise to the United States during the period of review (POR). Alexandria and Brasov produced the merchandise sold by TIE to the United States, but have stated that they did not ship TRBs directly to the United States. The Department has received information from the Government of Romania and other respondents stating that they did not produce or sell TRBs subject to this review.

**Verification**

As provided in section 782(i) of the Act, we verified information provided by TIE and Brasov, using standard verification procedures, including on-site inspection of the manufacturer's facilities, examination of relevant sales and financial records, and selection of original documentation containing relevant information. Our verification results are outlined in the public versions of the verification reports.

**Separate Rates**

To establish whether a company is sufficiently independent to be entitled to a separate rate, the Department analyzes each exporting entity under the test established in the *Final Determination of Sales at Less Than Fair Value: Sparklers from the People's Republic of China* ("Sparklers"), 56 FR 20588 (May 6, 1991), as amplified by the *Final Determination of Sales at Less Than Fair Value: Silicon Carbide from the People's Republic of China* ("Silicon Carbide"), 59 FR 22585 (May 2, 1994). Under this policy, exporters in non-market-economy (NME) countries are entitled to separate, company-specific margins when they can demonstrate an absence of government control, both in law and in fact, with respect to exports. Evidence supporting, though not requiring, a finding of de jure absence of government control includes: (1) An absence of restrictive stipulations

associated with an individual exporter's business and export licenses; (2) any legislative enactments decentralizing control of companies; and (3) any other formal measures by the government decentralizing control of companies. De facto absence of government control with respect to exports is based on four criteria: (1) Whether the export prices are set by or subject to the approval of a government authority; (2) whether each exporter retains the proceeds from its sales and makes independent decisions regarding the disposition of profits or financing of losses; (3) whether each exporter has autonomy in making decisions regarding the selection of management; and (4) whether each exporter has the authority to negotiate and sign contracts.

TIE is the only company covered by this review with shipments of the subject merchandise to the United States during the POR. Therefore, TIE is the only firm for which we have made a determination of whether it should receive a separate rate. We have found that the evidence on the record demonstrates an absence of government control, both in law and in fact, with respect to TIE according to the criteria identified in *Sparklers* and *Silicon Carbide*. For a further discussion of the Department's preliminary determination that TIE is entitled to a separate rate, see *Memorandum to Edward Yang, Office Director, AD/CVD Enforcement Group III, dated February 25, 1997: Antidumping Administrative Review of Tapered Roller Bearings from Romania: Assignment of a Separate Rate for Tehnoimportexport, S.A. in the 1995/96 review*, which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

**Export Price**

Information on the record indicates that TIE was the only Romanian exporter of the subject merchandise to the United States during the POR. For sales made by TIE, the Department used export price, in accordance with section 772(a) of the Act, in calculating U.S. price. We calculated export price based on the price to unrelated purchasers. We made deductions, where appropriate, for foreign inland freight and ocean freight. We used surrogate information from Indonesia to value foreign inland freight for reasons explained in the "Normal Value" section of this notice.

**Normal Value**

For merchandise exported from an NME country, section 773(c)(1) of the Act provides that the Department shall determine NV using factors of production methodology if available

information does not permit the calculation of NV using home market or third country prices under section 773(a) of the Act. In every case conducted by the Department involving Romania, Romania has been treated as an NME country. None of the parties to this proceeding has contested such treatment in this review. Accordingly, we calculated NV in accordance with section 773(c) of the Act and § 353.52 of the Department's regulations. In accordance with section 773(c)(3) of the Act, the factors of production utilized in producing TRBs include, but are not limited to—(a) hours of labor required, (b) quantities of raw materials employed, (c) amounts of energy and other utilities consumed, and (d) representative capital cost, including depreciation. In accordance with section 773(c)(4) of the Act, the Department valued the factors of production, to the extent possible, using the prices or costs of factors of production in market economy countries that are—(a) at a level of economic development comparable to that of Romania, and (b) significant producers of comparable merchandise.

We determined that Indonesia is at a level of economic development comparable to that of Romania. We also found that Indonesia is a producer of bearings. Therefore, we have selected Indonesia as the primary surrogate country. For a further discussion of the Department's selection of surrogate countries, see *Memorandum to the File: Antidumping Administrative Review of Tapered Roller Bearings from Romania: Selection of a surrogate country in the 1995/96 review*, dated February 27, 1997, which is on file in the Central Records Unit (room B099 of the Main Commerce Building).

For purposes of calculating NV, we valued the Romanian factors of production as follows:

- Where materials used to produce TRBs were imported into Romania from market economy countries, we used the import price to value the material input. To value all other direct materials used in the production of TRBs, we used the import value per metric ton of these materials into Indonesia for the period January 1994 through September 1994 as published in the *Indonesian Foreign Trade Statistical Bulletin—Imports*, and adjusted, as appropriate, with the wholesale price index inflator to place these values on an equivalent basis. We made adjustments to include freight costs incurred between the suppliers and the TRB factories, using freight rates obtained from the public version of the May 10, 1996 and July 15, 1996 submissions of P.T. Multi Raya Indah

Abadi, respondent in the antidumping case *Melamine Institutional Dinnerware from Indonesia*, which is on file in the Central Records Unit (B099 of the Main Commerce Building). We also made an adjustment for scrap steel which was sold by the producers.

- For direct labor, we used the Indonesian average daily wage and hours worked per week for the iron and steel basic industries reported in the 1994 *Special Supplement to the Bulletin of Labour Statistics*, published by the International Labour Office.

- For factory overhead, selling, general and administrative expenses, and profit, we could not find a value for the bearings industry in Indonesia. Therefore, we used information provided to the Department by the U.S. Embassy in Jakarta, Indonesia in the antidumping duty investigation of *Certain Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China*, because the pipe fittings industry is a similar metal manufacturing industry.

- To value packing materials, where materials used to package TRBs were imported into Romania from market-economy countries, we used the import price to value the material input. To value all other packing materials, we used the import value per metric ton of these materials for the period January 1994 through September 1994 (and adjusted with the wholesale price index inflator to place these values on an equivalent basis), as published in the *Indonesian Foreign Trade Statistical Bulletin—Imports*. We adjusted these values to include freight costs incurred between the suppliers and the TRB factories.

- To value foreign inland freight, we used freight rates obtained from public versions of submissions to the Department in the antidumping case *Melamine Institutional Dinnerware from Indonesia*, as indicated above.

#### Currency Conversion

We made currency conversions in accordance with Section 773A(a) of the Act. In this case, we used average monthly exchange rates published by the International Monetary Fund in *International Financial Statistics*.

#### Non-Shippers

The following companies stated that they did not have shipments to the United States during the POR: S.C. Rulmentul S.A. Brasov, S.C. Rulmenti S.A. Birlad, S.C. Rulmenti S.A. Slatina, S.C. Rulmenti S.A. Alexandria, S.C. Rulmenti Grei S.A. Ploiesti, Votainer Nederland B.V., Sunrise Bearing and Technology Ltd., A. Hartrodt, Shanghai

Yawa Printing Machinery Co., Ltd., Famous Freight Forwarding Company, ABCO International Freight (Hong Kong) Ltd., William McGinty Company, Associated Dynamics Inc., Stevens Graphics, Eurasia Freight Service, Inc., and ABCO International Freight Inc. Additionally, the Government of Romania stated that TIE was the sole exporter to the United States, and that therefore the Romanian companies Tehnoforestimportexport, S.C. Ocomfer SRL, and S.C. Rulmenti S.A. Suceava did not export to the United States during the POR. We received no responses to our questionnaire from Universal Automotive Trading Company, Ltd., Euro Precision Bearings and Commodities, Inc., Thompson, Russel & Ulrich Semiconductor Technologies Inc., and Accord Shipping Pte Ltd. We were unable to locate Madison Bearing Company, Madison Metals Corporation, and Destrex Dora AFV SA DE CV AVE.

We confirmed that none of the aforementioned companies shipped TRBs to the United States with the United States Customs Service. Therefore, we are treating all of these companies as non-shippers for this review.

#### Preliminary Results of the Review

As a result of our review, we preliminarily determine that the following margins exist:

Manufacturer/exporter	Time period	Margin (percent)
Tehnoimportexport, S.A. ....	6/1/95–5/31/96	8.05
Non-shippers ...	6/1/95–5/31/96	*7.67

\*No shipments during the POR, but never determined to merit a separate rate. Therefore, we applied the Romania-wide rate established in the most recent segment of the proceeding.

Parties to the proceedings may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of final results of this administrative review, which will include the results of its analysis of issues raised in any such comments.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the U.S. Customs Service.

Furthermore, the following deposit requirements will be effective upon publication of the final results of this administrative review for all shipments of TRBs from Romania entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for TIE will be the rate we determine in the final results of review; (2) for the other companies named above which had no shipments during the POR and which were not found to have separate rates, Tehnoforestimportexport, Alexandria, Brasov, Barlad, Ploiesti, Slatina, and Suceava, and for all other Romanian exporters, the cash deposit rate will be 7.67%, the Romania-wide rate established in the most recent segment of the proceeding; and (3) for non-Romanian exporters of subject merchandise from Romania, the cash deposit rate will be the rate applicable to the Romanian supplier of that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 of the Department's regulations to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this 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 administrative review and 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: March 3, 1997.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 97-5895 Filed 3-10-97; 8:45 am]

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### **Centers for Disease Control and Prevention; Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials

Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C.

Docket Number: 96-116. Applicant: Centers for Disease Control and Prevention, Mailstop F17, 4770 Buford Hwy, N.E., Atlanta, GA 30341-3724. Instrument: Mass Spectrometer, Model VG AutoSpec. Manufacturer: Micromass, Ltd., United Kingdom. Intended Use: See notice at 61 FR 66017, December 18, 1996.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. Reasons: The foreign instrument provides: (1) High sensitivity and resolving power, continuously variable to 80 000 (10% valley definition) in El mode and (2) extended mass range to 2000 at 8keV accelerating potential. The National Institutes of Health advises in its memorandum dated November 25, 1996 that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

*Director, Statutory Import Programs Staff.*

[FR Doc. 97-6041 Filed 3-10-97; 8:45 am]

BILLING CODE 3510-DS-P

### **Federal Highway Administration; Decision on Application for Duty-Free Entry of Scientific Instrument**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 96-124. Applicant: Federal Highway Administration, McLean, VA 22101-2296. Instrument: ACFM Crack Microgauge, Model U9. Manufacturer: Technical Software Consultants, Ltd., United Kingdom. Intended Use: See notice at 62 FR 979, January 7, 1997.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. Reasons: The foreign instrument provides a 5 KHz drive coil and two directionally sensitive pickup coils employing alternating current field measurement to detect and size structural defects. A U.S. Department of Energy laboratory advised on February 11, 1997 that: (1) This capability is pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

We know of no other instrument or apparatus of equivalent scientific value to the foreign instrument which is being manufactured in the United States.

Frank W. Creel,

*Director, Statutory Import Programs Staff.*

[FR Doc. 97-5892 Filed 3-10-97; 8:45 am]

BILLING CODE 3510-DS-P

### **U.S. Geological Survey, Denver, et al.; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments**

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 96-127. Applicant: U. S. Geological Survey, Denver, CO 80225. Instrument: SIR Mass Spectrometer with Automated Sample Peripherals, Model Optima. Manufacturer: Micromass, United Kingdom. Intended Use: See notice at 62 FR 2133, January 15, 1997. Reasons: The foreign instrument provides: (1) An absolute sensitivity of 1 mass 44 ion per 1000 molecules of CO<sub>2</sub> and (2) an external precision of 0.02 for 10 bar µl of CO<sub>2</sub>.

Docket Number: 96-130. Applicant: State University of New York, Stony Brook, NY 11794. Instrument: Mass Spectrometer, Model Delta<sup>plus</sup>.