

Dated: July 11, 1995.

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

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[A-549-801]

**Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From Thailand; Amendment to Final Results of Antidumping Duty Administrative Review**

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

**ACTION:** Notice of amendment to final results of antidumping duty administrative review.

**SUMMARY:** On October 8, 1993, the United States Court of International Trade (CIT), in *The Torrington Company v. United States (Torrington)*, Slip Op. 93-198, entered its final judgment concerning the final results of the first administrative review of the antidumping duty order on antifriction bearings from Thailand (56 FR 11195, July 11, 1991). In so doing, the CIT ordered the Department of Commerce (the Department) to apply Thailand's indirect business and municipal tax rates to the United States price (USP) calculated at the same point in the stream of commerce as where Thailand's tax authorities apply these rates on home market sales and add the resulting amount to the United States price. The CIT then dismissed the case. The CIT's opinion has not been appealed. Therefore, in accordance with the CIT's decision, we have amended the final results of this review. The results cover the period from November 9, 1988, through April 30, 1990.

**EFFECTIVE DATE:** July 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Hermes Pinilla or Michael R. Rill, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230, telephone: (202) 482-4733.

**SUPPLEMENTARY INFORMATION:**

**Background**

On July 11, 1991, the Department published in the **Federal Register** the final results of the first administrative review of the antidumping duty order on antifriction bearings (other than tapered roller bearings) and parts thereof (AFBs) from Thailand (56 FR 31765). The period of review (POR) was

November 9, 1988, through April 30, 1990.

In August 1991, the Torrington Company, the petitioner in the case, initiated an action in the CIT contesting the Department's final results. Among other issues, Torrington challenged the Department's adjustment to foreign market value (FMV) and USP for taxes rebated or not collected on export.

On June 8, 1993, the CIT remanded the final results to the Department. The CIT instructed the Department to add the full amount of value added tax (VAT) paid on each sale in the home market to FMV without adjustment.

The Department issued its final results of redetermination pursuant to court remand on July 22, 1993. In the final results of redetermination, the Department explained that, although there was no VAT in Thailand during the POR, there were business and municipal taxes which were not collected by reason of the export of the subject merchandise to the United States. The Department indicated that it would add the amount of these indirect taxes to FMV for sales in the home market without adjustment and also add the exact amount to the USP. However, because this would not change the calculated duty assessment rates or the cash deposit rate then in effect, no recalculations were necessary.

On October 8, 1993, the CIT, in *Torrington*, Slip Op. 93-198, entered its final judgment concerning the final results of the first administrative review of the antidumping duty order on antifriction bearings from Thailand. In rendering final judgment, the CIT ordered the Department to apply Thailand's indirect business and municipal tax rates to the USP calculated at the same point in the stream of commerce as where Thailand's tax authorities apply these rates on home market sales and add the resulting amount to the USP. The CIT dismissed the case. No party appealed this CIT decision.

In accordance with the CIT's instructions, we have changed our calculation of the adjustments for taxes made to FMV and USP. We have applied our current methodology as described in *Silicomanganese from Venezuela; Preliminary Determination of Sales at Less Than Fair Value*, 59 FR 31204 (June 17, 1994).

**Amended Final Results of Review**

These changes resulted in no change in NMB Pelmelec's weighted-average dumping margin for ball bearings, which remains at 0.54 percent.

Because the CIT's decision has not been appealed, the Department will

order the immediate lifting of the suspension of liquidation of, and instruct the U.S. Customs Service to assess antidumping duties on, entries subject to this review, as appropriate. Individual differences between FMV and USP may vary from the percentage stated above. We will adjust the antidumping duty liability to account for countervailing duties imposed to offset export subsidies. Because there was no suspension of liquidation for countervailing duty purposes from January 4, 1989, through May 2, 1989, no such adjustment will be required for entries during this period. The Department will issue appraisal instructions concerning these entries directly to the Customs Service.

This notice is published in accordance with section 751(a)(1) of the Tariff Act of 1930, as amended (19 U.S.C. 1675(a)(1)), and 19 CFR 353.22(c)(8).

Dated: July 5, 1995.

**Susan G. Esserman,**

*Assistant Secretary for Import Administration.*

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[C-549-401]

**Certain Textile Mill Products From Thailand; Preliminary Results of Countervailing Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of the countervailing duty administrative review on noncontinuous noncellulosic yarns (NCNC Yarns) covered under the suspended investigation on certain textile mill products from Thailand.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of NCNC Yarns covered under the suspended countervailing duty investigation on Certain Textile Mill Products from Thailand ("suspension agreement"). We have preliminarily determined that for the period January 1, 1993, through December 31, 1993, the signatories were not in violation of the suspension agreement. Interested parties are invited to comment on these preliminary results.

**EFFECTIVE DATE:** July 18, 1995.

**FOR FURTHER INFORMATION CONTACT:** Lisa Yarbrough or Jackie Wallace, Office of Agreements Compliance, Import Administration, International Trade Administration, U.S. Department of