

not file a notice of intent to participate in this sunset review, the Department finds that no domestic party is participating in this sunset review. Therefore, consistent with 19 CFR 351.222(i)(2)(i) and section 751(d)(2) of the Act, we are revoking this countervailing duty order effective August 3, 2014, the fifth anniversary of the date the Department published the countervailing duty order.

Cash Deposit and Assessment of Duties

Pursuant to sections 751(d)(2) of the Act and 19 CFR 351.222(i)(2)(i), the Department will instruct U.S. Customs and Border Protection (CBP) to terminate the suspension of liquidation of the merchandise subject to this order entered, or withdrawn from warehouse, on or after August 3, 2014. The Department intends to notify CBP 15 days after publication of this notice to terminate the suspension of liquidation and to discontinue the collection of cash deposits on entries of the subject merchandise, entered or withdrawn from warehouse, on or after August 3, 2014. Entries of subject merchandise prior to the effective date of revocation will continue to be subject to suspension of liquidation and countervailing duty deposit requirements. The Department will complete any pending administrative review of this order and conduct administrative review of subject merchandise entered prior to the effective date of revocation in response to appropriately filed requests for review.

The Department is issuing and publishing the final results and this notice in accordance with sections 751(c) and 777(i)(1) of the Act.

Dated: September 17, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014-22631 Filed 9-22-14; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-412-801; A-588-804]

Ball Bearings and Parts Thereof From Japan and the United Kingdom: Preliminary Results of Antidumping Duty Administrative Review; 2010-2011

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce (the Department) is conducting administrative reviews of the antidumping duty orders on ball bearings and parts thereof (ball bearings) from Japan and the United Kingdom. The period of review (POR) is May 1, 2010, through April 30, 2011. We preliminarily find that ball bearings from Japan and the United Kingdom have been sold at less than normal value during the POR. We are also rescinding the review with respect to certain producers/exporters.

DATES: *Effective:* September 23, 2014.

FOR FURTHER INFORMATION CONTACT: Michael Romani or Thomas Schauer, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0198 or (202) 482-0410, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 15, 1989, the Department published the antidumping duty orders on ball bearings and parts thereof from Japan and the United Kingdom in the *Federal Register*.¹ On June 28, 2011, in accordance with 19 CFR 351.221(b), we published a notice of initiation of administrative reviews of 43 companies subject to these *Orders*.²

On July 15, 2011, pursuant to a decision of the Court of International Trade (CIT) that affirmed the International Trade Commission's (ITC's) negative injury determinations on remand in the second sunset review of the antidumping duty orders on bearings from Japan and the United Kingdom, the Department revoked the *Orders* and discontinued these administrative reviews.³ On May 16, 2013, the United States Court of Appeals for the Federal Circuit (Federal Circuit) reversed the CIT's decision and ordered the CIT to reinstate the ITC's affirmative material injury

determinations.⁴ Subsequently, on November 18, 2013, the CIT issued final judgment reinstating the ITC's affirmative injury determinations.⁵ As a result, the Department reinstated the *Orders* and resumed these administrative reviews.⁶

We rescinded the administrative review of ball bearings from Japan, in part,⁷ for all firms for which we initiated a review except for Bosch Packaging Technology K.K., Bosch Rexroth Corporation, and Hagglunds Ltd.⁸

Scope of the Orders

The products covered by the *Orders* are ball bearings and parts thereof. The product is currently classified under the Harmonized Tariff Schedules of the United States (HTSUS) item numbers 3926.90.45, 4016.93.10, 4016.93.50, 6909.19.50.10, 8414.90.41.75, 8431.20.00, 8431.39.00.10, 8482.10.10, 8482.10.50, 8482.80.00, 8482.91.00, 8482.99.05, 8482.99.35, 8482.99.25.80, 8482.99.65.95, 8483.20.40, 8483.20.80, 8483.30.40, 8483.30.80, 8483.50.90, 8483.90.20, 8483.90.30, 8483.90.70, 8708.50.50, 8708.60.50, 8708.60.80, 8708.93.30, 8708.93.60.00, 8708.99.06, 8708.99.31.00, 8708.99.40.00, 8708.99.49.60, 8708.99.58, 8708.99.80.15, 8708.99.80.80, 8803.10.00, 8803.20.00, 8803.30.00, 8803.90.30, 8803.90.90, 8708.30.50.90, 8708.40.75.70, 8708.40.75.80, 8708.50.79.00, 8708.50.89.00, 8708.50.91.50, 8708.50.99.00, 8708.70.60.60, 8708.80.65.90, 8708.93.75.00, 8708.94.75, 8708.95.20.00, 8708.99.55.00, 8708.99.68, and 8708.99.81.80. The HTSUS subheading is provided for convenience and customs purposes. A full description of the scope of the orders is contained in the Preliminary

⁴ *NSK Corp v. United States International Trade Commission*, 716 F.3d 1352 (Fed. Cir. 2013) (*NSK May 2013*).

⁵ *NSK Corp. v. United States International Trade Commission*, Court No. 06-334, Slip Op. 2013-143 (CIT November 18, 2013) (*NSK November 2013*).

⁶ See *Ball Bearings and Parts Thereof From Japan and the United Kingdom: Notice of Reinstatement of Antidumping Duty Orders, Resumption of Administrative Reviews, and Advance Notification of Sunset Reviews*, 78 FR 76104 (December 16, 2013) (*Reinstatement Notice*).

⁷ See *Ball Bearings and Parts Thereof From Japan: Rescission of Antidumping Duty Administrative Review, in Part; 2010-2011*, 79 FR 26405 (May 8, 2014); see also *Ball Bearings and Parts Thereof From Japan: Amended Rescission of Antidumping Duty Administrative Review, in Part; 2010-2011*, 79 FR 32693 (June 6, 2014).

⁸ Even though these three companies provided joint submissions as affiliates of Robert Bosch LLC, the Department has made no determination whether these three companies should be considered as a single entity.

¹ See *Antidumping Duty Orders: Ball Bearings, Cylindrical Roller Bearings, and Spherical Plain Bearings, and Parts Thereof From Japan*, 54 FR 20904 (May 15, 1989) and *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) (collectively, *Orders*).

² See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 76 FR 37781 (June 28, 2011).

³ See *Ball Bearings and Parts Thereof From Japan and the United Kingdom: Revocation of Antidumping Duty Orders*, 76 FR 41761 (July 15, 2011) (*Revocation Notice*).

Decision Memorandum.⁹ The written description is dispositive.

Rescission of Review in Part

In accordance with 19 CFR 351.213(d), the Department will rescind an administrative review in part “if a party that requested a review withdraws the request within 90 days of the date of the publication of notice of initiation of the requested review.” Subsequent to the initiation of the review with respect to the United Kingdom, we received timely withdrawals of the requests we had received for the review of SKF (UK) Limited SNFA Operations and SKF UK Limited Stonehouse Operations. Because there are no other requests for review of these firms, we are rescinding the review with respect to these companies in accordance with 19 CFR 351.213(d)(1).

Methodology

The Department conducted these administrative reviews in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act). Constructed export price is calculated in accordance with section 772 of the Act. Normal value is calculated in accordance with section 773 of the Act. The Department has determined the weighted-average dumping margins for Bayerische Motoren Werke AG in the administrative review concerning ball bearings from the United Kingdom, and Bosch Packaging Technology K.K., Bosch Rexroth Corporation and Hagglunds Ltd. in the administrative review concerning ball bearings from Japan based on facts otherwise available with an adverse inference pursuant to section 776 of the Act. For the remaining respondents in the administrative review concerning ball bearings from the United Kingdom, the Department based the weighted-average dumping margins on the rate that it calculated for NSK Bearings Europe Ltd. and NSK Europe Ltd. (collectively, NSK). For a full description of the methodology underlying our conclusions, see Preliminary Decision Memorandum.

The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance’s Antidumping and

⁹ See memorandum from Gary Taverman, Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Ronald K. Lorentzen, Acting Assistant Secretary for Enforcement and Compliance, “Decision Memorandum for Preliminary Results of Antidumping Duty Administrative Review: Ball Bearings and Parts Thereof from the United Kingdom and Japan” dated concurrently with this notice (Preliminary Decision Memorandum), which is hereby adopted by this notice.

Countervailing Duty Centralized Electronic Service System (IA ACCESS). Access to IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and is available to all parties in the Central Records Unit, room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the Internet at <http://enforcement.trade.gov/frn/index.html>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Preliminary Results of the Reviews

As a result of these reviews, we preliminarily determine that the following weighted-average dumping margins on ball bearings from Japan and the United Kingdom exist for the period May 1, 2010, through April 30, 2011:

Company	Weighted-Average Dumping Margin (percent)
Japan	
Bosch Packaging Technology K.K.	106.61
Bosch Rexroth Corporation	106.61
Hagglunds Ltd.	106.61
United Kingdom	
Bayerische Motoren Werke AG	254.25
Bosch Rexroth Limited	1.55
Caterpillar S.A.R.L.	1.55
Caterpillar Group Services S.A.	1.55
Caterpillar of Australia Pty Ltd.	1.55
Caterpillar Overseas S.A.R.L. ..	1.55
Caterpillar Marine Power UK	1.55
NSK	1.55
Perkins Engines Company Ltd.	1.55

Disclosure and Public Comment

We intend to disclose the calculations performed to parties to these proceedings within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b). Pursuant to 19 CFR 351.309(c), interested parties may submit cases briefs not later than 30 days after the date of publication of this notice. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.¹⁰ Parties who submit case briefs or rebuttal briefs in this proceeding are encouraged to submit with each argument: (1) A statement of the issue; (2) a brief summary of the

argument; and (3) a table of authorities.¹¹

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Enforcement and Compliance, filed electronically *via* IA ACCESS. An electronically filed document must be received successfully in its entirety by the Department’s electronic records system, IA ACCESS, by 5:00 p.m. Eastern Time within 30 days after the date of publication of this notice. Requests should contain: (1) The party’s name, address and telephone number; (2) the number of participants; and (3) a list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case briefs. The Department intends to issue the final results of these administrative reviews, including the results of its analysis of the issues raised in any written briefs, not later than 120 days after the date of publication of this notice, pursuant to section 751(a)(3)(A) of the Act.

Assessment Rates

Upon completion of the administrative reviews, the Department will determine, and U.S. Customs and Border Protection (CBP) shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), for NSK we calculated an importer-specific assessment rate by dividing the total amount of dumping for the reviewed sales by the total entered value of those reviewed sales for each importer. We will direct CBP to assess the resulting assessment rate against the entered customs values for the subject merchandise on each of that importer’s entries during the review period.¹²

For entries of subject merchandise during the POR produced by NSK for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction. For a full discussion, see *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

For the companies which were not selected for individual examination and for the companies to which we are applying adverse facts available, we will instruct CBP to apply the rates listed

¹¹ See 19 CFR 351.309(c)(2) and (d)(2).

¹² See 19 CFR 351.212(b).

¹⁰ See 19 CFR 351.309(d).

above to all entries of subject merchandise produced and/or exported by such firms.

We intend to issue instructions to CBP 15 days after publication of the final results of these administrative reviews.

Cash Deposit Requirements

Because the antidumping duty orders on ball bearings from Japan and the United Kingdom have been revoked,¹³ the Department will not issue cash deposit instructions at the conclusion of these administrative reviews.

Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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.

Notification to Interested Parties

We are issuing and publishing these results in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: September 17, 2014.

Ronald K. Lorentzen,

Acting Assistant Secretary for Enforcement and Compliance.

Appendix

List of Topics Discussed in the Preliminary Decision Memorandum

- Summary
- Background
- Scope of the Orders Rescission in Part
- Continuation of Administrative Review of
 - Bosch Packaging Technology K.K., Bosch Rexroth Corporation, and Hagglunds Ltd. (Japan)
- Selection of Respondents
- Non-Selected Respondents
- Use of Facts Otherwise Available
 - A. Use of Facts Available
 - B. Application of Adverse Inferences for Facts Available
 - C. Selection and Corroboration of Information Used as Facts Available
- Comparisons to Normal Value
 - A. Determination of Comparison Method
 - B. Results of the Differential Pricing Analysis
- Product Comparisons
- Date of Sale
- Constructed Export Price
- Normal Value

¹³ See *Ball Bearings and Parts Thereof From Japan and the United Kingdom: Final Results of Sunset Reviews and Revocation of Antidumping Duty Orders*, 79 FR 16771 (March 26, 2014).

- A. Home Market Viability as Comparison Market
- B. Level of Trade
- C. Calculation of Normal Value Based on Comparison Market Prices
- D. Calculation of Normal Value Based on Constructed Value
- E. Cost of Production
 - 1. Calculation of Cost of Production
 - 2. Test of Comparison-Market Sales Prices
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- Currency Conversion
- Recommendation

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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: Notice of Court Decision Not in Harmony With the Final Results of Antidumping Duty Administrative Review and Notice of Amended Final Results Pursuant to Court Decision; 2010-2011

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On August 19, 2014, the United States Court of International Trade ("CIT" or "Court") sustained the Department of Commerce's (the "Department") results of redetermination, pursuant to the CIT's remand order, in *The Timken Company v. United States and Changshan Peer Bearing Co., Ltd. and Peer Bearing Company*, Slip Op. 2014-97 (CIT August 19, 2014), concerning the final results of the antidumping duty administrative review for tapered roller bearings and parts thereof, finished and unfinished from the People's Republic of China ("PRC") for the period of review June 1, 2010 to May 31, 2011.¹

Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("CAFC") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) ("*Timken*"), as clarified by *Diamond Sawblades Mfrs. Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) ("*Diamond Sawblades*"), the Department is notifying the public that the final judgment in this case is not in

¹ See Final Results of Redetermination Pursuant to Court Remand, Court No. 13-00069, Slip Op. 14-97, dated June 12, 2014, available at: <http://enforcement.trade.gov/remands/index.html> ("*TRBs Final Remand*"); *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished From the People's Republic of China: Amended Final Results of Antidumping Duty Administrative Review; 2010-2011*, 78 FR 12035 (February 21, 2013) ("*Amended Final Results*").

harmony with the Department's *Amended Final Results*, and it is amending the *Amended Final Results* with respect to Changshan Peer Bearing Co., Ltd.

DATES: *Effective:* August 29, 2014.

FOR FURTHER INFORMATION CONTACT:

Brandon Farlander, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-0182.

SUPPLEMENTARY INFORMATION:

Background

On February 21, 2013, the Department published the *Amended Final Results*. One Chinese exporter of tapered roller bearings from the PRC, Changshan Peer Bearing Co., Ltd., appealed the Department's *Amended Final Results* to the CIT, and on May 2, 2014, the Court granted the Department's request for a voluntary remand to reexamine the alleged currency conversion error in Changshan Peer Bearing Co., Ltd.'s reported further manufacturing costs.² After reexamining Changshan Peer Bearing Co., Ltd.'s further manufacturing costs, the Department determined that the further manufacturing costs were reported in Thai baht (not U.S. dollars) and therefore required conversion into U.S. dollars. On August 19, 2014, the CIT affirmed the Department's *TRBs Final Remand*, which resulted in a weighted-average dumping margin of 0.00% for Changshan Peer Bearing Co., Ltd.

Timken Notice

In its decision in *Timken*, 893 F.2d at 341, as clarified by *Diamond Sawblades*, the CAFC held that, pursuant to section 516A(e) of the Tariff Act of 1930, as amended ("the Act"), the Department must publish a notice of a court decision that is not "in harmony" with a Department determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's August 19, 2014 judgment sustaining the *TRBs Final Remand* constitutes a final decision of that court that is not in harmony with the *Amended Final Results*. This notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court decision with respect to this litigation, the Department is amending its

² See *The Timken Company v. United States and Changshan Peer Bearing Co., Ltd. and Peer Bearing Company*, Slip Op. 2014-51 (CIT May 2, 2014).