

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 11th day of June 1996.

John Despres,

*Assistant Secretary for Export Enforcement.*

[FR Doc. 96-15743 Filed 6-19-96; 8:45 am]

BILLING CODE 3510-DT-M

### **Action Affecting Export Privileges; Wolfgang Nothacker; Order**

The Office of Export Enforcement, Bureau of Export Administration, United States Department of Commerce (BXA), having notified Wolfgang Nothacker ("Nothacker") of its intention to initiate an administrative proceeding against him pursuant to section 13(c) of the Export Administration Act of 1979, as amended (50 U.S.C.A. app. §§ 2401-2420 (1991 & Supp. 1996)) (the Act),<sup>1</sup> and the Export Administration Regulations (15 CFR parts 768-799 (1995), as amended (61 FR 12714 (March 25, 1996)) (the Regulations),<sup>2</sup> based on allegations that:

1. Between January 1991 and December 1992, Nothacker conspired with a U.S. company to ship U.S.-origin fuel pumps to Libya, knowing that such shipments were prohibited by the Regulations, in violation of section 787.3(b) of the Regulations; and

2. On three separate occasions, on or about January 31, 1991, April 3, 1991, and December 5, 1992, Nothacker caused, aided or abetted the reexport of U.S.-origin fuel pumps to Libya without the required reexport authorization, in violation of section 787.2 of the Regulations; and

BXA and Nothacker having entered into a Settlement Agreement pursuant to section 766.18(a) of the Regulations whereby they agreed to settle this matter in accordance with the terms and conditions set forth therein, and the terms of the Settlement Agreement having been approved by me;

It is therefore ordered:

First, that, for a period of ten years from the date of this Order, Nothacker may not, directly or indirectly, participate in any way in any

transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license,<sup>3</sup> License Exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations; or

C. Benefiting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or in any other activity subject to the Regulations.

Third, that no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the denied person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by a denied person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby a denied person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the denied person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the denied person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that have been or will be exported from the United States and that is owned, possessed or controlled by a denied person, or service any item, of whatever origin, that is owned, possessed or controlled by a denied person if such service involves the use of any item

subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Fourth, that, after notice and opportunity for comment as provided in § 766.23 of the Regulations, any person, firm, corporation, or business organization related to the denied person by affiliation, ownership, control, or position of responsibility in the conduct of trade or related services may also be made subject to the provisions of this Order.

Fifth, that as authorized by § 766.18 of the Regulations, the ten-year denial period set forth in paragraph SECOND above shall be suspended for a period of nine years beginning one year from the date of entry of this Order, and shall thereafter be waived, provided that: i) during the period of suspension, Nothacker commits no violation of the Act or any regulation, order or license issued thereunder; and ii) Nothacker cooperates with BXA in connection with its investigation into the transactions identified in the proposed Charging Letter, as agreed by BXA and Nothacker.

Sixth, that this Order does not prohibit any export, reexport, or other transaction subject to the Regulations where the only items involved that are subject to the Regulations are the foreign-produced direct product of U.S.-origin technology.

Seventh, that the proposed Charging Letter, the Settlement Agreement, and this Order shall be made available to the public. A copy of this Order shall be published in the Federal Register.

This Order, which constitutes the final agency action in this matter, is effective immediately.

Entered this 11th day of June 1996.

John Despres,

*Assistant Secretary for Export Enforcement.*

[FR Doc. 96-15744 Filed 6-19-96; 8:45 am]

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<sup>1</sup> The Act expired on August 20, 1994. Executive Order 12924 (3 CFR, 1994 Comp. 917 (1995)), extended by Presidential Notice of August 15, 1995 (60 FR 42767, August 17, 1995), continued the Regulations in effect under the International Emergency Economic Powers Act (50 U.S.C.A. §§ 1701-1706 (1991 & Supp. 1996)).

<sup>2</sup> The March 25, 1996 Federal Register publication redesignated the existing Regulations as 15 CFR Parts 768A-799A. In addition, the March 25 Federal Register publication restructured and reorganized the Regulation, designating them as an interim rule at 15 CFR Parts 730-774, effective April 24, 1996.

<sup>3</sup> For purposes of this Order, "license" includes any general license established in 15 CFR Parts 768A-799A.

**International Trade Administration**

A-427-801, A-428-801, A-475-801, A-588-804, A-485-801, A-559-801, A-401-801, A-549-801, A-412-801

**Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand, and the United Kingdom; Initiation of Antidumping Duty Administrative Reviews and Notice of Request for Revocation of an Order**

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

**ACTION:** Notice of initiation of antidumping duty administrative reviews and notice of request for revocation of an order.

**SUMMARY:** The Department of Commerce (the Department) has received requests to conduct administrative reviews of the antidumping duty orders on antifriction bearings (other than tapered roller bearings) and parts thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand, and the United Kingdom. In accordance with our regulations, we are initiating those administrative reviews. The review period is May 1, 1995 through April 30, 1996. We have also received a request

to revoke the antidumping order covering ball bearings and parts thereof from Thailand with respect to NMB Thai/Pelmec Thai Ltd. (NMB/Pelmec), the only known producer/exporter of this merchandise from Thailand.

**EFFECTIVE DATE:** June 20, 1996.

**FOR FURTHER INFORMATION CONTACT:** Michael Rill or Richard Rimlinger, Office of Antidumping Compliance, International Trade Administration, U.S. Department of Commerce, Washington DC 20230; telephone (202) 482-4733.

**SUPPLEMENTARY INFORMATION:**

**Background**

The Department has received timely requests, in accordance with 19 CFR 353.22(a), for administrative reviews of the antidumping duty orders covering antifriction bearings (other than tapered roller bearings) and parts thereof from France, Germany, Italy, Japan, Romania, Singapore, Sweden, Thailand, and the United Kingdom. The orders cover three classes or kinds of merchandise: ball bearings (ball), cylindrical roller bearings (cylindrical), and spherical plain bearings (spherical). Pursuant to 19 CFR 353.25, NMB/Pelmec has requested revocation of the antidumping order covering ball bearings and parts thereof from Thailand. NMB/Pelmec is

the only known producer/exporter of this merchandise from Thailand. NMB/Pelmec based its request on its claim that there has been an absence of dumping on sales of the subject merchandise for a period of three consecutive years.

**Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreement Act. 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).

**Initiation of Reviews**

In accordance with 19 CFR 353.22(c), we are initiating administrative reviews of the following antidumping duty orders. Unless the time limit is extended in accordance with section 751(a)(3)(A) of the Tariff Act of 1930, as amended, we intend to issue the preliminary results of these reviews no later than January 31, 1997, and the final results no later than 120 days after publication of the preliminary results.

Proceedings and firms	Class or kind
France A-427-801:	
SKF France (including all relevant affiliates) .....	Ball and Cylindrical.
SNFA .....	Ball and Cylindrical.
Societe Nouvelle de Roulements (SNR) .....	All.
Germany A-428-801:	
FAG Kugelfischer Georg Schaefer AG .....	All.
INA Walzlager Schaeffler KG .....	All.
NTN Kugellagerfabrik (Deutschland) GmbH .....	All.
SKF GmbH (including all relevant affiliates) .....	All.
Torrington Nadellager (Torrington/Kuensebeck) .....	Cylindrical.
Italy A-475-801:	
Meter, S.p.A. ....	Ball and Cylindrical.
FAG Italia S.p.A. (including all relevant affiliates) .....	Ball and Cylindrical.
SKF-Industrie S.p.A. (including all relevant affiliates) .....	Ball and Cylindrical.
Japan A-588-804:	
Asahi Seiko .....	Ball.
Izumoto Seiko Co., Ltd. ....	Ball.
Kohwa Technos Corp. ....	Ball.
Koyo Seiko Company, Ltd. ....	All.
Nachi-Fujikoshi Corp. ....	All.
Nippon Pillow Block Sales Company, Ltd. ....	All.
NSK Ltd. (formerly Nippon Seiko K.K.) .....	All.
NTN Corp. ....	All.
Sanwa Kizai Co., Ltd. ....	Ball.
Romania A-485-801:	
Tehnimportexport, S.A. ....	Ball.
Singapore A-559-801:	
NMB Singapore/Pelmec Ind. ....	Ball.
Sweden A-401-801:	
SKF Sverige (including all relevant affiliates) .....	Ball.
Thailand A-549-801:	
NMB Thai/Pelmec Thai Ltd. ....	Ball.
United Kingdom A-412-801:	
Barden Corporation/FAG (U.K.) Ltd. ....	Ball and Cylindrical.

Proceedings and firms	Class or kind
NSK Bearings Europe, Ltd./RHP Bearings Ltd. ....	Ball and Cylindrical.

If requested within 30 days of the date of publication of this notice, the Department will determine whether antidumping duties have been absorbed by an exporter or producer subject to any of these reviews if the subject merchandise is sold in the United States through an importer which is affiliated with such exporter or producer.

Interested parties must submit applications for disclosure under administrative protective orders in accordance with 19 CFR 353.34(b) of the Department's regulations. However, due to the large number of parties to these proceedings, we strongly recommend that parties submit their APO applications as soon as possible, and we will process them on a first-come, first-served basis.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930 (19 U.S.C. 1675(a)) and 19 CFR 353.22(c) and 353.25(c).

Roland L. MacDonald,  
Acting Deputy Assistant Secretary for  
Compliance.

[FR Doc. 96-15682 Filed 6-19-96; 8:45 am]

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#### [A-583-009]

#### Color Television Receivers, Except for Video Monitors, From Taiwan; Amended 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 21, 1994, in the case of *Zenith Electronics Corporation v. United States*, 865 F. Supp. 890 (*Zenith*), the United States Court of International Trade (the Court) affirmed the Department of Commerce's (the Department's) third results of redetermination on remand and prior remand determinations of the final results of the first administrative review of the antidumping duty order on color television receivers, except for video monitors (CTVs), from Taiwan, to the extent that they were not subsequently modified by the Court. The Court also vacated its July 29, 1991, order to the extent that the order held that "no assessment rate cap may be applied in

liquidating the subject entries unless the importer paid a cash duty for an estimated dumping duty." As a result, the Court ordered the Department to apply the assessment rate cap to all subject imports entered between the publication dates of the Department's preliminary affirmative determination of sales at less than fair value (LTFV) and the International Trade Commission's (ITC's) final affirmative injury determination.

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 (CAFC 1990) (*Timken*), on January 17, 1995, the Department published a notice in the Federal Register which suspended liquidation of the subject merchandise entered or withdrawn from warehouse for consumption until there was a "final and conclusive" decision in this case (60 FR 3391). On February 12, 1996, the CAFC upheld the Department's methodology for determining direct and indirect expenses for purposes of making a circumstance-of-sale (COS) adjustment in calculating AOC International, Inc.'s (AOC) final margin and remanded the case back to the Court for recalculation of dumping margins in a manner consistent with the CAFC's decision. Although the case is not yet "final and conclusive" for AOC, the other respondents in this proceeding are not affected by this outstanding issue. We have, therefore, prepared these amended final results for those respondents.

**EFFECTIVE DATE:** June 20, 1996.

**FOR FURTHER INFORMATION CONTACT:** Maureen McPhillips or John Kugelmann, 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 December 29, 1986, the Department published in the Federal Register the final results of the first administrative review of the antidumping duty order on CTVs from Taiwan (51 FR 46895). In those results, the Department set forth its finding of weighted-average margins for nine companies, AOC, Capetronic (BSR) Ltd. (Capetronic), Fuleit Electronic Industrial Co., Ltd. (Fuleit), Nettek Corp., Ltd.

(Nettek), RCA Taiwan (RCA), Shinlee Corp. (Shinlee), Shin-Shirasuna Electric Co. (Shin-Shirasuna), and Tatung Co. (Tatung), for the period of review (POR) October 19, 1983 through March 31, 1985, and Sampo Corp. (Sampo) for the POR April 1, 1984 through March 31, 1985, and announced its intent to instruct the U.S. Customs Service to assess antidumping duties on all appropriate entries.

Subsequent to the Department's final results, four of the reviewed companies and a domestic producer, Zenith, filed lawsuits with the Court challenging these results. Thereafter, on September 11, 1989, the Court issued an order and opinion remanding the Department's determination so that the Department could make reasonable allowances for "bona fide differences in warranty expenses between the United States and the home market", and to reconsider an adjustment for Sampo's bad debt losses based on its bad debt experience during the period or another appropriate period. See *AOC International, Inc. et al. v. United States*, 721 F. Supp. 314 (CIT 1989). The Department requested a voluntary remand for the following reasons: to recalculate constructed value (CV) for Tatung; to recalculate AOC's inland freight and explain the calculation methodology; to adjust Tatung's foreign market value (FMV) for discounts and rebates which Tatung paid to distributors for trade-ins of used CTVs by the dealers in the home market; to allocate advertising and sales promotion expenses on a product-line, rather than a model-specific basis; and to add to the U.S. price (USP) the amount of commodity taxes forgiven upon exportation of CTVs. On January 31, 1991, the Department filed its first remand results with the Court.

On July 29, 1991, the Court ordered a second remand for the Department to do the following: Determine the amount of commodity tax passed through to home market purchasers and add that amount to the U.S. price (USP); cease applying an assessment rate cap in liquidating entries of the subject merchandise unless the importer paid a cash deposit for an estimated antidumping duty; eliminate the use of sales adjustments in this case to the extent that they reduce CV general expenses to less than the statutory minimum amount; remove all home market export-related expenses from exporter's sale's price (ESP); request additional information from