

period of review is December 1, 2000 through November 30, 2001.

Based on our analysis of the comments received, we have made changes from the preliminary results of review. Therefore, the final results differ from the *Preliminary Results* of review with respect to the weighted-average dumping margin for the Viraj Group and Mukand. The final weighted-average dumping margin for the reviewed firms is listed below in the section entitled "Final Results of the Review."

EFFECTIVE DATE: May 15, 2003.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Background

On January 8, 2003, the Department published in the **Federal Register** the preliminary results and partial rescission of its administrative review of the antidumping duty order on stainless steel wire rods from India. See *Preliminary Results*. We invited parties to comment on our preliminary results of review. We received case briefs from Panchmahal on February 14, 2003, referencing arguments made in its submissions to the Department dated January 6, 2003 and January 13, 2003. On February 11, 2003, Kurt Orban Partners LLC ("Kurt Orban"), an interested party, submitted a case brief. Pursuant to a request from the Department to redact new information, Kurt Orban resubmitted its case brief on March 13, 2003. We received Mukand's case briefs on January 13, 2003, and February 14, 2003. We received the Viraj Group's case brief on February 14, 2003. We received petitioner's case briefs addressing Mukand and the Viraj Group on February 14, 2003. On February 24, 2003, we received rebuttal briefs from the Viraj Group and from petitioner addressing the arguments presented by Panchmahal, Mukand, and the Viraj Group. Pursuant to 19 CFR 351.309(c)(ii), the Department directed the Viraj Group to resubmit their brief and omit certain arguments that were not raised in a timely manner. See the Department's letter dated March 26, 2003 rejecting the Viraj Group's case brief. The Viraj Group resubmitted their case brief on March 31, 2003. On April 15, 2003, Kurt Orban met with the Department to discuss Panchmahal's

cost reconciliation. See the Department's memorandum to the file dated April 16, 2003. We have now completed the administrative review in accordance with section 751 of the Tariff Act of 1930, as amended ("the Act").

Scope of Review

The merchandise under review is certain stainless steel wire rods ("SSWR"), which are hot-rolled or hot-rolled annealed and/or pickled rounds, squares, octagons, hexagons or other shapes, in coils. SSWR are made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are only manufactured by hot-rolling and are normally sold in coiled form, and are of solid cross section. The majority of SSWR sold in the United States are round in cross-section shape, annealed and pickled. The most common size 5.5 millimeters in diameter.

The SSWR subject to this review are currently classifiable under subheadings 7221.00.0005, 7221.00.0015, 7221.00.0030, 7221.00.0045, and 7221.00.0075 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes (as of March 1, 2003, renamed the U.S. Bureau of Customs and Border Protection), the written description of the merchandise under review is dispositive of whether or not the merchandise is covered by the review.

Rescission of Review

In our preliminary results, we stated we are rescinding the review with respect to Isibars because petitioner, the only party to request a review for Isibars, withdrew its request for review. See *Preliminary Results*. Consequently, in accordance with 19 CFR 351.213(d)(1) and consistent with the Department's practice, we preliminarily rescinded our review with respect to Isibars. Since we have received no new information since the preliminary results that contradicts the decision made in the preliminary results of review, we are rescinding the administrative review with respect to Isibars.

Facts Available

In the instant review, for the preliminary results, the Department applied adverse facts available in accordance with section 776(a) of the Act to Panchmahal because Panchmahal failed to provide or withheld information the Department requested. See *Preliminary Results*. The

Department received inadequate responses to the questionnaire and multiple supplemental questionnaires from Panchmahal and could not verify the incomplete information that Panchmahal did provide, which is necessary for the margin analysis. See *Preliminary Results*. However, in the preliminary results, the Department inadvertently failed to corroborate the "all others" rate it applied to Panchmahal. We are correcting this oversight with the following.

Corroboration of the "All Others" Rate

Section 776(b) of the Act states that an adverse inference may include reliance on information derived from the petition. See also 19 CFR 351.308(c); Uruguay Round Agreement Act, Statement of Administrative Action ("SAA") at 829-831. Section 776(c) of the Act provides that, when the Department relies on secondary information (such as the petition rates) as facts available, it must, to the extent practicable, corroborate that information from independent sources that are reasonably at its disposal. The SAA clarifies that "corroborate" means that the Department will satisfy itself that the secondary information to be used has probative value. See SAA at 870. To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information used. See *Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, from Japan, and Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, from Japan; Preliminary Results of Antidumping Duty Administrative Reviews and Partial Termination of Administrative Reviews*, 61 FR 57391, 57392 (November 6, 1996); *Notice of Preliminary Determination of Sales at Less Than Fair Value and Postponement of Final Determination: Barium Carbonate From the People's Republic of China*, 68 FR 12664 (March 17, 2003). The Department's regulations state that independent sources used to corroborate may include, but are not limited to, published price lists, official import statistics and customs data, and information obtained from interested parties during the particular review. See 19 CFR 351.308(d); SAA at 870. Further, in accordance with *F. LII De Cecco Di Filippo Fara S. Martino S.p.A. v. United States*, 216 F.3d 1027, 1034 (Fed. Cir. 2000), we examine whether information on the record supporting the selected adverse facts available is reasonable and has some basis in reality.

To assess the reliability of the petition margins for purposes of this review, in