

The Department has conducted this administrative review in accordance with section 751 of the Act).

Scope of Review

The merchandise subject to this antidumping order is cookware from Korea. The subject merchandise is all non-electric cooking ware of stainless steel which may have one or more layers of aluminum, copper or carbon steel for more even heat distribution. The subject merchandise includes skillets, frying pans, omelette pans, saucepans, double boilers, stock pots, dutch ovens, casseroles, steamers, and other stainless steel vessels, all for cooking on stove top burners, except tea kettles and fish poachers. Excluded from the scope of the order are stainless steel oven ware and stainless steel kitchen ware. The subject merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) item numbers 7323.93.00 and 9604.00.00. The HTSUS item numbers are provided for convenience and Customs purposes only. The written description remains dispositive.

The Department has issued several scope clarifications for this order. The Department found that certain stainless steel pasta and steamer inserts (63 FR 41545, August 4, 1998), certain stainless steel eight-cup coffee percolators (58 FR 11209, February 24, 1993), and certain stainless steel stock pots and covers are within the scope of the order (57 FR 57420, December 4, 1992). Moreover, as a result of a changed circumstances review, the Department revoked the order in part with respect to certain stainless steel camping ware (1) made of single-ply stainless steel having a thickness no greater than 6.0 millimeters; and (2) consisting of 1.0, 1.5, and 2.0 quart saucepans without handles and with lids that also serve as fry pans (62 FR 3662, January 24, 1997).

Partial Rescission of Review

In our *Preliminary Results*, we determined that the following eight companies made no shipments of subject merchandise to the United States during the POR: Hai Dong Stainless Steel Co., Ltd, Sungjin International, Inc., Seshin Co., Ltd., Sae Kwang Aluminum Co, Ltd., Dong Hwa Stainless Steel Co., Ltd., Pionix Corporation, Il Shin Co., Ltd., and Wonkwang Inc. *See Preliminary Results*, 67 FR at 62952. Because we received no comments from interested parties on our preliminary decision to rescind the review with respect to the above companies, we have determined that no changes to our decision to rescind are

warranted for purposes of these final results. Therefore, we are rescinding this review with respect to these manufacturers/exporters.

Facts Available (FA)

For these final results of review, in accordance with section 776 of the Act, we have determined that the use of adverse FA is warranted for Chefline Corporation, Sam Yeung Ind. Co., Ltd., Kyung-Dong Industrial Co., Ltd., Ssang Yong Ind. Co., Ltd., O. Bok Stainless Steel Co., Ltd., Han Il Stainless Steel Ind. Co., Ltd., Bae Chin Metal Ind. Co., East One Co., Ltd., Charming Art Co., Ltd., Poong Kang Ind. Co., Ltd., Won Jin Ind. Co., Ltd., Hanil Stainless Steel Ind. Co., Ltd., East West Trading Korea, Ltd., Clad Co., Ltd., B.Y. Enterprise, Ltd., and Namyang Kitchenflower Co., Ltd.

In the *Preliminary Results*, the Department determined that because the 16 manufacturers/exporters listed above wholly failed to respond to the Department's questionnaire, they did not act to the best of their respective abilities, and therefore an adverse inference is warranted in applying FA for these companies.

For the final results, no interested party comments were submitted regarding this issue and we continue to find that the failure of the 16 manufacturers/exporters listed above to respond to the Department's questionnaire in this review demonstrates that these entities failed to cooperate by not acting to the best of their ability. Thus, consistent with the Department's practice in cases where a respondent fails to respond to the Department's questionnaire, in selecting FA for the 16 manufacturers/exporters listed above, an adverse inference is warranted. For a discussion of the application of an adverse inference in this case, *see Preliminary Results*, 67 FR at 62953.

As adverse FA, we are assigning the highest rate determined for any respondent in any segment of this proceeding. This rate is 31.23 percent. *See Final Determination of Sales at Less Than Fair Value: Certain Stainless Steel Cookware from Korea*, 51 FR 42873 (November 26, 1986). For a discussion on corroboration of the 31.23 percent FA rate and for a general discussion of the relevance of the selected FA rate for all non-cooperating respondents, *see Preliminary Results*, 67 FR at 62953.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to this administrative review are addressed in the Issues and Decision Memorandum (Decision Memorandum) from Bernard

T. Carreau, Deputy Assistant Secretary, Import Administration, to Faryar Shirzad, Assistant Secretary for Import Administration, dated February 6, 2003, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the Decision Memorandum, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum which is on file in the Central Records Unit, room B-099 of the main Department building. In addition, a complete version of the Decision Memorandum can be accessed directly on the Web at <http://ia.ita.doc.gov>. The paper copy and electronic version of the Decision Memorandum are identical in content.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have made a change in Dong Won's margin calculations. In accordance with section 772(c)(1)(C) of the Act, we added to the U.S. price the amount of countervailing duty imposed on the subject merchandise to offset an export subsidy. *See Calculation Memorandum for the Final Results of the 2001 Administrative Review of the Antidumping Duty Order on Top-of-the-Stove Stainless Steel Cooking Ware from Korea for Dong Won Metal Co., Ltd., from Ron Trentham to the File*, dated February 6, 2003. This change is discussed at Comment 5 of the Decision Memorandum.

Final Results of Review

We determine that the following weighted-average percentage margins exist for the period January 1, 2001, through December 31, 2001:

Manufacturer/exporter	Margin (percent)
Dong Won Metal Co., Ltd.	0.17
Dae-Lim Trading Co.,	0.90
Chefline Corporation	31.23
Sam Yeung Ind. Co., Ltd	31.23
Kyung-Dong Industrial Co., Ltd	31.23
Han Il Stainless Steel Ind. Co., Ltd	31.23
East One Co., Ltd	31.23
Charming Art Co., Ltd	31.23
Won Jin Ind. Co., Ltd	31.23
Hanil Stainless Steel Ind. Co., Ltd	31.23
East West Trading Korea, Ltd	31.23
Clad Co., Ltd	31.23
B.Y. Enterprise, Ltd	31.23
Namyang Kitchenflower Co., Ltd	31.23