

of July 1995. Any submission to the Department must contain the name and case number of the proceeding and a statement that explains how the objecting party qualifies as a domestic interested party under § 353.2(k)(3), (4), (5), and (6) of the Department's regulations.

Seven copies of such objections should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B-099, U.S. Department of Commerce, Washington, D.C. 20230. You must also include the pertinent certification(s) in accordance with § 353.31(g) and § 353.31(i) of the Department's regulations. In addition, the Department requests that a copy of the objection be sent to Michael F. Panfeld in Room 4203.

This notice is in accordance with 19 CFR 353.25(d)(4)(i).

Dated: June 26, 1995.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

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[A-580-601]

Certain Stainless Steel Cooking Ware From the Republic of Korea: Preliminary Results of Antidumping Duty Administrative Reviews

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Reviews.

SUMMARY: In response to requests from Farberware, Inc. (the petitioner), the Department of Commerce (the Department) is conducting administrative reviews of the antidumping duty order on certain stainless steel cooking ware from the Republic of Korea. This notice of the preliminary results covers three consecutive review periods for January 1, 1991 through December 31, 1991, January 1, 1992 through December 31, 1992, and January 1, 1993 through December 31, 1993. The 1991 and 1992 reviews cover two manufacturers/exporters, Namil Metal Company (Namil) and Daelim Trading Company, Ltd. (Daelim). The 1993 review covers one manufacturer/exporter, Daelim. The reviews indicate the existence of dumping margins during these periods.

We have preliminarily determined that sales have been made below the foreign market value (FMV). If these preliminary results are adopted in our

final results of administrative review, we will instruct the U.S. Customs Service (Customs) to assess antidumping duties equal to the difference between the United States price (USP) and the FMV. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: July 3, 1995.

FOR FURTHER INFORMATION CONTACT:

Amy S. Wei or Zev Primor, 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

The Department published an antidumping duty order on certain stainless steel cooking ware from the Republic of Korea on January 20, 1987 (52 FR 2139). The Department published notices of "Opportunity To Request an Administrative Review" of the antidumping duty order for the 1991 review period (56 FR 66846, December 26, 1991), for the 1992 review period (58 FR 4148, January 13, 1993), and for the 1993 review period (59 FR 564, January 5, 1994). On January 31, 1991, the petitioner requested that the Department conduct an administrative review of the antidumping duty order on certain stainless steel cooking ware from the Republic of Korea for two manufacturers/exporters, covering the period January 1, 1991 through December 31, 1991. We initiated the 1991 review on February 24, 1992 (57 FR 6314). On January 27, 1993, the petitioner requested that the Department conduct an administrative review of the antidumping duty order on certain stainless steel cooking ware from the Republic of Korea for two manufacturers/exporters, covering the period January 1, 1992 through December 31, 1992. We initiated the 1992 review on March 8, 1993 (58 FR 12931). On January 31, 1994, the petitioner requested that the Department conduct an administrative review of the antidumping duty order on certain stainless steel cooking ware from the Republic of Korea for one manufacturer/exporter, covering the period January 1, 1993 through December 31, 1993. We initiated the 1993 review on February 17, 1994 (59 FR 7979).

The Department is now conducting reviews for these periods in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Scope of the Review

The products covered by these administrative reviews are certain stainless steel cooking ware from the Republic of Korea. During the review periods, such merchandise was classifiable under Harmonized Tariff Schedule (HTS) item number 7323.93.00. The products covered by this order are 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 is stainless steel kitchen ware. The HTS item number is provided for convenience and Customs' purposes. The written description remains dispositive as to the scope of the product coverage.

The review periods (POR) are January 1, 1991 through December 31, 1991, January 1, 1992 through December 31, 1992, and January 1, 1993 through December 31, 1993, respectively. The 1991 and 1992 reviews cover two companies, Namil and Daelim. The 1993 review covers one company, Daelim.

Use of Best Information Available

Namil

For the 1991 review, in filing its questionnaire response, Namil failed to submit computer tapes of all sales data in a timely manner. Because this data was provided after the due date, the Department rejected this additional submission in accordance with 19 CFR 353.31(b)(2). Therefore, in the case of Namil, we have calculated a dumping margin using the best information available (BIA), in accordance with section 776(c) of the Act and 19 CFR 353.37(b).

In determining what to use as BIA, the Department follows a two-tiered methodology. The Department assigns lower margins to those respondents who cooperate in a review (tier two), and margins based on more adverse assumptions for those respondents who do not cooperate in the review, or who significantly impede the proceeding (tier one) (see *Allied Signal Aerospace Co. v. United States*, 996 F.2d 1185 (Fed.Cir., June 22, 1993), *aff'd*, 28 F.3d 1188, *cert. denied*, 1995 U.S. Lexis 100 (1995) (*Allied-Signal*)).

When a company substantially cooperates with our requests for information, but fails to provide the information requested in a timely manner or in the form requested, we assign the company second-tier BIA, which is the higher of (1) the firm's