involves a ''fluctuation.'' In accordance with the Department's practice, we have determined as a general matter that a fluctuation exists when the daily exchange rate differs from a benchmark by 2.25 percent. The benchmark is defined as the rolling average of rates for the past 40 business days. When we determine that a fluctuation exists, we substitute the benchmark for the daily rate. However, for the preliminary results in this review we have determined that a fluctuation did not exist during the POR, and we have not substituted the benchmark for the daily rate.

Preliminary Results of Review

As a result of this review, we preliminarily determine that the following margin exists for the period January 11, 1995, through June 30, 1996:

Manufacturer/exporter	Margin (percent)
Siam Food Products Public Company Ltd	13.25
The Thai Pineapple Public Company, Ltd	33.06
Thai Pineapple Canning Industry Corp., Ltd	6.54

Parties to the proceeding may request disclosure within five days of the date of publication of this notice. Any interested party may request a hearing within ten days of publication. If requested, a hearing will be held 44 days after the publication of this notice, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will issue a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such briefs, within 120 days from the publication of these preliminary results.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. The Department will issue appraisement instructions directly to the Customs Service. The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. For duty assessment purposes, we calculated, on an importer-specific basis, an assessment rate by aggregating the dumping margins calculated for all U.S. sales and dividing this amount by the total entered value of subject merchandise sold during the POR. This rate will be used for the assessment of antidumping duties on the relevant entries of subject merchandise during the POR. Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of canned pineapple fruit from Thailand entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rate for SFP, TIPCO, and TPC will be the rate established in the final results of this administrative review; (2) if the exporter is not a firm covered in this review or the original investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (3) if neither the exporter nor the manufacturer is a firm covered in this review, the cash deposit rate will be 24.64 percent, the ''all others'' rate established in the less-than-fair-value investigation. *See* 60 FR 36775, 36776 (July 18, 1995).

This notice serves as a preliminary reminder to importers of their responsibility 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.

This administrative review and notice are in accordance with sections 751(a)(1) and 751(d) of the Act (19 U.S.C. 1675(a)(1)), 19 CFR 353.22, and 19 CFR 353.25.

Dated: July 31, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–20733 Filed 8–6–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–821–807]

Ferrovanadium and Nitrided Vanadium From the Russian Federation: Notice of Preliminary Results and Partial Recission of Antidumping Duty Administrative Review

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

ACTION: Notice of Preliminary Results and Partial Recission of Antidumping Duty Administrative Review.

SUMMARY: In response to a request from Shieldalloy Metallurgical Corporation (Shieldalloy), the petitioner, the Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on ferrovanadium and nitrided vanadium from the Russian Federation (Russia). This notice of preliminary results covers the period January 4, 1995, through June 30, 1996. The Department is now rescinding this review in part with respect to one exporter, Odermet, Ltd., who had no shipments of the subject merchandise during the period of review. For the second exporter, Galt Alloys, Inc.(Galt), the review indicates the existence of dumping margins during this period for sales of merchandise from one producer.

We have preliminarily determined that sales have been made below normal value (NV). 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 export price (EP) and the NV. Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) A statement of the issue; and (2) a brief summary of the argument.

EFFECTIVE DATE: August 7, 1997.

FOR FURTHER INFORMATION CONTACT: David J. Goldberger or Mary Jenkins, AD/CVD Enforcement II, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482–4136 or (202) 482–1756, respectively.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

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 Rounds Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations as codified at 19 CFR part 353 (April 1, 1997).

Background

The Department published an antidumping duty order on

ferrovanadium and nitrided vanadium from the Russian Federation on July 10, 1995 (60 FR 35550).

The Department published a notice of ''Opportunity To Request an Administrative Review'' of the antidumping duty order for this review period on July 8, 1996 (61 FR 35712). On July 17, 1996, Shieldalloy requested that the Department conduct an administrative review of the antidumping duty order on ferrovanadium and nitrided vanadium from Russia for exporters Galt and Odermet, Ltd. We published a notice of initiation of the review on August 15, 1996 (61 FR 42416).

In a letter dated September 9, 1996, Odermet, Ltd., stated that it made no shipments of the subject merchandise during the review period. In response to our query, Customs provided no indication that Odermet had shipped the merchandise during the review period.

Under section 751(a)(3)(A) of the Act, the Department may extend the deadline for the preliminary results of an administrative review if it determines that it is not practicable to complete the review within the statutory time limit of 245 days. On April 7, 1997, the Department extended the time limit for the preliminary results in this case (*see Ferrovanadium and Nitrided Vanadium from the Russian Federation; Notice of Extension of Time Limit for Antidumping Duty Administrative Time Limit for Antidumping Duty Administrative Review*, 62 FR 16542, April 7, 1997). The Department is conducting this administrative review in accordance with section 751 of the Act.

Recission

We have determined that during the period of review (POR), Odermet did not export the subject merchandise to the United States. Therefore, we rescind this review with respect to Odermet.

Scope of the Review

The products covered by this administrative review are ferrovanadium and nitrided vanadium, regardless of grade, chemistry, form or size, unless expressly excluded from the scope of this order. Ferrovanadium includes alloys containing ferrovanadium as the predominant element by weight (*i.e.*, more weight than any other element, except iron in some instances) and at least 4 percent by weight of iron. Nitrided vanadium includes compounds containing vanadium as the predominant element, by weight, and at least 5 percent, by weight, of nitrogen. Excluded from the scope of this order are vanadium additives other than ferrovanadium and nitrided vanadium, such as vanadium-aluminum master alloys, vanadium chemicals, vanadium waste and scrap, vanadium-bearing raw materials, such as slag, boiler residues, fly ash, and vanadium oxides.

The products subject to this order are currently classifiable under subheadings 2850.00.20, 7202.92.00, 7202.99.5040, 8112.40.3000, and 8112.40.6000 of the *Harmonized Tariff Schedule of the United States* (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope is dispositive.

The POR is January 4, 1995, through June 30, 1996, covering one exporter, Galt.

Fair Value Comparisons

Galt, a U.S. company, reported that it purchased merchandise produced by two producers—SC-Vanadium Tulachermet (Tulachermet) and Chusovoy Metallurgical Works (Chusovoy)—and re-sold the merchandise to customers in the United States and other countries via a warehouse in Europe. Galt reported that neither producer is affiliated with Galt and at the time of each producer's sale to Galt, neither producer knew the ultimate destination of the merchandise. Thus, for purposes of the fair value comparison, Galt's sales to its first unaffiliated U.S. customer form the basis of export price.

However, these producers knew at the time of the sale that the merchandise was destined for exportation. Further, the subject merchandise was merely transhipped through the intermediate country. Therefore, in accordance with section 773(a)(3), normal value is determined in the country of origin using the factors of production methodology, as discussed below.

Both Tulachermet and Chusovoy responded to the Department's initial antidumping questionnaire, but Chusovoy did not respond to the Department's supplemental questionnaire. Tulachermet has continued to cooperate with the Department's requests for information.

Under section 776(a)(2) (A) and (B) of the Act, the Department shall use facts otherwise available in making its determinations if an interested party withholds or fails to provide information at the time and in the manner requested. In this instance, the NV information necessary to calculate antidumping duties for Galt's sales of Chusovoy-produced merchandise is not on the record because Chusovoy failed to provide requested information by the established deadline. The limited information that Chusovoy submitted is so incomplete that it cannot serve as a reliable basis for reaching the applicable determination in this review. As a result, pursuant to sections 776(a) and 782(e) of the Act, the Department must resort to facts available.

Section 776(b) of the Act permits the Department to use an adverse inference in selecting from facts available if the Department finds that an interested party has not cooperated to the best of its ability in responding to a request for information. By failing to respond, Chusovoy has not cooperated to the best of its ability. Therefore, we find it appropriate to apply adverse facts available with regard to Galt's sales of Chusovoy-produced merchandise. At the same time, both Galt and its second Russian supplier, Tulachermet, fully cooperated with the Department. Thus, under section 776(b) of the Act, an adverse inference is not warranted with respect to sales of Tulachermet's merchandise.

The information submitted by Galt and Tulachermet meets the requirements of section 782(e) of the Act:

(1) The information is timely;

(2) The information is verifiable;

(3) The information is not so incomplete that it cannot serve as a reliable basis for our determination;

(4) These parties have acted to the best of their abilities in providing the requested information; and

(5) The information can be used without undue difficulties. Accordingly, we have relied upon the information submitted by Galt and Tulachermet.

Consistent with our current practice, we have calculated a single rate applicable to the exporter, Galt. This rate reflects the use of adverse facts available for Galt's sales of Chusovoy merchandise as well as calculated margins for Galt's sales of Tulachermet merchandise (*see, e.g., Final Determination of Sales at Less Than Fair Value: Pure Magnesium From Ukraine*, 60 FR 16433, March 30, 1995). However, we will continue to examine whether, given the facts of this case, applying separate ''combination rates'' (*i.e.*, rates for each specific exporter/producer combination) would be more appropriate. Therefore, we invite comments from interested parties on this issue.

Selection of Adverse Facts Available Rate for Sales of Chusovoy-Produced Merchandise

Section 776(b) authorizes the Department to use as adverse facts

available information derived from the petition, a final determination from a segment of the proceeding, or other information placed on the record. Because information from the petition and prior segments of the proceeding constitute secondary information, the Department must, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal, as stated in section 776(c) of the Act.

In light of Chusovoy's failure to respond, we have determined that the information in the petition is the most appropriate facts available. To corroborate that information, we reviewed the data submitted and the assumptions petitioners made in calculating estimated dumping margins in the petition. As discussed in detail in ''Corroboration of FA Rates,'' Memorandum to Jeffrey P. Bialos, Principal Deputy Secretary for Import Administration, from the Ferrovanadium Team, dated July 31, 1997 (Corroboration Memo), we compared the petition's bases for U.S. price (now export price), factors of production, and surrogate values to independent data from the period of investigation. *See also Preliminary Results of Antidumping Duty Administrative Review and Partial Termination of Administrative Review: Fresh Garlic from the People's Republic of China* (61 FR 68229, 68230, December 27, 1996), *Preliminary Results and Partial Rescission of Antidumping Duty Administrative Review: Certain Cased Pencils From the People's Republic of China* (62 FR 1734, 1735, January 13, 1997), and *Preliminary Results of Antidumping Duty Administrative Review Certain Carbon Steel Butt-Weld Pipe Fittings From Thailand* (62 FR 16541, 16542, April 7, 1997).

Based on our analysis, we determined that the elements of the petition calculation are reliable and, with one adjustment, have probative value. During the LTFV investigation, we determined that the principal raw material used by respondents to produce the subject merchandise, vanadium slag, was of significantly lower quality than the material upon which the petitioner estimated its surrogate value (*see* also discussion below under ''Normal Value''). Therefore, we have adjusted the valuation of the vanadium slag factor in the petition to reflect this difference in quality. With this adjustment, the corroborated rate derived from the petition is 88.63% .

Accordingly, for Galt's sales of Chusovoy-produced merchandise, we have applied the recalculated petition rate of 88.63 percent.

Galt's Export Price and Constructed Export Price

As Galt is located in a market-economy country and is not affiliated with a Russian producer or exporter, we are calculating a separate rate for this reseller *(see Bicycles From the PRC; Final Determination of Sales at Less Than Fair Value*, 61 FR 19026, 19027 (April 30, 1996)). During the POR, Galt took possession of the Russia-produced merchandise outside of the United States and then sold the merchandise to unaffiliated customers in the United States.

For Galt's sales of subject merchandise produced by Tulachermet, when the merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and when constructed export price (CEP) methodology was not otherwise indicated, we calculated the export price (EP) of the subject merchandise sold to the United States in accordance with section 772(a) of the Act. Where Galt's sales to the first unaffiliated purchaser took place after importation into the United States, we based the price in the United States on CEP, in accordance with section 772(b) of the Act.

We calculated EP based on the price to unrelated purchasers in the United States. We made deductions, where appropriate, for the following movement expenses incurred in market economy currencies and provided by market economy suppliers: foreign brokerage and handling, ocean freight, marine insurance, U.S. brokerage and handling, U.S. inland freight, and U.S. duty charges. We valued inland freight expenses incurred in bringing the subject merchandise from the Russian plant to the reseller's warehouse using surrogate data based on South African freight costs. We selected South Africa as the surrogate country for the reasons explained in the ''Surrogate Country Selection'' section of this notice.

For CEP sales, we made additional deductions for Galt's direct and indirect selling expenses, including inventory carrying costs, incurred with regard to economic activities in the United States, as well as repacking, warehousing, and credit expenses, pursuant to section 772(d)(1) of the Act. Galt reported its indirect selling expenses on a fixed, per-unit basis. We have recalculated these expenses as a percentage of sales value, based on information in Galt's questionnaire response, consistent with the manner in which the Department normally calculates indirect selling expenses. We deducted an amount for CEP profit by applying Galt's profit rate to the sum of selling expenses incurred in the United States, in accordance with section 772(f) of the Act.

No other adjustments to EP or CEP sales were claimed or allowed.

Surrogate Country Selection

As noted above, NV is determined in Russia, the country of origin, in accordance with section 773(a)(3) of the Act. Because the Department considers Russia an NME country and the producers of the merchandise exported by Galt are located in Russia, we are not able to determine NV on the basis of these producers' costs and prices. Section 773(c)(1) of the Act provides that the Department shall determine the NV on the basis of the value of the factors of production if (1) the subject merchandise is exported from an NME country, and (2) the available information does not permit the calculation of NV under section 773(a) of the Act. Therefore, we have applied surrogate values to factors of production to determine NV.

We determined that South Africa is comparable to the Russian Federation in terms of per capita gross national product and the national distribution of labor (*See* ''Ferrovanadium and Nitrided Vanadium from Russia: Nonmarket Economy Status and Surrogate Country Selection,'' Memorandum to David Binder from David Mueller, October 29, 1996). In addition, South Africa is a significant producer of ferrovanadium. Therefore, we chose South Africa as an appropriate surrogate on the basis of the above criteria and have used publicly available information relating to South Africa wherever possible to value the various factors of production.

Normal Value

To determine the NV for Galt sales of merchandise produced by Tulachermet, we valued the factors of production as discussed in the Valuation Memorandum dated July 28, 1997, on file in the Central Records Unit. The values used are summarized below:

- We valued most raw materials and packing materials based on South African domestic prices in *South Africa's Mineral Industry 1995/96* (SAMI 95/96) and unit prices, reported net of taxes, based on South African import data from *Southern African Customs Union Trade Statistics* (SACU Trade Statistics).

For vanadium slag, we valued a portion of Tulachermet's consumption at the market economy price Tulachermet paid for South African slag consumed during the POR. The balance

of Tulachermet's POR slag consumption was Russian-sourced slag, which contained a substantially lower concentration of vanadium pentoxide. We were unable to find any surrogate value data for vanadium slag of this quality. As facts available, we used Tulachermet's purchase price for South African slag as the surrogate value and adjusted it downward to account for the difference in vanadium pentoxide content, using the same adjustment made in the LTFV investigation.

As discussed in the Valuation Memorandum, the Department received information in this proceeding that the 90% vanadium pentoxide prices used in the LTFV adjustment methodology were based on Russian material prices. According to information obtained from an industry publication, *Metal Bulletin*, it is not possible to determine prices of 90% vanadium pentoxide from market economy counties during that period. In the absence of any other means to adjust the slag value, we are applying the LTFV methodology for the preliminary results as facts available. In doing so, we recognize that the 90% vanadium pentoxide prices used to establish the adjustment ratio represent merchandise from a non-market economy. However, it is the only information on the record with which to make the adjustment. As such, the resulting relationship between 90% vanadium pentoxide, produced from low-grade slag equivalent to Nizhni-Tagil slag, and 98% vanadium pentoxide, produced from high-grade South African slag, is the best available means to account for the substantial disparity between the material to be valued and the material from which the surrogate value is derived.

We were also unable to obtain surrogate values for vanadium trioxide and pre-alloyed vanadium. As facts available, we valued these materials based on South African vanadium pentoxide and ferrovanadium prices, respectively, adjusted for differences in vanadium content.

For sulfuric acid, we used the average, tax-exclusive, price reported by a South African vanadium producer.

Finally, we were unable to identify any comparable surrogate value for the chemical input boron anhydride. The quantity of this material used to produce ferrovanadium is a very small amount. For the preliminary results, we have calculated NV without surrogate material costs for this factor.

- To value truck and rail freight, we used the South African rail rate used in the LTFV investigation. We adjusted this rate for inflation, using a wholesale price index published by the International Monetary Fund. We relied on this rate for both truck and rail transportation of input materials and for foreign inland freight because we were unable to find any other suitable surrogate freight value.

Tulachermet did not report the distance from its supplier of two packing materials. As facts available, we have used the farthest distance reported by Tulachermet for any supplier in calculating the surrogate freight costs for these materials.

- For electricity, we used the average POR rate for industrial users as published by the South African state utility company, ESKOM. For natural gas, we used the South African POR price provided to us by ESKOM.
- For labor, we used the skilled and unskilled wage rates for the South African metallurgical industry reported to us by a South African producer of vanadium.
- For factory overhead, selling, general, and administrative (SG&A) expenses and profit, we calculated ratios from the 1995 Annual Report of the South African ferrovanadium manufacturer Highveld Steel and Vanadium Co., Ltd.

Preliminary Results

As a result of this review, we preliminarily determine that the following weighted-average dumping margin exists:

Exporter	Period	Margin (percent)
Galt Alloys, Inc.	1/4/95–7/31/96	34.73

Parties to this proceeding may request disclosure within five days of publication of this notice and any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication. The Department will publish a notice of the final results of the administrative review, which will include the results of its analysis of issues raised in any such written comments or at the hearing, within 120 days from the issuance of these preliminary results.

The final results of this review shall be the basis for the assessment of antidumping dumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties. The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between EP and NV may vary from the percentages stated above. The Department will issue appraisement instructions directly to Customs.

Further, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of ferrovanadium and nitrided vanadium from the Russian Federation entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for Galt will be the producer-specific rates established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation and have a separate rate, the cash deposit rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) for Russian manufacturers or exporters not covered in the LTFV investigation, the cash deposit rate will continue to be the Russia-wide rate of 108.00 percent; and (4) the cash deposit rate for non-Russian exporters of subject merchandise from Russia who were not covered in the LTFV investigation or in this administrative review, will also be the Russia-wide rate. These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26(b) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. 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.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and published in accordance with section 777(i).

Dated: July 31, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–20734 Filed 8–6–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–504]

Certain Porcelain-on-Steel Cookware From Mexico: Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On January 31, 1997, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain porcelain-on-steel cookware from Mexico (62 FR 4723) (*preliminary results*). The review covers two manufacturers/exporters of the subject merchandise to the United States and the period December 1, 1994, through November 30, 1995.

We gave interested parties an opportunity to comment on the preliminary results. Based on our analysis of the comments received and the correction of certain clerical and computer program errors, we have changed the preliminary results. The final results are listed below in the section ''Final Results of Review.''

EFFECTIVE DATE: August 7, 1997.

FOR FURTHER INFORMATION CONTACT: Kate Johnson or Dolores Peck, AD/CVD Enforcement, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, telephone: (202) 482–4929.

SUPPLEMENTARY INFORMATION:

Background

On January 31, 1997, the Department published in the **Federal Register** the preliminary results of the administrative review of the antidumping duty order on certain porcelain-on-steel (POS) cookware from Mexico (62 FR 4723). On March 3, 1997, and March 10, 1997, General Housewares Corp. (petitioner) and, Cinsa and ENASA submitted case and rebuttal briefs. The Department held a hearing on March 27, 1997. During June 23–27, 1997, the Department verified respondent's submissions concerning the issues of Cinsa's and ENASA's cross manufacturing capability, alleged duty reimbursement and frit purchases from affiliated suppliers. On July 18, 1997, the Department issued the verification report and requested comments from interested parties. The Department has now completed its administrative review in accordance with section 751 of the Tariff Act of 1930, as amended (the Act).

Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations, codified at 19 CFR part 353 (April 1996).

Scope of the Review

Imports covered by this review are shipments of porcelain-on-steel cookware, including tea kettles, which do not have self-contained electric heating elements. All of the foregoing are constructed of steel and are enameled or glazed with vitreous glasses. This merchandise is currently classifiable under *Harmonized Tariff Schedule of the United States* (HTSUS) subheading 7323.94.00. Kitchenware currently entering under HTSUS subheading 7323.94.00.30 is not subject to the order. Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this proceeding is dispositive.

Changes Since the Preliminary Results

We have made the following changes in these final results:

1. We reclassified ENASA's U.S. sales pursuant to a requirements contract as constructed export price (CEP) sales. *See* Comment 5 below.

2. We calculated a return freight figure for merchandise returned to Yamaka by its unrelated customer using adverse facts available. We are assuming that all unsold merchandise was returned to the warehouse in Laredo, Texas. *See* Comment 7 below.

3. We reclassified Cinsa's and ENASA's home market warehouse expenses as movement expenses and have deducted the reported amount on sales made from remote warehouses in Mexico City and Guadalajara. *See* Comment 8 below.

4. We deducted the reported indirect selling expenses from USP for CEP sales made by Cinsa International Corp. (CIC) for both Cinsa and ENASA. *See* Comment 9 below.

5. We have not deducted Cinsa's and ENASA's reported Mexican indirect selling expenses (*i.e.*, indirect selling expenses incurred in Mexico on U.S. sales) from the CEP calculation. *See* Comment 10 below.

6. We used the Federal Reserve Bank's actual daily exchange rates for currency conversion purposes. *See* Comment 12 below.

7. We increased the frit portion of direct materials costs for Cinsa and ENASA to reflect only the undocumented portion of costs savings attributable to volume discounts on purchases from an affiliated frit supplier.

8. Computer Programming Errors

A. We corrected an error in both the Cinsa and ENASA concordance programs that incorrectly limited the number of home market sales included in the concordance.

B. We corrected an error in both the Cinsa and ENASA concordance and margin programs that incorrectly matched sales within a 90/60 day window, since during periods of high inflation, we only use home market sales in the same month as the U.S. sale for comparison purposes.

C. We corrected an error in both the Cinsa and ENASA concordance programs that incorrectly rounded the averaged, indexed COP and CV.

D. We corrected errors in the margin program for ENASA that incorrectly omitted weighted average commissions and indirect selling expenses, causing an incorrect calculation of the commission offset.

E. We calculated an adjustment for CEP profit for both Cinsa and ENASA in the margin program.

F. We made adjustments for differences in packing expenses for both Cinsa and ENASA when comparing non-identical merchandise.

Interested Party Comments

Comment 1: Should Cinsa and ENASA be collapsed?

Petitioner argues that the Department should collapse the affiliated parties Cinsa and ENASA and treat them as a single entity for purposes of assigning a dumping margin. Petitioner notes that, in this review, the two companies are controlled by the same board of directors, the same individuals manage the two companies, and the companies' plants are situated adjacent to each