

MESSAGE NO: 0330301 MESSAGE DATE: 11/26/2010
MESSAGE STATUS: ACTIVE CATEGORY: ANTIDUMPING
TYPE: PRE-PRELIMINARY PUBLIC X NON-PUBLIC
SUB-TYPE:

FR CITE: 75 FR 69403 FR CITE DATE: 11/12/2010

REFERENCE MESSAGE#(S):

CASES#(S): A-570-967

EFFECTIVE DATE: 11/12/2010 COURT CASE #:

PERIOD OF REVIEW: 02/01/2008 TO 01/31/2009

PERIOD COVERED: 07/01/2009 TO 12/31/2009

LIFTING OF SUSPENSION DATE:

TO: { DIRECTORS OF FIELD OPERATIONS, PORT DIRECTORS }

FROM: { DIRECTOR AD/CVD & REVENUE POLICY & PROGRAMS }

RE: NOTICE OF PRELIMINARY DETERMINATION IN THE ANTIDUMPING DUTY
INVESTIGATION OF ALUMINIUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF
CHINA
(A-570-967)

1. ON NOVEMBER 12, 2010, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS
PRELIMINARY DETERMINATION OF SALES AT LESS THAN FAIR VALUE IN THE
ANTIDUMPING DUTY INVESTIGATION OF ALUMINUM EXTRUSIONS FROM THE
PEOPLE'S
REPUBLIC OF CHINA (75 FR 69403).

2. THE MERCHANDISE COVERED BY THIS INVESTIGATION IS ALUMINUM
EXTRUSIONS
WHICH ARE SHAPES AND FORMS, PRODUCED BY AN EXTRUSION PROCESS, MADE
FROM ALUMINUM ALLOYS HAVING METALLIC ELEMENTS CORRESPONDING TO THE
ALLOY SERIES DESIGNATIONS PUBLISHED BY THE ALUMINUM ASSOCIATION
COMMENCING WITH THE NUMBERS 1, 3, AND 6 (OR PROPRIETARY EQUIVALENTS OR
OTHER CERTIFYING BODY EQUIVALENTS). SPECIFICALLY, THE SUBJECT
MERCHANDISE
MADE FROM ALUMINUM ALLOY WITH AN ALUMINUM ASSOCIATION SERIES
DESIGNATION
COMMENCING WITH THE NUMBER 1 CONTAINS NOT LESS THAN 99 PERCENT
ALUMINUM
BY WEIGHT. THE SUBJECT MERCHANDISE MADE FROM ALUMINUM ALLOY WITH AN

ALUMINUM ASSOCIATION SERIES DESIGNATION COMMENCING WITH THE NUMBER 3 CONTAINS MANGANESE AS THE MAJOR ALLOYING ELEMENT, WITH MANGANESE ACCOUNTING FOR NOT MORE THAN 3.0 PERCENT OF TOTAL MATERIALS BY WEIGHT.

THE SUBJECT MERCHANDISE MADE FROM AN ALUMINUM ALLOY WITH AN ALUMINUM ASSOCIATION SERIES DESIGNATION COMMENCING WITH THE NUMBER 6 CONTAINS MAGNESIUM AND SILICON AS THE MAJOR ALLOYING ELEMENTS, WITH MAGNESIUM

ACCOUNTING FOR AT LEAST 0.1 PERCENT BUT NOT MORE THAN 2.0 PERCENT OF TOTAL MATERIALS BY WEIGHT, AND SILICON ACCOUNTING FOR AT LEAST 0.1 PERCENT

BUT NOT MORE THAN 3.0 PERCENT OF TOTAL MATERIALS BY WEIGHT. THE SUBJECT ALUMINUM EXTRUSIONS ARE PROPERLY IDENTIFIED BY A FOUR-DIGIT ALLOY SERIES

WITHOUT EITHER A DECIMAL POINT OR LEADING LETTER. ILLUSTRATIVE EXAMPLES

FROM AMONG THE APPROXIMATELY 160 REGISTERED ALLOYS THAT MAY CHARACTERIZE THE SUBJECT MERCHANDISE ARE AS FOLLOWS: 1350, 3003, AND 6060.

ALUMINUM EXTRUSIONS ARE PRODUCED AND IMPORTED IN A WIDE VARIETY OF SHAPES AND FORMS, INCLUDING, BUT NOT LIMITED TO, HOLLOW PROFILES, OTHER SOLID PROFILES, PIPES, TUBES, BARS, AND RODS. ALUMINUM EXTRUSIONS THAT ARE DRAWN SUBSEQUENT TO EXTRUSION ("DRAWN ALUMINUM") ARE ALSO INCLUDED IN THE SCOPE.

ALUMINUM EXTRUSIONS ARE PRODUCED AND IMPORTED WITH A VARIETY OF FINISHES (BOTH COATINGS AND SURFACE TREATMENTS), AND TYPES OF FABRICATION. THE TYPES OF COATINGS AND TREATMENTS APPLIED TO SUBJECT ALUMINUM EXTRUSIONS

INCLUDE, BUT ARE NOT LIMITED TO, EXTRUSIONS THAT ARE MILL FINISHED (I.E., WITHOUT ANY COATING OR FURTHER FINISHING), BRUSHED, BUFFED, POLISHED, ANODIZED (INCLUDING BRIGHT-DIP ANODIZED), LIQUID PAINTED, OR POWDER COATED.

ALUMINUM EXTRUSIONS MAY ALSO BE FABRICATED, I.E., PREPARED FOR ASSEMBLY.

SUCH OPERATIONS WOULD INCLUDE, BUT ARE NOT LIMITED TO, EXTRUSIONS THAT ARE CUT-TO-LENGTH, MACHINED, DRILLED, PUNCHED, NOTCHED, BENT, STRETCHED,

KNURLED, SWEDGED, MITERED, CHAMFERED, THREADED, AND SPUN. THE SUBJECT MERCHANDISE INCLUDES ALUMINUM EXTRUSIONS THAT ARE FINISHED (COATED, PAINTED, ETC.), FABRICATED, OR ANY COMBINATION THEREOF.

SUBJECT ALUMINUM EXTRUSIONS MAY BE DESCRIBED AT THE TIME OF IMPORTATION

AS PARTS FOR FINAL FINISHED PRODUCTS THAT ARE ASSEMBLED AFTER IMPORTATION, INCLUDING, BUT NOT LIMITED TO, WINDOW FRAMES, DOOR FRAMES, SOLAR PANELS, CURTAIN WALLS, OR FURNITURE. SUCH PARTS THAT OTHERWISE MEET THE DEFINITION OF ALUMINUM EXTRUSIONS ARE INCLUDED IN THE SCOPE. THE SCOPE INCLUDES ALUMINUM EXTRUSIONS THAT ARE ATTACHED (E.G., BY WELDING OR FASTENERS) TO FORM SUBASSEMBLIES, I.E., PARTIALLY ASSEMBLED MERCHANDISE.

SUBJECT EXTRUSIONS MAY BE IDENTIFIED WITH REFERENCE TO THEIR END USE, SUCH AS HEAT SINKS, DOOR THRESHOLDS, OR CARPET TRIM. SUCH GOODS ARE SUBJECT MERCHANDISE IF THEY OTHERWISE MEET THE SCOPE DEFINITION, REGARDLESS OF WHETHER THEY ARE FINISHED PRODUCTS AND READY FOR USE AT THE TIME OF IMPORTATION.

THE FOLLOWING ALUMINUM EXTRUSION PRODUCTS ARE EXCLUDED: ALUMINUM EXTRUSIONS MADE FROM ALUMINUM ALLOY WITH AN ALUMINUM ASSOCIATION SERIES DESIGNATIONS COMMENCING WITH THE NUMBER 2 AND CONTAINING IN EXCESS OF 1.5 PERCENT COPPER BY WEIGHT; ALUMINUM EXTRUSIONS MADE FROM ALUMINUM ALLOY WITH AN ALUMINUM ASSOCIATION SERIES DESIGNATION COMMENCING WITH THE NUMBER 5 AND CONTAINING IN EXCESS OF 1.0 PERCENT MAGNESIUM BY WEIGHT; AND ALUMINUM EXTRUSIONS MADE FROM ALUMINUM ALLOY WITH AN ALUMINUM ASSOCIATION SERIES DESIGNATION COMMENCING WITH THE NUMBER 7 AND CONTAINING IN EXCESS OF 2.0 PERCENT ZINC BY WEIGHT.

THE SCOPE ALSO EXCLUDES FINISHED MERCHANDISE CONTAINING ALUMINUM EXTRUSIONS AS PARTS THAT ARE FULLY AND PERMANENTLY ASSEMBLED AND COMPLETED AT THE TIME OF ENTRY, SUCH AS FINISHED WINDOWS WITH GLASS, DOORS, PICTURE FRAMES, AND SOLAR PANELS. THE SCOPE ALSO EXCLUDES FINISHED GOODS CONTAINING ALUMINUM EXTRUSIONS THAT ARE ENTERED UNASSEMBLED IN A "KIT." A KIT IS UNDERSTOOD TO MEAN A PACKAGED COMBINATION OF PARTS THAT CONTAINS, AT THE TIME OF IMPORTATION, ALL OF THE NECESSARY PARTS TO FULLY ASSEMBLE A FINAL FINISHED GOOD.

THE SCOPE ALSO EXCLUDES ALUMINUM ALLOY SHEET OR PLATES PRODUCED BY OTHER THAN THE EXTRUSION PROCESS, SUCH AS ALUMINUM PRODUCTS PRODUCED BY A METHOD OF CASTING. CAST ALUMINUM PRODUCTS ARE PROPERLY IDENTIFIED BY FOUR DIGITS WITH A DECIMAL POINT BETWEEN THE THIRD AND FOURTH DIGIT. A

LETTER MAY ALSO PRECEDE THE FOUR DIGITS. THE FOLLOWING ALUMINUM ASSOCIATION DESIGNATIONS ARE REPRESENTATIVE OF ALUMINUM ALLOYS FOR CASTING: 208.0, 295.0, 308.0, 355.0, C355.0, 356.0, A356.0, A357.0, 360.0, 366.0, 380.0, A380.0, 413.0, 443.0, 514.0, 518.1, AND 712.0. THE SCOPE ALSO EXCLUDES PURE, UNWROUGHT ALUMINUM IN ANY FORM.

THE SCOPE ALSO EXCLUDES COLLAPSIBLE TUBULAR CONTAINERS COMPOSED OF METALLIC ELEMENTS CORRESPONDING TO ALLOY CODE 1080A AS DESIGNATED BY THE ALUMINUM ASSOCIATION WHERE THE TUBULAR CONTAINER (EXCLUDING THE NOZZLE) MEETS EACH OF THE FOLLOWING DIMENSIONAL CHARACTERISTICS: (1) LENGTH OF 37 MM OR 62 MM, (2) OUTER DIAMETER OF 11.0 MM OR 12.7 MM, AND (3) WALL THICKNESS NOT EXCEEDING 0.13 MM.

IMPORTS OF THE SUBJECT MERCHANDISE ARE PROVIDED FOR UNDER THE FOLLOWING CATEGORIES OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTS"): 7604.21.0000, 7604.29.1000, 7604.29.3010, 7604.29.3050, 7604.29.5030, 7604.29.5060, 7608.20.0030, AND 7608.20.0090. THE SUBJECT MERCHANDISE ENTERED AS

PARTS OF OTHER ALUMINUM PRODUCTS MAY BE CLASSIFIABLE UNDER THE FOLLOWING ADDITIONAL CHAPTER 76 SUBHEADINGS: 7610.10, 7610.90, 7615.19, 7615.20, AND 7616.99 AS WELL AS UNDER OTHER HTS CHAPTERS. WHILE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE IN THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-570-967.

4. FOR IMPORTS OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA,

CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER NOVEMBER 12, 2010.

EFFECTIVE NOVEMBER 12, 2010, CBP SHALL REQUIRE, FOR ENTRIES OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA FROM THE EXPORTER/PRODUCER COMBINATIONS LISTED BELOW, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE ANTIDUMPING DUTY MARGINS SHOWN BELOW:

EXPORTER: GUANG YA ALUMINIUM INDUSTRIES CO., LTD./ FOSHAN GUANGCHENG ALUMINIUM CO., LTD./ KONG AH INTERNATIONAL COMPANY LIMITED/ GUANG YA ALUMINIUM INDUSTRIES (HONG KONG) LIMITED/ ZHAOQING NEW ZHONGYA ALUMINUM

CO., LTD./ ZHONGYA SHAPED ALUMINIUM (HK) HOLDING LIMITED/ KARLTON ALUMINUM

COMPANY LTD./ XINYA ALUMINUM & STAINLESS STEEL PRODUCT CO., LTD.

PRODUCER: GUANG YA ALUMINIUM INDUSTRIES CO., LTD./ FOSHAN GUANGCHENG ALUMINIUM CO., LTD./ KONG AH INTERNATIONAL COMPANY LIMITED/ GUANG YA