

MESSAGE NO: 1355307 MESSAGE DATE: 12/21/2011
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: SCO-Scope PUBLIC NON-PUBLIC
SUB-TYPE: INSCO-In Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 12/13/2011 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Scope determination on countervailing duty (CVD) order on aluminum extrusions from the People's Republic of China (PRC) (C-570-968)

1. ON 12/13/2011, IN RESPONSE TO A REQUEST BY AMERISTAR FENCE PRODUCTS (AMERISTAR), COMMERCE ISSUED A FINAL SCOPE DETERMINATION THAT THE ALUMINUM INDIVIDUAL FENCE PARTS, I.E., POSTS, RAILS, AND PICKETS, WHETHER PACKED IN BULK OR INDIVIDUALLY, THAT AMERISTAR IMPORTS ARE WITHIN THE SCOPE OF THE CVD ORDER ON ALUMINUM EXTRUSIONS FROM THE PRC (C-570-968).

2. THE DEPARTMENT FOUND THAT THE ALUMINUM INDIVIDUAL FENCE PARTS, I.E., FENCE POSTS, RAILS, AND PICKETS DESCRIBED IN AMERISTAR'S SCOPE INQUIRY ARE SUBJECT TO THE SCOPE OF THE ORDER BECAUSE THEY ARE MANUFACTURED FROM 6000 SERIES ALUMINUM ALLOY AND, AT THE TIME OF IMPORTATION, DO NOT CONSTITUTE A FINISHED PRODUCT.

IN ADDITION, THE DEPARTMENT FOUND THAT AMERISTAR'S ALUMINUM FENCE POSTS, RAILS, AND PICKETS, ALSO EXTRUDED FROM 6000 SERIES ALUMINUM ALLOY, WHETHER PACKED IN BULK OR INDIVIDUALLY, DO NOT FIT WITHIN THE FINISHED GOODS KIT EXCLUSION BECAUSE THEY DO NOT CONTAIN ALL OF THE PARTS NECESSARY TO FULLY ASSEMBLE A FINAL FINISHED PRODUCT. BECAUSE AMERISTAR'S ALUMINUM FENCE POSTS, RAILS, AND PICKETS MEET THE DESCRIPTION OF THE SUBJECT MERCHANDISE AND DO NOT MEET THE DEFINITION OF EXCLUDED FINISHED GOODS KITS, AS DEFINED BY THE PLAIN LANGUAGE OF THE SCOPE, THE DEPARTMENT HAS DETERMINED THAT THE ALUMINUM FENCE POSTS, RAILS AND PICKETS, WHETHER PACKED IN BULK OR INDIVIDUALLY, CONSTITUTE SUBJECT MERCHANDISE.

3. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF ALUMINUM EXTRUSIONS FROM PRC, INCLUDING THE BULK OR INDIVIDUALLY PACKED POSTS, RAILS, AND PICKETS IMPORTED BY AMERISTAR AS DESCRIBED ABOVE, SUBJECT TO THE CVD ORDER ON ALUMINUM EXTRUSIONS FROM THE PRC.

4. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE

IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O8:BDK).

5. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party