

MESSAGE NO: 1153306 MESSAGE DATE: 06/02/2011  
MESSAGE STATUS: Active CATEGORY: Countervailing  
TYPE: ORD-Order PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: 76 FR 30653 FR CITE DATE: 05/26/2011

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 05/26/2011 COURT CASE #:

PERIOD OF REVIEW: 01/01/2009 TO 12/31/2009

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: FINAL DETERMINATION AND COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA (C-570-968)

1. ON MAY 26, 2011, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS COUNTERVAILING DUTY ORDER ON ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA (76 FR 30653).

2. THE MERCHANDISE COVERED BY THIS ORDER 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 IS 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 THE ALUMINUM EXTRUSION COMPONENTS THAT ARE ATTACHED (E.G., BY WELDING OR FASTENERS) TO FORM SUBASSEMBLIES, I.E., PARTIALLY ASSEMBLED MERCHANDISE UNLESS IMPORTED AS PART OF THE FINISHED GOODS 'KIT' DEFINED FURTHER BELOW. THE SCOPE DOES NOT INCLUDE THE NON-ALUMINUM EXTRUSION COMPONENTS OF SUBASSEMBLIES OR SUBJECT KITS.

SUBJECT EXTRUSIONS MAY BE IDENTIFIED WITH REFERENCE TO THEIR END USE, SUCH AS FENCE POSTS, ELECTRICAL CONDUITS, DOOR THRESHOLDS, CARPET TRIM, OR

HEAT SINKS (THAT DO NOT MEET THE FINISHED HEAT SINK EXCLUSIONARY LANGUAGE BELOW). SUCH GOODS ARE SUBJECT MERCHANDISE IF THEY OTHERWISE MEET THE SCOPE DEFINITION, REGARDLESS OF WHETHER THEY ARE 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 WITH GLASS OR VINYL, PICTURE FRAMES WITH GLASS PANE AND BACKING MATERIAL, AND SOLAR PANELS.

THE SCOPE ALSO EXCLUDES FINISHED GOODS CONTAINING ALUMINUM EXTRUSIONS THAT ARE ENTERED UNASSEMBLED IN A "FINISHED GOODS KIT." A FINISHED GOODS 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 AND REQUIRES NO FURTHER FINISHING OR FABRICATION, SUCH AS CUTTING OR PUNCHING, AND IS ASSEMBLED 'AS IS' INTO A FINISHED PRODUCT. AN IMPORTED PRODUCT WILL NOT BE CONSIDERED A 'FINISHED GOODS KIT' AND THEREFORE EXCLUDED FROM THE SCOPE OF THE INVESTIGATION MERELY BY INCLUDING FASTENERS SUCH AS SCREWS, BOLTS, ETC. IN THE PACKAGING WITH AN ALUMINUM EXTRUSION PRODUCT.

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.

ALSO EXCLUDED FROM THE SCOPE OF THIS ORDER ARE FINISHED HEAT SINKS. FINISHED HEAT SINKS ARE FABRICATED HEAT SINKS MADE FROM ALUMINUM EXTRUSIONS THE DESIGN AND PRODUCTION OF WHICH ARE ORGANIZED AROUND MEETING CERTAIN SPECIFIED THERMAL PERFORMANCE REQUIREMENTS AND WHICH HAVE BEEN FULLY, ALBEIT NOT NECESSARILY INDIVIDUALLY, TESTED TO COMPLY WITH SUCH REQUIREMENTS.

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. IN ADDITION, FIN EVAPORATOR COILS MAY BE CLASSIFIABLE UNDER HTS NUMBERS: 8418.99.80.50 AND 8418.99.80.60. WHILE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THE ORDER IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-570-968.

4. FOR IMPORTS OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA, CBP SHALL RESUME SUSPENSION OF LIQUIDATION OF ENTRIES OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 05/19/2011. ALSO, EFFECTIVE 05/19/2011, CBP SHALL REQUIRE A CASH DEPOSIT EQUAL TO THE SUBSIDY RATES IN EFFECT AT THE TIME OF ENTRY.

AS OF 05/26/2011, CBP SHALL COLLECT A CASH DEPOSIT AT THE SUBSIDY RATES INDICATED BELOW.

ALL OTHER COMPANIES

CASE NUMBER: C-570-968-000

SUBSIDY RATE: 374.15 PERCENT

GUANG YA ALUMINUM INDUSTRIES CO. LTD. (SEE NOTES)

CASE NUMBER: C-570-968-001

SUBSIDY RATE: 9.94 PERCENT

ZHAOQING NEW ZHONGYA ALUMINUM CO., LTD., (NEW ZHONGYA)

CASE NUMBER: C-570-968-002

SUBSIDY RATE: 8.02 PERCENT

DRAGONLUXE LIMITED

CASE NUMBER: C-570-968-003

SUBSIDY RATE: 374.15 PERCENT

MILAND LUCK LIMITED

CASE NUMBER: C-570-968-004

SUBSIDY RATE: 374.15 PERCENT

LIAOYANG ZHONGWANG ALUMINUM PROFILE CO. LTD. /LIAONING ZHONGWANG GROUP

CASE NUMBER: C-570-968-005

SUBSIDY RATE: 374.15 PERCENT

5. 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 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 O3:JSC).

6. 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

Case #	Rate	Party Indicator*	Party ID	Party Name
C-570-968-000	374.15%	M		ALL OTHER COMPANIES
C-570-968-001	9.94%	M		GUANG YA ALUMINUM INDUSTRIES CO. LTD. (SEE NOTES)
C-570-968-002	8.02%	M		ZHAOQING NEW ZHONGYA ALUMINUM CO., LTD. (NEW ZHONGYA)
C-570-968-003	374.15%	M		DRAGONLUXE LIMITED
C-570-968-004	374.15%	M		MILAND LUCK LIMITED
C-570-968-005	374.15%	M		LIAOYANG ZHONGWANG ALUMINUM PROFILE CO., LTD./LIAONING ZHONGWANG GROUP