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SUB-TYPE:

FR CITE: 75 FR 54302 FR CITE DATE: 09/07/2010

REFERENCE  
MESSAGE #  
(s):

CASE #(s): C-570-968

EFFECTIVE DATE: 01/06/2011 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: TERMINATION OF SUSPENSION OF LIQUIDATION IN THE COUNTERVAILING DUTY INVESTIGATION OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA (C-570-968)

1. IN KEEPING WITH THE WORLD TRADE ORGANIZATION AGREEMENT ON SUBSIDIES AND COUNTERVAILING MEASURES, THE DEPARTMENT IS DISCONTINUING THE SUSPENSION OF LIQUIDATION ON THE COUNTERVAILING DUTY INVESTIGATION OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA EFFECTIVE JANUARY 6, 2011, WHICH IS 120 DAYS AFTER THE DATE OF PUBLICATION OF THE PRELIMINARY DETERMINATION. (75 FR 54302, 09/07/2010)

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.

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 C-570-968.

4. FIELD OFFICES SHOULD DISCONTINUE SUSPENSION OF LIQUIDATION FOR COUNTERVAILING DUTY PURPOSES ON ALL SHIPMENTS OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER JANUARY 6, 2011. THE SUSPENSION OF LIQUIDATION WILL NOT BE RESUMED UNLESS AND UNTIL THE FINAL AFFIRMATIVE DETERMINATION ON THIS CASE IS PUBLISHED IN THE FEDERAL REGISTER BY THE ITC. FIELD OFFICERS SHALL CONTINUE TO SUSPEND LIQUIDATION ON ALL SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION MADE DURING THE PERIOD SEPTEMBER 7, 2010 THROUGH JANUARY 5, 2011 UNTIL THE CONCLUSION OF THIS COUNTERVAILING DUTY INVESTIGATION.

5. THE DISCONTINUATION DOES NOT AFFECT THE REQUIREMENTS OF A CASH DEPOSIT OR BOND ON ENTRIES SUBJECT TO THE SUSPENSION OF LIQUIDATION ANNOUNCED IN COMMERCE'S PRELIMINARY DETERMINATION IN THE COMPANION ANTIDUMPING DUTY INVESTIGATION OF ALUMINUM EXTRUSIONS FROM THE PEOPLE'S REPUBLIC OF CHINA.

6. 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 O3:RC).

7. 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