

E. Scope of the Investigation and a Detailed Description of the Subject Merchandise (19 C.F.R. § 351.202(b)(5))

1. Scope of Investigation

The physical characteristics of the covered products, which define the scope, are as follows:

The merchandise subject to this investigation is aluminum extrusions, regardless of form, finishing, or fabrication, whether assembled with other parts or unassembled, whether coated, painted, anodized, or thermally improved. Aluminum extrusions 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, subject aluminum extrusions made from an aluminum alloy with an Aluminum Association series designation commencing with the number 1 contain not less than 99 percent aluminum by weight. Subject aluminum extrusions made from an aluminum alloy with an Aluminum Association series designation commencing with the number 3 contain manganese as the major alloying element, with manganese accounting for not more than 3.0 percent of total materials by weight. Subject aluminum extrusions made from an aluminum alloy with an Aluminum Association series designation commencing with the number 6 contain 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 scope also includes merchandise made from an aluminum alloy with an Aluminum Association series designation commencing with the number 5 (or proprietary equivalents or other certifying body equivalents) that have a magnesium content accounting for up to but not more than 2.0 percent of total materials by weight.

The country of origin of the aluminum extrusion is determined by where the metal is extruded (*i.e.*, pressed through a die).

While the Coalition was not the petitioner in the “*China P*” aluminum extrusions cases and is not involved in any ongoing reviews or appeals of such cases, certain member companies of the Coalition are also member companies of the *China I* petitioning coalition.

As discussed in the section of this petition pertaining to scope, aluminum extrusions already covered by the *China I* aluminum extrusions cases are excluded from the scope of this petition as it relates to China. In other words, only aluminum extrusions products not covered by the *China I* orders are covered by the instant petitions on China.

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.

Subject aluminum extrusions are produced and imported with a variety of coatings and surface treatments, and types of fabrication. The types of coatings and treatments applied to 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 brightdip), liquid painted, electroplated, chromate converted, powder coated, sublimated, wrapped, and/or bead blasted. Subject aluminum extrusions may also be fabricated, *i.e.*, prepared for assembly, or thermally improved. Such operations would include, but are not limited to, extrusions that are cut-to-length, machined, drilled, punched, notched, bent, stretched, stretch-formed, hydroformed, knurled, swedged, mitered, chamfered, threaded, and spun. Performing such operations in third countries does not otherwise remove the merchandise from the scope of the investigation.

The types of products that meet the definition of subject merchandise include but are not limited to, vehicle roof rails and sun/moon roof framing, solar panel racking rails and framing, tradeshow display fixtures and framing, parts for tents or clear span structures, fence posts, drapery rails or rods, electrical conduits, door thresholds, flooring trim, electric vehicle battery trays, heat sinks, signage or advertising poles, picture frames, telescoping poles, or cleaning system components. Heat sinks are included in the scope, regardless of whether the design and production of the heat sinks are organized around meeting specified thermal performance requirements and regardless of whether they have been tested to comply with such requirements.

Merchandise that is comprised solely of aluminum extrusions or aluminum extrusions and fasteners, whether assembled at the time of importation or unassembled, is covered by the scope in its entirety.

The scope also covers aluminum extrusions that are imported with non-extruded aluminum components beyond fasteners, whether assembled at the time of importation or unassembled, that are designed to be a part or subassembly of a larger product or system. Only the aluminum extrusion portion of the merchandise described in this paragraph, whether assembled or unassembled, is subject to duties. Examples of merchandise that is designed to be a part or subassembly of a larger product or system include, but are not limited to, window parts or subassemblies; door unit parts or subassemblies; shower and bath system parts or subassemblies; solar panel mounting systems; fenestration system parts or subassemblies, such as curtain wall and window wall units and parts or subassemblies of storefronts; furniture parts or subassemblies; appliance parts or subassemblies, such as fin evaporator coils and systems for refrigerators; railing

or deck system parts or subassemblies; fence system parts or subassemblies; motor vehicle parts or subassemblies, such as bumpers for motor vehicles; trailer parts or subassemblies, such as side walls, flooring, and roofings; electric vehicle charging station parts or subassemblies; or signage or advertising system parts or subassemblies.

The scope excludes assembled merchandise containing non-extruded aluminum components beyond fasteners that is not a part or subassembly of a larger product or system and that is used as imported, without undergoing after importation any processing, fabrication, finishing, or assembly or the addition of parts or material, regardless of whether the additional parts or material are interchangeable. Examples of such excluded assembled merchandise include windows with glass, door units with door panel and glass, motor vehicles, trailers, furniture, appliances, and solar panels.

The scope also includes aluminum extrusions that have been further processed in a third country, including, but not limited to, the finishing and fabrication processes described above, assembly, whether with other aluminum extrusion components or with non-aluminum extrusion components, or any other processing that would not otherwise remove the merchandise from the scope if performed in the country of manufacture of the in-scope product. Third-country processing; finishing; and/or fabrication, including those processes described in the scope, does not alter the country of origin of the subject aluminum extrusions.

The following aluminum extrusion products are excluded: aluminum extrusions made from an aluminum alloy with an Aluminum Association series designations commencing with the number 2 (or proprietary equivalents or other certifying body equivalents) and containing in excess of 1.5 percent copper by weight; aluminum extrusions made from an aluminum alloy with an Aluminum Association series designation commencing with the number 5 (or proprietary equivalents or other certifying body equivalents) and containing in excess of 2.0 percent magnesium by weight; and aluminum extrusions made from an aluminum alloy with an Aluminum Association series designation commencing with the number 7 (or proprietary equivalents or other certifying body equivalents) and containing in excess of 2.0 percent zinc by weight.

The scope also excludes aluminum alloy sheet or plates produced by means other than the extrusion process, such as aluminum products produced by a method of continuous casting or rolling. Cast aluminum products are also excluded. The scope also excludes 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 millimeters (“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 these investigations is certain rectangular wire, imported in bulk rolls or precut strips and produced from continuously cast rolled aluminum wire rod, which is subsequently extruded to dimension to form rectangular wire with or without rounded edges. The product is made from aluminum alloy grade 1070 or 1370, with no recycled metal content allowed. The dimensions of the wire are 2.95 mm to 6.05 mm in width, and 0.65 mm to 1.25 mm in thickness. Imports of rectangular wire are provided for under HTSUS categories 7605.19.0000, 7604.29.1090, or 7616.99.5190.

Also excluded from the scope of these investigations are all products covered by the scope of the antidumping and countervailing duty orders on *Aluminum Extrusions from the People's Republic of China*. See *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30,650 (May 26, 2011); *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30,653 (May 26, 2011).

Imports of the subject merchandise are primarily provided for under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS): 7604.10.1000; 7604.10.3000; 7604.10.5000; 7604.21.0010; 7604.21.0090; 7604.29.1010; 7604.29.1090; 7604.29.3060; 7604.29.3090; 7604.29.5050; 7604.29.5090; 7608.10.0030; 7608.10.0090; 7608.20.0030; 7608.20.0090; 7609.00.0000; 7610.10.0010; 7610.10.0020; 7610.10.0030; 7610.90.0040; and 7610.90.0080.

Imports of the subject merchandise, including subject merchandise entered as parts of other products, may also be classifiable under the following additional HTSUS categories, as well as other HTSUS categories: 6603.90.8100; 7606.12.3091; 7606.12.3096; 7615.10.2015; 7615.10.2025; 7615.10.3015; 7615.10.3025; 7615.10.5020; 7615.10.5040; 7615.10.7125; 7615.10.7130; 7615.10.7155; 7615.10.7180; 7615.10.9100; 7615.20.0000; 7616.10.9090; 7616.99.1000; 7616.99.5130; 7616.99.5140; 7616.99.5190; 8302.10.3000; 8302.10.6030; 8302.10.6060; 8302.10.6090; 8302.20.0000; 8302.30.3010; 8302.30.3060; 8302.41.3000; 8302.41.6015; 8302.41.6045; 8302.41.6050; 8302.41.6080; 8302.42.3010; 8302.42.3015; 8302.42.3065; 8302.49.6035; 8302.49.6045; 8302.49.6055; 8302.49.6085; 8302.50.0000; 8302.60.9000; 8305.10.0050; 8306.30.0000; 8414.59.6590; 8415.90.8045; 8418.99.8005; 8418.99.8050; 8418.99.8060; 8419.50.5000; 8419.90.1000; 8422.90.0640; 8424.90.9080; 8473.30.2000; 8473.30.5100; 8479.89.9599; 8479.90.8500; 8479.90.9596; 8481.90.9060; 8481.90.9085; 8486.90.0000; 8487.90.0080; 8503.00.9520; 8508.70.0000; 8513.90.2000; 8515.90.2000; 8516.90.5000; 8516.90.8050; 8517.71.0000; 8517.79.0000; 8529.90.7300; 8529.90.9760; 8536.90.8585; 8538.10.0000; 8541.90.0000; 8543.90.8885; 8708.10.3050;

8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9013.90.7000;
 9013.90.8000; 9031.90.9195; 9401.99.9081; 9403.10.0040; 9403.20.0086;
 9403.91.0005; 9403.91.0010; 9403.91.0080; 9403.99.1040; 9403.99.1050;
 9403.99.1085; 9403.99.2040; 9403.99.2080; 9403.99.3005; 9403.99.3010;
 9403.99.3080; 9403.99.4004; 9403.99.4010; 9403.99.4080; 9403.99.5005;
 9403.99.5010; 9403.99.5080; 9403.99.9010; 9403.99.9015; 9403.99.9020;
 9403.99.9040; 9403.99.9045; 9403.99.9051; 9403.99.9061; 9405.99.4020;
 9506.11.4080; 9506.51.4000; 9506.51.6000; 9506.59.4040; 9506.70.2090;
 9506.91.0010; 9506.91.0020; 9506.91.0030; 9506.99.0510; 9506.99.0520;
 9506.99.0530; 9506.99.1500; 9506.99.2000; 9506.99.2580; 9506.99.2800;
 9506.99.5500; 9506.99.6080; 9507.30.2000; 9507.30.4000; 9507.30.6000;
 9507.30.8000; 9507.90.6000; and 9603.90.8050.

While HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope is dispositive.

Petitioners intend that any product specifically mentioned as an example of subject merchandise is covered by the scope and does not fall within any scope exclusion herein.

2. Technical Characteristics and Uses

The merchandise subject to these investigations consists of aluminum shapes and forms produced via an extrusion process. Aluminum extrusions are produced and imported in a wide variety of shapes and forms, including but not limited to hollow profiles, solid profiles, pipes, tubes, bars and rods. Aluminum extrusions may also be subsequently drawn, and they may be subjected to one or more finishing or fabrication processes.¹⁹

For example, aluminum extrusions may be thermally improved, as noted in the scope, which is intended to interrupt the conductive flow of heat or cold through the aluminum. There are at least two ways to thermally improve extruded aluminum products. First, an extruder can extrude a “channel” into the extrusion. After finishing, the channel is filled with an epoxy resin, which hardens quickly, and “de-bridged” by cutting through the back of the channel. The now

¹⁹ See, e.g., *Certain Aluminum Extrusions from China*, Inv. Nos. 701-TA-475 and 731-TA-1477, USITC Pub. 4677 (Mar. 2017) (Review) at I-20 – I-21 (“USITC Pub. 4677”).

de-bridged aluminum section remains held together as one unit by the epoxy resin, and the aluminum's thermal conductivity is broken by the interruption of the epoxy joint. Further fabrication and assembly can continue since the section remains as it was when initially extruded, save for the thermal barrier. Second, an extruder can extrude two different aluminum components and join them together, normally by pressing or rolling a pultruded section of fiberglass or non-heat conductive polymer shape into extruded grooves on each of the aluminum components. The resulting extrusion, now comprised of three different pieces, is permanently held together, and can be further fabricated.

Photographs and diagrams of some of the aluminum extrusions covered by these Petitions can be found in **Exhibit I-5**.

Aluminum extrusions have an extremely wide variety of applications. Major end-use applications for aluminum extrusions include but are not limited to building and construction (*e.g.*, windows, doors railings, curtain walls, window walls, highway and bridge construction, framing members, other various structures); transportation (*e.g.*, automotive, rail and other mass transit vehicles, including electric vehicles, recreational vehicles, aircraft, aerospace, marine); renewable energy products (*e.g.*, solar module frames and structural fasteners for solar installations); and engineered product applications (*e.g.*, air conditioners, appliances, furniture, lighting, sports equipment, personal watercraft, electrical power units, food displays, refrigeration, medical equipment, display structures, and laboratory equipment).²⁰

In particular, the scope of these petitions covers products that Petitioners believe were improperly excluded from the scope of the existing antidumping / countervailing duty order on Aluminum Extrusions from China. Such products that are subject merchandise or contain

²⁰ See, *e.g.*, *id.* at 35-36.

subject merchandise include, but are not limited to: cleaning system components and kits; banner stands/back wall kits; fabric wall system kits; drapery rail kits; side mount valve control kits; water heater anodes; solar panel mounting system kits; 5050 alloy rails for showers and carpets; auto heating and cooling system; assembled motor cases with stators; louver assemblies; event décor kits; window wall units; trade booth kits; scaffolding planks; fan blade assemblies; storm door kits; screen printing frames; micro channel heat exchangers; telescoping poles; motorized arm set kits for awnings; pool poles, skimmers, & rakes; screen and storm door grilles; event tent frame; pole handles; foreline hose assembly and kits; spreader poles; telescoping wash poles; lateral arm assemblies for awning systems; electronic enclosure kits; portal sets kits; barn door hardware kits; air duct registers; pocket door frame kits; glass refrigerator shelves; collapsible shelter frames and kits; folding door kits; and aluminum pair ramps.

3. Production Methodology

The manufacturing process for aluminum extrusions consists of several phases. In many facilities, the production process for aluminum extrusions begins with semi-finished alloy aluminum billets as the input raw material. To produce the billets, unalloyed aluminum ingots are placed into a charging furnace (electricity or natural gas fired) along with aluminum scrap and a number of metallic alloys such as silicon, copper, magnesium, manganese, iron, zinc, and titanium – depending on the desired grade and chemistry. The heat of the furnace melts the metals and the furnace helps blend the metals into a consistent chemistry before the furnace is “tapped” and the molten aluminum is allowed to flow into troughs that are typically round in shape and where the molten aluminum cools into a solid form. This process yields a

semifinished alloyed aluminum billet.²¹ These billets are either produced in the extruders' vertically integrated cast houses or at independent cast houses.

In the extrusion phase, an alloyed aluminum billet is heated in a heating furnace (typically, a natural gas or electric furnace) to allow the billet to become malleable and formable. A thin film of lubricant is applied to the heated billet. The heated billet is then loaded into an extrusion press and hydraulically rammed through an extrusion die, which has been cut in the shape of the profile of the finished extrusion. Materials such as liquid nitrogen flow around the die to cool it. This process protects the die, assists in extending its useful life, and inhibits the formation of oxides on the surface of the extruded shape.

The process of ramming the billet through the die causes the extruded aluminum to acquire the same cross section and shape as the die. Depending on the alloy, the extrusion is cooled after emerging from the die, either naturally or through the use of air or water quenches, and transferred to a cooling table. The end of the billet typically is not extruded, as it contains oxides from the billet's surface, and it is instead removed as scrap. Extrusions are typically permitted to be stretched to ensure straightness and may be "age-hardened" (naturally or artificially) to allow the aluminum alloy to harden. At pre-determined lengths, the extruded aluminum is cut using cutting saws. The cut and extruded product is in a "mill finish" condition at conclusion of this phase.

The scope of these Petitions also includes aluminum extrusions that are drawn subsequent to extrusion. For drawn extrusions, a cooled extruded hollow shape is drawn over a mandrel, which allows for the production of aluminum extrusion tubing meeting very precise specifications.

²¹ As noted above, not all extruders have a cast house. Some extruders directly purchase billets on the open market from entities with a cast house.

Mill finish aluminum extrusions may be prepared for packaging and distribution to a mill's customers. Alternatively, mill finish aluminum extrusions may undergo any number of finishing or processing applications, including surface coating or treatments (*e.g.*, painting, anodizing, sanding, acid-etching, nickel finishing, etc.). For example, aluminum extrusions may undergo mechanical finishing processes such as burnishing or buffing, which will establish a mirror-like finish, or blasting or scoring, which will establish a rougher texture. Aluminum extrusions may also be anodized, which typically involves alkaline and acid cleaning, etching, and deoxidize and de-smut steps, before the extrusion is immersed in an electrolyte solution through which an electric current is passed. Aluminum extrusions can undergo bright-dip finishing, which involves polishing and submerging in a heated acid bath, creating a bright finish. Aluminum extrusions are also often painted, either with sprayed liquid paint or electrostatically applied powder coatings.

Aluminum extrusions also may undergo fabrication and/or assembly operations such as machining, punching, drilling, notching, beveling, stretching and/or bending, and they may be supplemented with hardware (*e.g.*, screws) or other components, including non-aluminum components. Such operations are often performed by extruders producing fabricated extrusions covered by the scope of these petitions, such as, *e.g.*, bumpers, appliance handles, banner stands or door thresholds. Different types of machinery and equipment are utilized for the various fabrication processes. Once all fabrication operations have been completed, these aluminum extrusions will be prepared for packaging and distribution to a mill's customers.

4. Tariff Classification

Imports of subject merchandise are classified under Harmonized Tariff Schedule of the United States ("HTSUS") statistical numbers 7604.10.1000; 7604.10.3000; 7604.10.5000;

7604.21.0010; 7604.21.0090; 7604.29.1010; 7604.29.1090; 7604.29.3060; 7604.29.3090;
7604.29.5050; 7604.29.5090; 7608.10.0030; 7608.10.0090; 7608.20.0030; 7608.20.0090;
7609.00.0000; 7610.10.0010; 7610.10.0020; 7610.10.0030; 7610.90.0040; and 7610.90.0080.

The subject merchandise, including subject merchandise entered as parts of other aluminum products, may be classifiable under the following additional subheadings: 6603.90.8100;
7606.12.3091; 7606.12.3096; 7615.10.2015; 7615.10.2025; 7615.10.3015; 7615.10.3025;
7615.10.5020; 7615.10.5040; 7615.10.7125; 7615.10.7130; 7615.10.7155; 7615.10.7180;
7615.10.9100; 7615.20.0000; 7616.10.9090; 7616.99.1000; 7616.99.5130; 7616.99.5190;
8302.10.3000; 8302.10.6030; 8302.10.6060; 8302.10.6090; 8302.20.0000; 8302.30.3010;
8302.30.3060; 8302.41.3000; 8302.41.6015; 8302.41.6045; 8302.41.6050; 8302.41.6080;
8302.42.3010; 8302.42.3015; 8302.42.3065; 8302.49.6035; 8302.49.6045; 8302.49.6055;
8302.49.6085; 8302.50.0000; 8302.60.9000; 8305.10.0050; 8306.30.0000; 8414.59.6590;
8415.90.8045; 8418.99.8005; 8418.99.8050; 8418.99.8060; 8419.90.1000; 8422.90.0640;
8424.90.9080; 8473.30.2000; 8473.30.5100; 8479.89.9599; 8479.90.8500; 8479.90.9596;
8481.90.9060; 8481.90.9085; 8486.90.0000; 8487.90.0080; 8503.00.9520; 8508.70.0000;
8513.90.2000; 8515.90.2000; 8516.90.5000; 8516.90.8050; 8517.71.0000; 8517.79.0000;
8529.90.7300; 8529.90.9760; 8536.90.8585; 8538.10.0000; 8541.90.0000; 8543.90.8885;
8708.10.3050; 8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9013.90.7000;
9013.90.8000; 9031.90.9195; 9401.99.9081; 9403.10.0040; 9403.20.0086; 9403.91.0005;
9403.91.0010; 9403.91.0080; 9403.99.1040; 9403.99.1050; 9403.99.1085; 9403.99.2040;
9403.99.2080; 9403.99.3005; 9403.99.3010; 9403.99.3080; 9403.99.4004; 9403.99.4010;
9403.99.4080; 9403.99.5005; 9403.99.5010; 9403.99.5080; 9403.99.9010; 9403.99.9015;
9403.99.9020; 9403.99.9040; 9403.99.9045; 9403.99.9051; 9403.99.9061; 9405.99.4020;

9506.11.4080; 9506.51.4000; 9506.51.6000; 9506.59.4040; 9506.70.2090; 9506.91.0010;
9506.91.0020; 9506.91.0030; 9506.99.0510; 9506.99.0520; 9506.99.0530; 9506.99.1500;
9506.99.2000; 9506.99.2580; 9506.99.2800; 9506.99.5500; 9506.99.6080; 9507.30.2000;
9507.30.4000; 9507.30.6000; 9507.30.8000; 9507.90.6000; and 9603.90.8050.

The most-favored nation duty rate for imports under each of these HTS numbers is listed in the excerpts from the current HTS, which are attached as **Exhibit I-6**. The tariff numbers are provided for the convenience of the U.S. government and do not define the scope of the petition. The written description of the merchandise under investigation is dispositive.