

**Sayı:** 17812098-TİM.AKİB.GSK.SAN.2023/569-5185

Mersin, 01/11/2023

**Konu:** ABD / Alüminyum Ekstrüzyon Anti-Damping ve Telif Edici Vergi Soruşturmaları

**Sayın Üyemiz,**

Ticaret Bakanlığı İthalat Genel Müdürlüğünden alınan bir yazıda, Amerika Birleşik Devletleri'nde (ABD) yerli üreticiler tarafından ülkemizin yanı sıra Kolombiya, Dominik Cumhuriyeti, Ekvator, Hindistan, Endonezya, İtalya, Malezya, Meksika, Çin Halk Cumhuriyeti (ÇHC), Güney Kore, Tayvan, Tayland, Birleşik Arap Emirlikleri ve Vietnam menşeli, **alüminyum ekstrüzyon ürünleri (Aluminum Extrusions)** ithalatına karşı anti-damping ve yine ülkemizin yanı sıra ÇHC, Meksika ve Endonezya menşeli söz konusu ürünlerin ithalatına karşı telif edici vergi soruşturması açılması için ABD Ticaret Bakanlığı (DoC) ve ABD Uluslararası Ticaret Komisyonu'na (USITC) başvuruda bulunmuş olduğu ve USITC tarafından zarara ilişkin bir ön soruşturma başlatıldığı hatırlatılmaktadır.

Bu çerçevede, DoC Uluslararası Ticaret İdaresince (ITA) tarafından anti-damping ve telif edici vergi soruşturmasının açıldığı, Ek'te (Ek-1 ve Ek-2) yer verilmiş olan konuya ilişkin bildirimlere <https://www.govinfo.gov/content/pkg/FR-2023-10-31/pdf/2023-23961.pdf> ve <https://www.govinfo.gov/content/pkg/FR-2023-10-31/pdf/2023-23962.pdf> bağlantılarından erişim sağlanabileceği belirtilmektedir.

ITA tarafınca ihracatçı firma sayısının fazla olması durumunda soruşturma kapsamında yer alacak firmaları seçme yoluna gidebileceği, söz konusu seçme işleminin, Ek'te (Ek-3 ve Ek-4) yer verilmiş olan, 7 Kasım 2023 tarihine kadar cevaplanması gereken ve firmalara e-posta yoluyla iletilmiş olan miktar ve değer soru formu (Quantity and Value Questionnaire) aracılığıyla gerçekleştireceği ifade edilmektedir.

E-posta yoluyla anılan soru formu taraflarına iletilmemiş olan firmaların, <https://www.trade.gov/ec-adcvd-case-announcements> adresinden ilgili soru formuna erişim sağlayabileceği, cevaplarını ABD Ticaret Departmanı Çevrimiçi Belge Portalı (ACCESS) üzerinden gönderebileceği bildirilmektedir.

ITA tarafından mezkûr telif edici vergi soruşturması kapsamında firmalarımıza gönderilecek soru formunun yanı sıra Bakanlığımıza da verilen sübvansiyonlar hakkında bilgi talep edilen bir hükümet soru formu gönderileceği, soruşturma süresince firmalarımız ve Bakanlığımız arasında koordineli olarak çalışılmasının büyük önem arz ettiği belirtilmektedir.

Diğer taraftan, firmalarımızın Türkiye İhracatçılar Meclisi tarafından düzenlenen "Ticaret Politikası Önlemleri Soruşturmaları ve Genelleştirilmiş Tercihler Sistemi Uygulamaları Kapsamında Firmalarca Alınacak Avukatlık ve/veya Danışmanlık Hizmeti Harcamalarının Desteklenmesine İlişkin Uygulama Usul ve Esasları"nın incelemesinde fayda mütalaa edilmektedir.

Bilgilerini rica ederim.

**Dr. Osman ERŞAHAN**  
**Genel Sekreter V.**

**Ek:**

- 1- ITA Telif Edici Vergi Soruşturması Açılış Bildirimi
- 2- ITA Anti-Damping Soruşturması Açılış Bildirimi
- 3- Miktar ve Değer Soru Formu - TEV
- 4- Miktar ve Değer Soru Formu - AD

Certain Steel Wheels from China (A-570-082/C-570-083); steel truck wheels manufactured in Thailand;<sup>5</sup> produced in and exported from Thailand; submitted by Asia Wheel Co., Ltd. (Asia Wheel); September 15, 2023; ACCESS scope segment "Asia Wheel II."

Xanthan Gum from China (A-570-985); GPI Xantech DF40 and GPI Xantech DF40-D;<sup>6</sup> produced in and exported from Canada; submitted by Gum Products International, Inc.; September 19, 2023; ACCESS scope segment "GPI Oilfield Lubricants."

Xanthan Gum from China (A-570-985); GPI PureXan 80AN, GPI PureXan 200AN, and GPI Quickxan;<sup>7</sup> produced in and exported from Canada; submitted by Gum Products International, Inc.; September 19, 2023; ACCESS scope segment "GPI Food Ingredients."

#### Notification to Interested Parties

This list of scope ruling applications is not an identification of scope inquiries that have been initiated. In accordance with 19 CFR 351.225(d)(1), if Commerce has not rejected a scope ruling application nor initiated the scope inquiry within 30 days after the filing of the application, the application will be deemed accepted and a scope inquiry will be deemed initiated the following day—day 31.<sup>8</sup> Commerce's practice generally dictates that where a deadline falls on a weekend, Federal holiday, or other non-business day, the appropriate deadline is the next business day.<sup>9</sup> Accordingly, if the 30th day after the filing of the application falls on a non-business day, the next business day will be considered the

<sup>5</sup> The products are steel truck wheels that are produced as follows: (1) using rims manufactured in Thailand using rectangular steel plates from China or a third country; and (2) using discs manufactured in Thailand using circular steel plates from China or a third country. Asia Wheel welds the Thailand-produced rims and discs to assemble steel truck wheels.

<sup>6</sup> The products are GPI Xantech DF40 and GPI Xantech DF40-D, which are dry powders used as equipment lubricants in the oil and gas drilling industries.

<sup>7</sup> The products are food ingredients. PureXan80AN and 200AN impart a creamy consistency to food products. Quickxan 70 is used as a thickening and stabilizing agent in food preparations.

<sup>8</sup> In accordance with 19 CFR 351.225(d)(2), within 30 days after the filing of a scope ruling application, if Commerce determines that it intends to address the scope issue raised in the application in another segment of the proceeding (such as a circumvention inquiry under 19 CFR 351.226 or a covered merchandise inquiry under 19 CFR 351.227), it will notify the applicant that it will not initiate a scope inquiry, but will instead determine if the product is covered by the scope at issue in that alternative segment.

<sup>9</sup> See *Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

"updated" 30th day, and if the application is not rejected or a scope inquiry initiated by or on that particular business day, the application will be deemed accepted and a scope inquiry will be deemed initiated on the next business day which follows the "updated" 30th day.<sup>10</sup>

In accordance with 19 CFR 351.225(m)(2), if there are companion AD and CVD orders covering the same merchandise from the same country of origin, the scope inquiry will be conducted on the record of the AD proceeding. Further, please note that pursuant to 19 CFR 351.225(m)(1), Commerce may either apply a scope ruling to all products from the same country with the same relevant physical characteristics, (including chemical, dimensional, and technical characteristics) as the product at issue, on a country-wide basis, regardless of the producer, exporter, or importer of those products, or on a company-specific basis.

For further information on procedures for filing information with Commerce through ACCESS and participating in scope inquiries, please refer to the Filing Instructions section of the Scope Ruling Application Guide, at [https://access.trade.gov/help/Scope\\_Ruling\\_Guidance.pdf](https://access.trade.gov/help/Scope_Ruling_Guidance.pdf). Interested parties, apart from the scope ruling applicant, who wish to participate in a scope inquiry and be added to the public service list for that segment of the proceeding must file an entry of appearance in accordance with 19 CFR 351.103(d)(1) and 19 CFR 351.225(n)(4). Interested parties are advised to refer to the case segment in ACCESS as well as 19 CFR 351.225(f) for further information on the scope inquiry procedures, including the timelines for the submission of comments.

Please note that this notice of scope ruling applications filed in AD and CVD proceedings may be published before any potential initiation, or after the initiation, of a given scope inquiry based on a scope ruling application identified in this notice. Therefore, please refer to the case segment on ACCESS to determine whether a scope ruling application has been accepted or rejected and whether a scope inquiry has been initiated.

Interested parties who wish to be served scope ruling applications for a particular AD or CVD order may file a request to be included on the annual inquiry service list during the

<sup>10</sup> This structure maintains the intent of the applicable regulation, 19 CFR 351.225(d)(1), to allow day 30 and day 31 to be separate business days.

anniversary month of the publication of the AD or CVD order in accordance with 19 CFR 351.225(n) and Commerce's procedures.<sup>11</sup>

Interested parties are invited to comment on the completeness of this monthly list of scope ruling applications received by Commerce. Any comments should be submitted to James Maeder, Deputy Assistant Secretary for AD/CVD Operations, Enforcement and Compliance, International Trade Administration, via email to [CommerceCLU@trade.gov](mailto:CommerceCLU@trade.gov).

This notice of scope ruling applications filed in AD and CVD proceedings is published in accordance with 19 CFR 351.225(d)(3).

Dated: October 26, 2023.

**Scot Fullerton,**

*Associate Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-158, A-301-806, A-247-004, A-331-804, A-533-920, A-560-840, A-475-846, A-580-918, A-557-826, A-201-860, A-583-874, A-549-847, A-489-850, A-520-810, A-552-837]

**Aluminum Extrusions From the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Initiation of Less-Than-Fair-Value Investigations**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**DATES:** Applicable October 24, 2023.

**FOR FURTHER INFORMATION CONTACT:** Jonathan Hill (the People's Republic of China (China)) at (202) 482-3518; Jose Rivera (Colombia) at (202) 482-0842; Stefan Smith (the Dominican Republic) at (202) 482-4342; Reginald Anadio (Ecuador) at (202) 482-3166; Alex Cipolla (India) at (202) 482-4956; Jonathan Hall-Eastman (Indonesia) at (202) 482-1468; Christopher Maciuba (the Republic of Korea (Korea)) at (202) 482-0413; Eric Hawkins (Italy) at (202) 482-1988; Benjamin Blythe (Malaysia) at (202) 482-3457; Tyler Weinhold (Mexico) at (202) 482-1121; Hermes

<sup>11</sup> See *Scope Ruling Application; Annual Inquiry Service List; and Informational Sessions*, 86 FR 53205 (September 27, 2021).

Pinilla (Taiwan) at (202) 482–3477; Jun Jack Zhao (Thailand) at (202) 482–1396; Sean Grossnickle (the Republic of Turkey) at (202) 482–3818; John K. Drury (the United Arab Emirates (UAE)) at (202) 482–0195; and Katherine Smith (the Socialist Republic of Vietnam (Vietnam)) at (202) 482–0557, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

#### SUPPLEMENTARY INFORMATION:

##### The Petitions

On October 4, 2023, the U.S. Department of Commerce (Commerce) received antidumping duty (AD) petitions concerning imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam filed in proper form on behalf of the U.S. Aluminum Extruders Coalition<sup>1</sup> and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW), a coalition of domestic producers of aluminum extrusions and a certified union, which represents workers engaged in the production of aluminum extrusions in the United States (collectively, the petitioners).<sup>2</sup> These AD Petitions were accompanied by countervailing duty (CVD) petitions concerning imports of aluminum extrusions from China, India, Mexico, and Turkey.<sup>3</sup>

Between October 6 and 20, 2023, Commerce requested supplemental information pertaining to certain aspects of the Petitions in separate supplemental questionnaires.<sup>4</sup> The

<sup>1</sup> The members of the U.S. Aluminum Extruders Coalition are Alexandria Extrusion Company; APEL Extrusions Inc.; Bonnell Aluminum; Brazeway; Custom Aluminum Products; Extrudex Aluminum; International Extrusions; Jordan Aluminum Company; M–D Building Products, Inc.; Merit Aluminum; MI Metals; Pennex Aluminum; Tower Extrusions; and Western Extrusions.

<sup>2</sup> See Petitioners' Letter, "Aluminum Extrusions from Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the People's Republic of China, South Korea, Taiwan, Thailand, Turkey, the United Arab Emirates and Vietnam: Petitions for the Imposition of Antidumping and Countervailing Duties," dated October 4, 2023 (the Petitions).

<sup>3</sup> *Id.*

<sup>4</sup> See Commerce's Letters, "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People's Republic of China, Colombia, Ecuador, the Dominican Republic, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Supplemental Questions," dated October 6, 2023;

petitioners filed responses to the supplemental questionnaires between October 12 and 23, 2023.<sup>5</sup>

"Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People's Republic of China, Colombia, Ecuador, the Dominican Republic, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Supplemental Questions," dated October 10, 2023 (First Scope Questionnaire); Country-Specific Supplemental Questionnaires: China Supplemental, Colombia Supplemental, Dominican Republic Supplemental, Ecuador Supplemental; India Supplemental, Indonesia Supplemental, Italy Supplemental; Korea Supplemental; Malaysia Supplemental, Mexico Supplemental, Taiwan Supplemental, Thailand Supplemental, Turkey Supplemental, UAE Supplemental, and Vietnam Supplemental, dated October 10 and 11, 2023; Country-Specific Supplemental Questionnaires: Second Indonesia Supplemental and Second Vietnam Supplemental, dated October 12, 2023; and "Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People's Republic of China, Colombia, Ecuador, the Dominican Republic, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Second Scope Supplemental Questionnaire," dated October 18, 2023 (Second Scope Questionnaire); Country-Specific Supplemental Questionnaire: Second Malaysia Supplemental, dated October 19, 2023; and Country-Specific Supplemental Questionnaire: Second Ecuador Supplemental, dated October 20, 2023; see also Memorandum, "Phone Call with Counsel to the Petitioners," dated October 11, 2023 (October 11 Memorandum); and Memorandum, "Phone Call with Counsel to the Petitioners," dated October 19, 2023 (October 19 Memorandum).

<sup>5</sup> See Petitioner's Letters, "Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to First Supplemental Questions Regarding Common Issues and Injury Petition Volume I of the Petition," dated October 11, 2023 (General Issues Supplement); "Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to First Supplemental Scope Questions Regarding Common Issues and Injury Petition Volume I of the Petition," dated October 13, 2023 (First Scope Supplement); Country-Specific Supplemental Responses, dated October 12, 13, and 16, 2023; Second Mexico and Turkey Supplemental Responses, dated October 16, 2023; "Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to Second Supplemental Scope Questions Regarding Common Issues and Injury Petition Volume I of the Petition," dated October 20, 2023 (Second Scope Supplement); "Aluminum Extrusions from Malaysia: Response to Second Supplemental Questions Regarding Malaysia Antidumping Duty Volume VII of the Petition," dated October 20, 2023; and "Aluminum Extrusions from Ecuador: Response to Second Supplemental Questions Regarding Ecuador Antidumping Duty Volume IV of the Petition," dated October 23, 2023.

In accordance with section 732(b) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam are being, or are likely to be, sold in the United States at less than fair value (LTFV) within the meaning of section 731 of the Act, and that imports of such products are materially injuring, or threatening material injury to, the aluminum extrusions industry in the United States. Consistent with section 732(b)(1) of the Act, the Petitions are accompanied by information reasonably available to the petitioners supporting their allegations.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in sections 771(9)(D) and (E) of the Act.<sup>6</sup> Commerce also finds that the petitioners demonstrated sufficient industry support for the initiation of the requested LTFV investigations.<sup>7</sup>

##### Periods of Investigation

Because the Petitions were filed on October 4, 2023, pursuant to 19 CFR 351.204(b)(1), the period of investigation (POI) for the Colombia, Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and the UAE AD investigations is October 1, 2022, through September 30, 2023. Because China and Vietnam are non-market economy (NME) countries, pursuant to 19 CFR 351.204(b)(1), the POI for the China and Vietnam AD investigations is April 1, 2023, through September 30, 2023.

##### Scope of the Investigations

The products covered by these investigations are aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam. For a full description of the scope of these investigations, see the appendix to this notice.

##### Comments on the Scope of the Investigations

On October 10, 11, 18, and 19, 2023, Commerce requested information and

<sup>6</sup> See Petitions at Volume I (page 2). The U.S. Aluminum Extruders Coalition is an interested party under section 771(9)(E) of the Act, while the USW is an interested party under section 771(9)(D) of the Act.

<sup>7</sup> See, *infra*, section on "Determination of Industry Support for the Petitions."

clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>8</sup> On October 13 and 20, 2023, the petitioners provided clarifications and revised the scope of these investigations.<sup>9</sup> The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce's regulations, we are setting aside a period for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>10</sup> We have some concerns related to the administrability of certain provisions in the proposed scope. For example, we find the definition of subassemblies (included) and imported merchandise that is not a part or subassembly of a larger product or system (excluded) remains an outstanding issue. Accordingly, Commerce intends to continue evaluating the scope of these investigations, with the possibility of making additional modifications to clarify further what products are covered and not covered by the scope of these investigations.

Commerce will consider all scope comments received and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information,<sup>11</sup> all such factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5 p.m. Eastern Time (ET) on November 13, 2023, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5 p.m. ET on November 24, 2023, which is the next business day after 10 calendar days from the initial comment deadline.<sup>12</sup>

<sup>8</sup> See First Scope Questionnaire; *see also* October 11 Memorandum; Second Scope Questionnaire; and October 19 Memorandum.

<sup>9</sup> See First Scope Supplement at 1–19 and Exhibit I–Scope Supp–1; *see also* Second Scope Supplement at 1–3 and Exhibits I–Second Scope Supp–1 and I–Second Scope Supp–2.

<sup>10</sup> See *Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); *see also* 19 CFR 351.312.

<sup>11</sup> See 19 CFR 351.102(b)(21) (defining “factual information”).

<sup>12</sup> The deadline for rebuttal comments falls on November 23, 2023, which is a federal holiday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept rebuttal comments filed by 5:00 p.m. ET on November 24, 2023. *Id.* (“For both electronically filed and manually filed documents, if the

Commerce requests that any factual information that parties consider relevant to the scope of these investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party must contact Commerce and request permission to submit the additional information. All such submissions must be filed on the records of each of the concurrent AD and CVD investigations.

### Filing Requirements

All submissions to Commerce must be filed electronically using Enforcement and Compliance's Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.<sup>13</sup> An electronically filed document must be received successfully in its entirety by the time and date it is due.

### Comments on Product Characteristics

Commerce is providing interested parties an opportunity to comment on the appropriate physical characteristics of aluminum extrusions to be reported in response to Commerce's AD questionnaires. This information will be used to identify the key physical characteristics of the subject merchandise in order to report the relevant factors of production (FOP) or costs of production (COP) accurately, as well as to develop appropriate product comparison criteria.

Interested parties may provide any information or comments that they feel are relevant to the development of an accurate list of physical characteristics. Specifically, they may provide comments as to which characteristics are appropriate to use as: (1) general product characteristics; and (2) product comparison criteria. We note that it is not always appropriate to use all product characteristics as product comparison criteria. We base product comparison criteria on meaningful commercial differences among products. In other words, although there may be some physical product characteristics utilized by manufacturers to describe

applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.”)

<sup>13</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); *see also* *Enforcement and Compliance: Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014) for details of Commerce's electronic filing requirements, effective August 5, 2011. Information on help using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf).

aluminum extrusions, it may be that only a select few product characteristics take into account commercially meaningful physical characteristics. In addition, interested parties may comment on the order in which the physical characteristics should be used in matching products. Generally, Commerce attempts to list the most important physical characteristics first and the least important characteristics last.

In order to consider the suggestions of interested parties in developing and issuing the AD questionnaires, all product characteristics comments must be filed by 5 p.m. ET on November 13, 2023, which is 20 calendar days from the signature date of this notice.<sup>14</sup> Any rebuttal comments must be filed by 5:00 p.m. ET on November 24, 2023, which is the next business day after 10 calendar days from the initial comment deadline.<sup>15</sup> All comments and submissions to Commerce must be filed electronically using ACCESS, as explained above, on the record of each of the AD investigations.

### Determination of Industry Support for the Petitions

Section 732(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 732(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 732(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a whole of a domestic like product. Thus,

<sup>14</sup> See 19 CFR 351.303(b)(1).

<sup>15</sup> The deadline for rebuttal comments falls on November 23, 2023, which is a Federal holiday. In accordance with 19 CFR 351.303(b)(1), Commerce will accept rebuttal comments filed by 5 p.m. ET on November 24, 2023. *Id.* (“For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.”).

to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,<sup>16</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>17</sup>

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioners do not offer a definition of the domestic like product distinct from the scope of the investigations.<sup>18</sup> Based on our analysis of the information submitted on the record, we have determined that aluminum extrusions, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.<sup>19</sup>

<sup>16</sup> See section 771(10) of the Act.

<sup>17</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff’d* 865 F.2d 240 (Fed. Cir. 1989)).

<sup>18</sup> See Petitions at Volume I (pages 23–28); see also General Issues Supplement at 1 and Exhibit I-Supp-1.

<sup>19</sup> For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Antidumping Duty Investigation Initiation Checklists: Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Mexico, Malaysia, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam, dated concurrently with this notice (Country-Specific AD Initiation Checklists) at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Mexico, Malaysia, Taiwan,

In determining whether the petitioners have standing under section 732(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the “Scope of the Investigations,” in the appendix to this notice. To establish industry support, the petitioners provided the total 2022 shipments of the domestic like product for the U.S. producers that support the Petitions, as well as the estimated 2022 production of the domestic like product for the plants represented by the USW, and compared this to the estimated total 2022 shipments of the domestic like product for the entire domestic industry.<sup>20</sup> The petitioners estimated the total 2022 shipments of the domestic like product for the entire U.S. industry based on information derived from the Aluminum Association.<sup>21</sup> Because total industry production data for the domestic like product for 2022 are not reasonably available to the petitioners, and the petitioners have established that shipments are a reasonable proxy for production data,<sup>22</sup> we have relied on the data provided by the petitioners for purposes of measuring industry support.<sup>23</sup>

On October 17, 2023, we received timely filed comments on industry support from Hydro Precision Tubing USA, LLC (Hydro Precision), a U.S. producer of aluminum extrusions.<sup>24</sup> On October 17, 2023, we also received timely filed comments on industry support from Ashley Furniture Industries, LLC and Kimball International Inc. (collectively, Ashley/Kimball), domestic producers of

Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam (Attachment II). These Initiation Checklists are on file electronically via ACCESS.

<sup>20</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–3, I–4, I–23, and I–58); see also General Issues Supplement at 3–7 and Exhibits I-Supp-8 through I-Supp-10.

<sup>21</sup> See Petitions at Volume I (pages 3–6 and Exhibits I–4 and I–58); see also General Issues Supplement at 3–7 and Exhibit I-Supp-8.

<sup>22</sup> See Petitions at Volume I (pages 3–5 and Exhibit I–4); see also General Issues Supplement at 4–5.

<sup>23</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–1 through I–4, I–23, and I–58); see also General Issues Supplement at 2–7 and Exhibits I-Supp-4 through I-Supp-10. For further discussion, see Attachment II of the Country-Specific AD Initiation Checklists.

<sup>24</sup> See Hydro Precision’s Letter, “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Hydro Precision Tubing USA, LLC’s Comments on the Lack of Standing of the Petitioner and Request for Polling of the Domestic Industry,” dated October 17, 2023.

furniture.<sup>25</sup> On October 19, 2023, the petitioners responded to the comments from Hydro Precision and Ashley/Kimball in a timely filed rebuttal submission.<sup>26</sup>

Our review of the data provided in the Petitions, the General Issues Supplement, the Petitioners’ Standing Response, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.<sup>27</sup> First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (*e.g.*, polling).<sup>28</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.<sup>29</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 732(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.<sup>30</sup> Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 732(b)(1) of the Act.<sup>31</sup>

<sup>25</sup> See Ashley/Kimball’s Letter, “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Comments on Industry Support,” dated October 17, 2023.

<sup>26</sup> See Petitioners’ Letter, “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to Comments on Industry Support,” dated October 19, 2023 (Petitioners’ Standing Response).

<sup>27</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–1 through I–4, I–23, and I–58); see also General Issues Supplement at 2–7 and Exhibits I-Supp-4 through I-Supp-10; and Petitioners’ Standing Response at 1–23 and Exhibits 1–16. For further discussion, see Attachment II of the Country-Specific AD Initiation Checklists.

<sup>28</sup> See Attachment II of the Country-Specific AD Initiation Checklists; see also section 732(c)(4)(D) of the Act.

<sup>29</sup> See Attachment II of the Country-Specific AD Initiation Checklists.

<sup>30</sup> *Id.*

<sup>31</sup> *Id.*



### Allegations and Evidence of Material Injury and Causation

The petitioners allege that the U.S. industry producing the domestic like product is being materially injured, or is threatened with material injury, by reason of the imports of the subject merchandise sold at LTFV. In addition, with regard to China, Colombia, the Dominican Republic, Indonesia, Mexico, Turkey, and Vietnam, the petitioners allege that subject imports exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>32</sup> With regard to Ecuador, India, Korea, Malaysia, Taiwan, Thailand, Italy, and the UAE, while the allegedly dumped imports from each of these countries do not individually exceed the statutory requirements for negligibility, the petitioners provided data demonstrating that the aggregate import share from these five countries is 13.65 percent, which exceeds the seven percent threshold established by the exception in section 771(24)(A)(ii) of the Act.<sup>33</sup>

The petitioners contend that the industry's injured condition is illustrated by a significant volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; decline in the domestic industry's production, capacity utilization, and U.S. shipments; declining employment variables; adverse impact on the domestic industry's profitability and financial performance; and the magnitude of the alleged dumping margins.<sup>34</sup> We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.<sup>35</sup>

### Allegations of Sales at LTFV

The following is a description of the allegations of sales at LTFV upon which Commerce based its decision to initiate

<sup>32</sup> See Petitions at Volume I (pages 37–38 and Exhibit I–16); see also General Issues Supplement at 9 and Exhibit I–Supp–11.

<sup>33</sup> See General Issues Supplement at 9 and Exhibit I–Supp–11.

<sup>34</sup> See Petitions at Volume I (pages 22, 30–60 and Exhibits I–9 through I–56); see also General Issues Supplement at 7–9 and Exhibit I–Supp–11.

<sup>35</sup> See Country-Specific AD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Mexico, Malaysia, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam.

AD investigations of imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam. The sources of data for the deductions and adjustments relating to U.S. price and normal value (NV) are discussed in greater detail in the Country-Specific AD Initiation Checklists.

### U.S. Price

For China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Korea, Mexico, Taiwan, Thailand, Turkey, and Vietnam, the petitioners based export price (EP) on pricing information for sales of, or offers for sale of, aluminum extrusions produced in and exported from each country.<sup>36</sup> For Italy, Malaysia, and the UAE, the petitioners based EP on transaction-specific average unit values (AUVs) (*i.e.*, a month- and port-specific AUV) derived from official import statistics and tied to ship manifest data. For each country, the petitioners made certain adjustments to U.S. price to calculate a net ex-factory U.S. price, where applicable.<sup>37</sup>

### Normal Value<sup>38</sup>

For the Dominican Republic, Italy, and the UAE, the petitioners based NV on home market prices they obtained for aluminum extrusions produced in and sold, or offered for sale, in each country during the applicable time period.<sup>39</sup> The petitioners made certain adjustments to home market price to calculate a net ex-factory home market price, where appropriate.<sup>40</sup>

For Colombia, Ecuador, India, Indonesia, Korea, Malaysia, Mexico, Taiwan, Thailand, and Turkey, the petitioners stated that they were unable to obtain home market or third country pricing information for aluminum extrusions to use as a basis for NV.<sup>41</sup> Therefore, for Colombia, Ecuador, India, Indonesia, Korea, Malaysia, Mexico, Taiwan, Thailand, and Turkey, the petitioners calculated NV based on constructed value (CV).<sup>42</sup> For further

<sup>36</sup> See Country-Specific AD Initiation Checklists.

<sup>37</sup> *Id.*

<sup>38</sup> In accordance with section 773(b)(2) of the Act, for the Colombia, Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and UAE investigations, Commerce will request information necessary to calculate the constructed value (CV) and COP to determine whether there are reasonable grounds to believe or suspect that sales of the foreign like product have been made at prices that represent less than the COP of the product.

<sup>39</sup> See Country-Specific AD Initiation Checklists.

<sup>40</sup> *Id.*

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

discussion of CV, see the section “Normal Value Based on Constructed Value,” below.

Commerce considers China and Vietnam to be NME countries.<sup>43</sup> In accordance with section 771(18)(C)(i) of the Act, any determination that a foreign country is an NME country shall remain in effect until revoked by Commerce. Therefore, we continue to treat China and Vietnam as NME countries for purposes of the initiation of these investigations. Accordingly, we base NV on factors of production (FOPs) valued in a surrogate market economy country in accordance with section 773(c) of the Act.

The petitioners claims that Turkey is an appropriate surrogate country for China because it is a market economy that is at a level of economic development comparable to that of China and is a significant producer of comparable merchandise.<sup>44</sup> The petitioners provided publicly available information from Turkey to value all FOPs.<sup>45</sup> Based on the information provided by the petitioners, we believe it is appropriate to use Turkey as a surrogate country to value all FOPs for initiation purposes.

The petitioner claims that Indonesia is an appropriate surrogate country for Vietnam because it is a market economy that is at a level of economic development comparable to that of Vietnam and is a significant producer of comparable merchandise.<sup>46</sup> The petitioners provided publicly available information from Indonesia to value all FOPs (except selling, general, and administrative expenses (SG&A), overhead, financial expenses, and profit).<sup>47</sup> To value SG&A, overhead, financial expenses, and profit, the petitioners provided financial statements from a producer of identical merchandise domiciled in another surrogate country, Egypt.<sup>48</sup> Based on the

<sup>43</sup> See, e.g., *Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value and Preliminary Affirmative Determination of Critical Circumstances*, 88 FR 15372 (March 13, 2023), and accompanying Preliminary Decision Memorandum at 5, unchanged in *Certain Freight Rail Couplers and Parts Thereof from the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair Value and Final Affirmative Determination of Critical Circumstances*, 88 FR 34485 (May 30, 2023); see also *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results, and Final Results of No Shipments of the Antidumping Duty Administrative Review; 2016–2017*, 84 FR 18007 (April 29, 2019).

<sup>44</sup> See China AD Initiation Checklist.

<sup>45</sup> *Id.*

<sup>46</sup> See Vietnam AD Initiation Checklist.

<sup>47</sup> *Id.*

<sup>48</sup> *Id.*

information provided by the petitioners, we believe it is appropriate to use Indonesia as a surrogate country to value all FOPs (except SG&A, overhead, financial expenses, and profit) and Egypt to value SG&A, overhead, financial expenses, and profit for initiation purposes.

Interested parties will have the opportunity to submit comments regarding surrogate country selection and, pursuant to 19 CFR 351.301(c)(3)(i), will be provided an opportunity to submit publicly available information to value FOPs within 30 days before the scheduled date of the preliminary determinations.

### Factors of Production

Because information regarding the volume of inputs consumed by Chinese and Vietnamese producers/exporters was not reasonably available, the petitioners used product-specific consumption rates from a U.S. producer of aluminum extrusions as a surrogate to value Chinese and Vietnamese manufacturers' FOPs.<sup>49</sup> Additionally, as noted above, the petitioners calculated factory overhead, SG&A, and profit based on the experience of a Turkish and Egyptian producer of identical merchandise for China and Vietnam, respectively.<sup>50</sup>

### Normal Value Based on Constructed Value

As noted above for Colombia, Ecuador, India, Indonesia, Korea, Malaysia, Mexico, Taiwan, Thailand, and Turkey, the petitioners stated that they were unable to obtain home market or third-country prices for aluminum extrusions to use as a basis for NV. Therefore, for these countries, the petitioners calculated NV based on CV.<sup>51</sup>

Pursuant to section 773(e) of the Act, the petitioners calculated CV as the sum of the cost of manufacturing, SG&A, financial expenses, and profit.<sup>52</sup> For each of these countries, in calculating the cost of manufacturing, the petitioners relied on the production experience and input consumption rates of a U.S. producer of aluminum extrusions, valued using publicly available information applicable to the respective countries.<sup>53</sup> In calculating SG&A, financial expenses, and profit

<sup>49</sup> See China AD Initiation Checklist and Vietnam AD Initiation Checklist.

<sup>50</sup> *Id.* As noted above, the petitioners calculated SG&A, overhead, and profit using information specific to Egypt. See Vietnam AD Initiation Checklist.

<sup>51</sup> See Country-Specific AD Initiation Checklists.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

ratios (where applicable), the petitioners relied on the calendar year 2022 financial statements of a producer of identical or comparable merchandise domiciled in each respective subject country or a third country, where appropriate.<sup>54</sup>

### Fair Value Comparisons

Based on the data provided by the petitioners, there is reason to believe that imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam are being, or are likely to be, sold in the United States at LTFV. Based on comparisons of EP to NV in accordance with sections 772 and 773 of the Act, the estimated dumping margins for aluminum extrusions for each of the countries covered by this initiation are as follows: (1) China—376.85 percent; (2) Colombia—165.25 percent; (3) Dominican Republic—28.29 percent; (4) Ecuador—42.79 to 63.21 percent; (5) India—39.05 percent; (6) Indonesia—88.53 percent; (7) Italy—41.67 percent; (8) Korea—43.56 percent; (9) Malaysia—25.89 to 27.51 percent; (10) Mexico—76.68 to 82.03 percent; (11) Taiwan—60.25 to 67.86 percent; (12) Thailand—76.73 percent; (13) Turkey—48.43 percent; (14) UAE—42.29 percent; and (15) Vietnam—41.84 percent.<sup>55</sup>

### Initiation of LTFV Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 732 of the Act. Therefore, we are initiating LTFV investigations to determine whether imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and Vietnam are being, or are likely to be, sold in the United States at LTFV. In accordance with section 733(b)(1)(A) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 140 days after the date of these initiations.

### Respondent Selection

*Colombia, Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and the UAE*

In the Petitions, the petitioners identified one company in Colombia, two companies in the Dominican Republic, three companies in Ecuador,

13 companies in India, 18 companies in Indonesia, 22 companies in Italy, 13 companies in Korea, nine companies in Malaysia, 14 companies in Mexico, 21 companies in Taiwan, eight companies in Thailand, 39 companies in Turkey, and 13 companies in the UAE as producers/exporters of aluminum extrusions.<sup>56</sup> For Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and the UAE, in the event Commerce determines that the number of companies is large, and it cannot individually examine each company based upon Commerce's resources, where appropriate, Commerce intends to select mandatory respondents based on quantity and value (Q&V) questionnaires issued to potential respondents. Following standard practice in AD investigations involving market economy countries, Commerce would normally select respondents based on U.S. Customs and Border Protection (CBP) entry data for imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheadings listed in the scope of the investigations. However, for these investigations, due to the wide variety of individual types of aluminum extrusions products covered by the scope, we cannot rely on CBP data in selecting respondents. Notwithstanding the decision to rely on Q&V questionnaires for respondent selection, due to the number of producers and/or exporters identified in the Petitions, Commerce has determined to limit the number of Q&V questionnaires that it will issue to producers and/or exporters based on CBP data for aluminum extrusions from Indonesia, Italy, Taiwan, and Turkey during the POI under the appropriate HTSUS subheadings listed in the "Scope of the Investigations," in the appendix. Accordingly, for Indonesia, Italy, Taiwan, and Turkey, Commerce will send Q&V questionnaires to the largest producers and/or exporters that are identified in the CBP entry data for which there is complete address information on the record. For Ecuador, India, Korea, Malaysia, Mexico, Thailand, and the UAE, we intend to issue Q&V questionnaires to each potential respondent for which the petitioners have provided a complete address. For Colombia and the Dominican Republic, the petitioners identified one company as a producer or exporter of aluminum extrusions (Colombia) and two companies as

<sup>56</sup> See Petitions at Volume I (page 18 and Exhibit I-8); see also General Issues Supplement at 1-2 and Exhibit I-Supp-3.

<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

producers and/or exporters of aluminum extrusions (Dominican Republic). Therefore, unless we receive voluntary responses to the Q&V questionnaire from companies not identified, as described below, we intend to examine the one producer/exporter of aluminum extrusions from Colombia and the two producers/exporters of aluminum extrusions from the Dominican Republic.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at <https://www.trade.gov/ec-adcvd-case-announcements>. Exporters/producers of aluminum extrusions from Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and the UAE that do not receive Q&V questionnaires by mail may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Enforcement and Compliance's website. Responses to the Q&V questionnaire must be submitted by the relevant producers/exporters no later than 5 p.m. ET on November 7, 2023, which is two weeks from the signature date of this notice. All Q&V responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under administrative protective order (APO) in accordance with 19 CFR 351.305(b). Instructions for filing such applications may be found on Commerce's website at <https://www.trade.gov/administrative-protective-orders>. Commerce intends to make its decisions regarding respondent selection for Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, and the UAE within 20 days of publication of this notice.

#### *China and Vietnam*

In the Petitions, the petitioners named over 100 companies in China and 13 companies in Vietnam as producers and/or exporters of aluminum extrusions.<sup>57</sup> Our standard practice for respondent selection in AD investigations involving NME countries is to select respondents based on Q&V questionnaires in cases where it has determined that the number of companies is large and it cannot individually examine each company

<sup>57</sup> See Petitions at Volume I (page 18 and Exhibit I-8); see also General Issues Supplement at 1-2 and Exhibit I-Supp-3.

based upon its resources. Therefore, considering the number of producers and/or exporters identified in the Petitions, Commerce will solicit Q&V information that can serve as a basis for selecting exporters for individual examination in the event that Commerce determines that the number is large and decides to limit the number of respondents individually examined pursuant to section 777A(c)(2) of the Act. For China, because there are nearly 300 Chinese producers and/or exporters identified in the Petitions, Commerce has determined that it will issue Q&V questionnaires to the largest producers and/or exporters that are identified in the CBP data for which there is complete address information on the record. For Vietnam, Commerce has determined that it will issue Q&V questionnaires to each potential respondent for which the petitioners have provided a complete address.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at <https://www.trade.gov/ec-adcvd-case-announcements>. Producers/exporters of aluminum extrusions from China and Vietnam that do not receive Q&V questionnaires may still submit a response to the Q&V questionnaire and can obtain a copy of the Q&V questionnaire from Commerce's website. Responses to the Q&V questionnaire must be submitted by the relevant Chinese and Vietnamese producers/exporters no later than 5:00 p.m. ET on November 7, 2023, which is two weeks from the signature date of this notice. All Q&V questionnaire responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5:00 p.m. ET on the deadline noted above.

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305(b). As stated above, instructions for filing such applications may be found on Commerce's website at <https://www.trade.gov/administrative-protective-orders>. Commerce intends to make its decisions regarding respondent selection for China and Vietnam within 20 days of publication of this notice.

#### **Separate Rates**

In order to obtain separate rate status in an NME investigation, exporters and producers must submit a separate rate application. The specific requirements for submitting a separate rate application in an NME investigation are outlined in detail in the application itself, which is available on Commerce's website at <https://access.trade.gov/>

*Resources/nme/nme-sep-rate.html*. The separate rate application will be due 30 days after publication of this initiation notice. Exporters and producers must file a timely separate rate application if they want to be considered for individual examination. Exporters and producers who submit a separate rate application and have been selected as mandatory respondents will be eligible for consideration for separate rate status only if they respond to all parts of Commerce's AD questionnaire as mandatory respondents. Commerce requires that companies from China and Vietnam submit a response both to the Q&V questionnaire and to the separate rate application by the respective deadlines in order to receive consideration for separate rate status. Companies not filing a timely Q&V questionnaire response will not receive separate rate consideration.

#### **Use of Combination Rates**

Commerce will calculate combination rates for certain respondents that are eligible for a separate rate in an NME investigation. The Separate Rates and Combination Rates Bulletin states:

{w}hile continuing the practice of assigning separate rates only to exporters, all separate rates that {Commerce} will now assign in its NME Investigation will be specific to those producers that supplied the exporter during the period of investigation. Note, however, that one rate is calculated for the exporter and all of the producers which supplied subject merchandise to it during the period of investigation. This practice applies both to mandatory respondents receiving an individually calculated separate rate as well as the pool of non-investigated firms receiving the {weighted average} of the individually calculated rates. This practice is referred to as the application of "combination rates" because such rates apply to specific combinations of exporters and one or more producers. The cash-deposit rate assigned to an exporter will apply only to merchandise both exported by the firm in question and produced by a firm that supplied the exporter during the period of investigation.<sup>58</sup>

#### **Distribution of Copies of the AD Petitions**

In accordance with section 732(b)(3)(A) of the Act and 19 CFR 351.202(f), copies of the public version of the AD Petitions have been provided to the governments of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the

<sup>58</sup> See Enforcement and Compliance's Policy Bulletin 05.1, regarding, "Separate-Rates Practice and Application of Combination Rates in Antidumping Investigation Involving NME Countries," (April 5, 2005) at 6 (emphasis added), available on Commerce's website at <https://access.trade.gov/Resources/policy/bull05-1.pdf>.



UAE, and Vietnam via ACCESS. To the extent practicable, we will attempt to provide a copy of the public version of the AD Petitions to each exporter named in the AD Petitions, as provided under 19 CFR 351.203(c)(2).

### ITC Notification

Commerce will notify the ITC of our initiation, as required by section 732(d) of the Act.

### Preliminary Determinations by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the AD Petitions were filed, whether there is a reasonable indication that imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the UAE, and/or Vietnam are materially injuring, or threatening material injury to, a U.S. industry.<sup>59</sup> A negative ITC determination for any country will result in the investigation being terminated with respect to that country.<sup>60</sup> Otherwise, these LTFV investigations will proceed according to statutory and regulatory time limits.

### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)–(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the information is being submitted<sup>61</sup> and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.<sup>62</sup> Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to

submitting factual information in these investigations.

### Particular Market Situation Allegation

Section 773(e) of the Act addresses the concept of particular market situation (PMS) for purposes of CV, stating that “if a particular market situation exists such that the cost of materials and fabrication or other processing of any kind does not accurately reflect the cost of production in the ordinary course of trade, the administering authority may use another calculation methodology under this subtitle or any other calculation methodology.” When an interested party submits a PMS allegation pursuant to section 773(e) of the Act, Commerce will respond to such a submission consistent with 19 CFR 351.301(c)(2)(v). If Commerce finds that a PMS exists under section 773(e) of the Act, then it will modify its dumping calculations appropriately.

Neither section 773(e) of the Act, nor 19 CFR 351.301(c)(2)(v), set a deadline for the submission of PMS allegations and supporting factual information. However, in order to administer section 773(e) of the Act, Commerce must receive PMS allegations and supporting factual information with enough time to consider the submission. Thus, should an interested party wish to submit a PMS allegation and supporting new factual information pursuant to section 773(e) of the Act, it must do so no later than 20 days after submission of a respondent's initial section D questionnaire response.

### Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301.<sup>63</sup> For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10 a.m. ET on the due date. Under certain circumstances, we may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, we will inform parties in a letter or memorandum of the deadline (including a specified time) by which

extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; under limited circumstances we will grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.<sup>64</sup>

### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>65</sup> Parties must use the certification formats provided in 19 CFR 351.303(g).<sup>66</sup> Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

### Notification to Interested Parties

Interested parties must submit applications for disclosure under APO in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letter of appearance). Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>67</sup>

This notice is issued and published pursuant to sections 732(c)(2) and 777(i) of the Act, and 19 CFR 351.203(c).

<sup>64</sup> See 19 CFR 351.302; see also, e.g., *Time Limits Final Rule*.

<sup>65</sup> See section 782(b) of the Act.

<sup>66</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*). Additional information regarding the *Final Rule* is available at <https://access.trade.gov/Resources/filing/index.html>.

<sup>67</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020). Additionally, note that Commerce has modified its regulations to make permanent certain changes to its service procedures that were adopted on a temporary basis due to COVID-19, as well as additional clarifications and corrections to its AD/CVD regulations. Effective October 30, 2023, these changes will apply to all AD/CVD proceedings that are ongoing on the effective date and all AD/CVD proceedings initiated on or after the effective date. See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).

<sup>63</sup> See 19 CFR 351.301; see also *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

<sup>59</sup> See section 733(a) of the Act.

<sup>60</sup> *Id.*

<sup>61</sup> See 19 CFR 351.301(b).

<sup>62</sup> See 19 CFR 351.301(b)(2).

Dated: October 24, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix—Scope of the Investigations

The merchandise subject to these investigations are 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).

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, swaged, mitered, chamfered, threaded, and spun. Performing such operations in third countries does not otherwise remove the merchandise from the scope of the investigations.

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.

Aluminum extrusions may be heat sinks, which are fabricated aluminum extrusions that dissipate heat away from a heat source and may serve other functions, such as structural functions. Heat sinks come in a variety of sizes and shapes, including but not limited to a flat electronic heat sink, which is a solid aluminum extrusion with at least one flat side used to mount electronic or mechanical devices; a heat sink that is a housing for electronic controls or motors; lighting heat sinks, which dissipate heat away from LED devices; and process and exchange heat sinks, which are tube extrusions with fins or plates used to hold radiator tubing. 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. For purposes of these investigations on aluminum extrusions from the People's Republic of China, only heat sinks designed and produced around meeting specified thermal performance requirements and tested to comply with such requirements are included in the scope.

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 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 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. Parts or subassemblies described by this paragraph that are subject to duties in their entirety pursuant to existing antidumping and countervailing duty orders are excluded from the scope of these investigations, so long as they remain subject to the scope of such orders. Any part or subassembly that otherwise meets the requirements of this scope and that is not covered by other antidumping and/or countervailing duty orders remains subject to the scope of these investigations.

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.

The scope also excludes merchandise containing non-extruded aluminum components beyond fasteners that is not a part or subassembly of a larger product or system that enters unassembled as a packaged combination of parts to be assembled as is for its intended use, without undergoing after importation any processing, fabrication, or finishing or the addition of parts or material, regardless of whether the additional parts or material are interchangeable. To be excluded under this paragraph, the merchandise must be sold and enter as a discrete kit on one Customs entry form.

Examples of such excluded assembled and unassembled merchandise include windows with glass, door units with door panel and glass, motor vehicles, trailers, furniture, and appliances.

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 (not including proprietary equivalents or other certifying body equivalents) 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 (not including proprietary equivalents or other certifying body equivalents), 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 Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7605.19.0000, 7604.10.5000, or 7616.99.5190.

Also excluded from the scope of these antidumping and countervailing duty investigations on aluminum extrusions from the People's Republic of China 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); and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30,653 (May 26, 2011) (collectively, *Aluminum Extrusions from the People's Republic of China*). Solely for these investigations on aluminum extrusions from the People's Republic of China, the following is an exhaustive list of products that meet the definition of subject merchandise. Merchandise that is not included in the following list that meets the definition of subject merchandise in the 2011 antidumping and countervailing duty orders on *Aluminum Extrusions from the People's Republic of China* remains subject to the earlier orders. No other section of this scope language that provides examples of subject merchandise is exhaustive. The following products are included in the scope of these

investigations on aluminum extrusions from the People's Republic of China, whether assembled or unassembled: heat sinks as described above; cleaning system components like mops and poles; banner stands/back walls; fabric wall systems; drapery rails; side mount valve controls; water heater anodes; solar panel mounting systems; 5050 alloy rails for showers and carpets; auto heating and cooling system components; assembled motor cases with stators; louver assemblies; event décor; window wall units and parts; trade booths; micro channel heat exchangers; telescoping poles, pole handles, and pole attachments; flagpoles; wind sign frames; foreline hose assembly; electronics enclosures; parts and subassemblies for storefronts, including portal sets; light poles; air duct registers; outdoor sporting goods parts and subassemblies; glass refrigerator shelves; aluminum ramps; handicap ramp system parts and subassemblies; frames and parts for tents and clear span structures; parts and subassemblies for screen enclosures, patios, and sunrooms; parts and subassemblies for walkways and walkway covers; aluminum extrusions for LED lights; parts and subassemblies for screen, storm, and patio doors; pontoon boat parts and subassemblies, including rub rails, flooring, decking, transom structures, canopy systems, seating; boat hulls, framing, ladders, and transom structures; parts and subassemblies for docks, piers, boat lifts and mounting; recreational and boat trailer parts and subassemblies, including subframes, crossmembers, and gates; solar tracker assemblies with gears; garage door framing systems; door threshold and sill assemblies; highway and bridge signs; bridge, street, and highway rails; scaffolding, including planks and struts; railing and support systems; parts and subassemblies for exercise equipment; weatherstripping; door bottom and sweeps; door seals; floor transitions and trims; parts and subassemblies for modular walls and office furniture; truck trailer parts and subassemblies; boat cover poles, outrigger poles, and rod holders; bleachers and benches; parts and subassemblies for elevators, lifts, and dumbwaiters; parts and subassemblies for mirror and framing systems; window treatments; parts and subassemblies for air foils and fans; bus and RV window frames; sliding door rails; dock ladders; parts and subassemblies for RV frames and trailers; awning, canopy, and sunshade structures and their parts and subassemblies; marine motor mounts; linear lighting housings; and cluster mailbox systems.

Imports of the subject merchandise are primarily provided for under the following categories of the 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; 7615.20.0075; 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; 8302.30.3015; 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; 8302.60.3000; 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; 8508.90.0000; 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; 8547.90.0020; 8547.90.0030; 8708.10.3050; 8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9031.90.9195; 9401.99.9081; 9403.99.1040; 9403.99.9010; 9403.99.9015; 9403.99.9020; 9403.99.9040; 9403.99.9045; 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; 9547.90.0040; and 9603.90.8050.

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

[FR Doc. 2023-23962 Filed 10-30-23; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-877, A-570-064, C-533-878, C-570-065]

### Stainless Steel Flanges From India and the Peoples's Republic of China: Continuation of Antidumping and Countervailing Duty Orders

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** As a result of the determinations by the U.S. Department of Commerce (Commerce) and the U.S. International Trade Commission (ITC) that revocation of the antidumping duty (AD) and countervailing duty (CVD) orders on stainless steel flanges from India and the People's Republic of China (China) would likely lead to a continuation or recurrence of dumping,

likely lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.<sup>5</sup>

### Scope of the Order

The product covered under the *Order* is coke larger than 100 mm (4 inches) in maximum diameter and at least 50 percent of which is retained on a 100 mm (4 inch) sieve, of a kind used in foundries. The foundry coke products subject to the *Order* were classifiable under subheading 2704.00.00.10 (as of January 1, 2000) and are currently classifiable under subheading 2704.00.00.11 (as of July 1, 2000) of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of the *Order* is dispositive.

### Continuation of the Order

As a result of the determinations by Commerce and the ITC that revocation of the *Order* would likely lead to a continuation or a recurrence of dumping, and material injury to an industry in the United States, pursuant to section 751(d)(2) of the Act and 19 CFR 351.218(a), Commerce hereby orders the continuation of the *Order*. U.S. Customs and Border Protection will continue to collect AD cash deposits at the rates in effect at the time of entry for all imports of subject merchandise.

The effective date of the continuation of the *Order* is October 25, 2023.<sup>6</sup> Pursuant to section 751(c)(2) of the Act and 19 CFR 351.218(c)(2), Commerce intends to initiate the next five-year review of the *Order* not later than 30 days prior to the fifth anniversary of the date of the last determination by the ITC.

### Administrative Protective Order (APO)

This notice also serves as the only reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the return or destruction of APO materials, or conversion to judicial protective order, is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

<sup>5</sup> See *Foundry Coke From China; Determination*, 88 FR 73377 (October 25, 2023).

<sup>6</sup> *Id.*

### Notification to Interested Parties

This five-year sunset review and this notice are in accordance with section 751(c) and 751(d)(2) of the Act and published in accordance with section 777(i) of the Act, and 19 CFR 351.218(f)(4).

Dated: October 25, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

[FR Doc. 2023–23963 Filed 10–30–23; 8:45 am]

**BILLING CODE 3510–DS–P**

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–159, C–560–841, C–201–861, C–489–851]

### Aluminum Extrusions From the People’s Republic of China, Indonesia, Mexico, and the Republic of Turkey: Initiation of Countervailing Duty Investigations

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**DATES:** Applicable October 24, 2023.

**FOR FURTHER INFORMATION CONTACT:** Eliza DeLong (People’s Republic of China (China)) at (202) 482–3878; Thomas Martin (Indonesia) at (202) 482–3936; Christopher Williams (Mexico) at (202) 482–5166; and Megan Goins (Republic of Turkey (Turkey)) at (202) 482–0884, AD/CVD Operations Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230.

### SUPPLEMENTARY INFORMATION:

#### The Petitions

On October 4, 2023, the U.S. Department of Commerce (Commerce) received countervailing duty (CVD) petitions concerning imports of aluminum extrusions from China, Indonesia, Mexico, and Turkey filed in proper form on behalf of the U.S. Aluminum Extruders Coalition<sup>1</sup> and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (USW) (collectively,

<sup>1</sup> The members of the U.S. Aluminum Extruders Coalition are Alexandria Extrusion Company; APEL Extrusions Inc.; Bonnell Aluminum; Brazeway; Custom Aluminum Products; Extrudex Aluminum; International Extrusions; Jordan Aluminum Company; M–D Building Products, Inc.; Merit Aluminum; MI Metals; Pennex Aluminum; Tower Extrusions; and Western Extrusions.

the petitioners).<sup>2</sup> The CVD petitions were accompanied by antidumping duty (AD) petitions concerning imports of aluminum extrusions from China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam.<sup>3</sup>

Between October 6 and 18, 2023, Commerce requested supplemental information pertaining to certain aspects of the Petitions.<sup>4</sup> Subsequently, between October 11 and 20, 2023, the petitioners filed timely responses to these requests for additional information.<sup>5</sup>

<sup>2</sup> See Petitioners’ Letter, “Aluminum Extrusions from Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the People’s Republic of China, South Korea, Taiwan, Thailand, Turkey, the United Arab Emirates and Vietnam: Petitions for the Imposition of Antidumping and Countervailing Duties,” dated October 4, 2023 (Petitions).

<sup>3</sup> *Id.*

<sup>4</sup> See Commerce’s Letters, “Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Supplemental Questions,” dated October 6, 2023; “Petitions for the Imposition of Countervailing Duties on Imports of Aluminum Extrusions from Indonesia: Supplemental Questions,” dated October 6, 2023; “Petition for the Imposition of Countervailing Duties on Imports of Aluminum Extrusions from Mexico: Supplemental Questions,” dated October 6, 2023; “Petitions for the Imposition of Countervailing Duties on Imports of Aluminum Extrusions from the Republic of Turkey: Supplemental Questions,” dated October 6, 2023; “Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Supplemental Questions,” dated October 10, 2023 (First Scope Questionnaire); “Countervailing Duty Petition on Aluminum Extrusions from the People’s Republic of China: Supplemental Questions,” dated October 11, 2023; and “Petitions for the Imposition of Antidumping and Countervailing Duties on Imports of Aluminum Extrusions from the People’s Republic of China, Colombia, Ecuador, the Dominican Republic, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Second Scope Supplemental Questionnaire,” dated October 18, 2023 (Second Scope Questionnaire); see also Memoranda, “Phone Call with Counsel to the Petitioners,” dated October 11, 2023 (October 11 Memorandum); and “Phone Call with Counsel to the Petitioners,” dated October 19, 2023 (October 19 Memorandum).

<sup>5</sup> See Petitioners’ Letters, “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to First Supplemental Questions Regarding Common Issues and Injury Petition

Continued

In accordance with section 702(b)(1) of the Tariff Act of 1930, as amended (the Act), the petitioners allege that the Government of China (GOC), Government of Indonesia (GOI), Government of Mexico (GOM), and Government of Turkey (GOT), are providing countervailable subsidies, within the meaning of sections 701 and 771(5) of the Act, to producers of aluminum extrusions from China, Indonesia, Mexico, and Turkey, respectively, and that such imports are materially injuring, or threatening material injury to, the domestic industry producing in the United States. Consistent with section 702(b)(1) of the Act and 19 CFR 351.202(b), for those alleged programs on which we are initiating CVD investigations, the Petitions are supported by information reasonably available to the petitioners.

Commerce finds that the petitioners filed the Petitions on behalf of the domestic industry, because the petitioners are interested parties, as defined in sections 771(9)(D) and (E) of the Act.<sup>6</sup> Commerce also finds that the petitioners demonstrated sufficient industry support with respect to the initiation of the requested CVD investigations.<sup>7</sup>

Volume I of the Petition,” dated October 11, 2023 (General Issues Supplement); “Aluminum Extrusions from Mexico: Response to First Supplemental Questions Regarding Mexico Countervailing Duty Volume XVII of the Petition,” dated October 11, 2023; “Aluminum Extrusions from the Republic of Turkey: Response to First Supplemental Questions Regarding Turkey Countervailing Duty Volume XIX of the Petition,” dated October 11, 2023; “Aluminum Extrusions from Indonesia: Response to First Supplemental Questions Regarding Indonesia Countervailing Duty Volume XVI of the Petition,” dated October 12, 2023; “Aluminum Extrusions from the People’s Republic of China, Indonesia, Mexico, the Republic of Turkey: Response to First Supplemental Questions Regarding China Countervailing Duty Volume XVIII of the Petition,” dated October 16, 2023; “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to First Supplemental Scope Questions Regarding Common Issues and Injury Petition Volume I of the Petition,” dated October 13, 2023 (First Scope Supplement); and “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to Second Supplemental Scope Questions Regarding Common Issues and Injury Petition Volume I of the Petition,” dated October 20, 2023 (Second Scope Supplement).

<sup>6</sup> See Petitions at Volume I (page 2). The U.S. Aluminum Extruders Coalition is an interested party under section 771(9)(E) of the Act, while the USW is an interested party under section 771(9)(D) of the Act.

<sup>7</sup> See “Determination of Industry Support for the Petitions” section, *infra*.

### Periods of Investigation

Because the Petitions were filed on October 4, 2023, the periods of investigation (POI) for China, Indonesia, Mexico, and Turkey are January 1, 2022, through December 31, 2022.<sup>8</sup>

### Scope of the Investigations

The products covered by these investigations are aluminum extrusions from China, Indonesia, Mexico, and Turkey. For a full description of the scope of these investigations, see the appendix to this notice.

### Comments on Scope of the Investigations

On October 10, 11, 18, and 19, 2023, Commerce requested information and clarification from the petitioners regarding the proposed scope to ensure that the scope language in the Petitions is an accurate reflection of the products for which the domestic industry is seeking relief.<sup>9</sup> On October 13 and 20, 2023, the petitioners provided clarifications and revised the scope.<sup>10</sup> The description of merchandise covered by these investigations, as described in the appendix to this notice, reflects these clarifications.

As discussed in the *Preamble* to Commerce’s regulations, we are setting aside a period for parties to raise issues regarding product coverage (*i.e.*, scope).<sup>11</sup> We have some concerns related to the administrability of certain provisions in the proposed scope. For example, we find the definition of subassemblies (included) and imported merchandise that is not a part or subassembly of a larger product or system (excluded) remains an outstanding issue. Accordingly, Commerce intends to continue evaluating the scope of these investigations, with the possibility of making additional modifications to clarify further what products are covered and not covered by the scope of these investigations.

Commerce will consider all scope comments received and, if necessary, will consult with interested parties prior to the issuance of the preliminary determinations. If scope comments include factual information,<sup>12</sup> all such

<sup>8</sup> See 19 CFR 351.204(b)(2).

<sup>9</sup> See First Scope Questionnaire; see also October 11 Memorandum; Second Scope Questionnaire; and October 19 Memorandum.

<sup>10</sup> See First Scope Supplement at 1–19 and Exhibit I–Scope Supp–1; see also Second Scope Supplement at 1–3 and Exhibits I–Second Scope Supp–1 and I–Second Scope Supp–2.

<sup>11</sup> See *Antidumping Duties; Countervailing Duties*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*); see also 19 CFR 351.312.

<sup>12</sup> See 19 CFR 351.102(b)(21) (defining “factual information”).

factual information should be limited to public information. To facilitate preparation of its questionnaires, Commerce requests that scope comments be submitted by 5 p.m. Eastern Time (ET) on November 13, 2023, which is 20 calendar days from the signature date of this notice. Any rebuttal comments, which may include factual information, must be filed by 5 p.m. ET on November 24, 2023, which is the next business day after 10 calendar days from the initial comment deadline.<sup>13</sup>

Commerce requests that any factual information that the parties consider relevant to the scope of the investigations be submitted during that period. However, if a party subsequently finds that additional factual information pertaining to the scope of the investigations may be relevant, the party may contact Commerce and request permission to submit the additional information. All scope comments must also be filed on the record of each of the concurrent AD and CVD investigations.

### Filing Requirements

All submissions to Commerce must be filed electronically via Enforcement and Compliance’s Antidumping Duty and Countervailing Duty Centralized Electronic Service System (ACCESS), unless an exception applies.<sup>14</sup> An electronically filed document must be received successfully in its entirety by the time and date it is due.

### Consultations

Pursuant to sections 702(b)(4)(A)(i) and (ii) of the Act, Commerce notified the GOC, GOI, GOM, and GOT of the receipt of the Petitions and provided each an opportunity for consultations with respect to the Petitions.<sup>15</sup> The GOC

<sup>13</sup> See 19 CFR 351.303(b)(1) (“For both electronically filed and manually filed documents, if the applicable due date falls on a non-business day, the Secretary will accept documents that are filed on the next business day.”) The initial deadline for rebuttal comments falls on November 23, 2023, which is a federal holiday.

<sup>14</sup> See *Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures*, 76 FR 39263 (July 6, 2011); see also *Enforcement and Compliance; Change of Electronic Filing System Name*, 79 FR 69046 (November 20, 2014), for details of Commerce’s electronic filing requirements, effective August 5, 2011. Information on using ACCESS can be found at <https://access.trade.gov/help.aspx> and a handbook can be found at [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf).

<sup>15</sup> See Commerce’s Letters, “Countervailing Duty Petition on Aluminum Extrusions from the People’s Republic of China,” dated October 5, 2023; “Countervailing Duty Petition on Aluminum Extrusions from Indonesia: Invitation for Consultations to Discuss the Countervailing Duty Petition,” dated October 5, 2023; “Aluminum Extrusions from Mexico: Invitation for Consultation



requested a consultation,<sup>16</sup> which was held via video conference on October 16, 2023.<sup>17</sup> The GOI requested a consultation,<sup>18</sup> which was held via video conference on October 18, 2023.<sup>19</sup> The GOM requested a consultation,<sup>20</sup> which was held via video conference on October 19, 2023.<sup>21</sup> The GOT requested a consultation,<sup>22</sup> which was held via video conference on October 19, 2023.<sup>23</sup>

### Determination of Industry Support for the Petitions

Section 702(b)(1) of the Act requires that a petition be filed on behalf of the domestic industry. Section 702(c)(4)(A) of the Act provides that a petition meets this requirement if the domestic producers or workers who support the petition account for: (i) at least 25 percent of the total production of the domestic like product; and (ii) more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition. Moreover, section 702(c)(4)(D) of the Act provides that, if the petition does not establish support of domestic producers or workers accounting for more than 50 percent of the total production of the domestic like product, Commerce shall: (i) poll the industry or rely on other information in order to determine if there is support for the petition, as required by subparagraph (A); or (ii) determine industry support using a statistically valid sampling method to poll the “industry.”

Section 771(4)(A) of the Act defines the “industry” as the producers as a

to Discuss the Countervailing Duty Petition,” dated October 5, 2023; and “Countervailing Duty Petition on Aluminum Extrusions from the Republic of Turkey,” dated October 5, 2023.

<sup>16</sup> See GOC’s Letter, “Aluminum Extrusions from the People’s Republic of China: Request for Consultations to Discuss the Countervailing Duty Investigation Petitions,” dated October 9, 2023.

<sup>17</sup> See Memorandum, “Consultations with the Officials from the Government of China,” dated October 16, 2023.

<sup>18</sup> See GOT’s Letter, “Government of Indonesia Response on the Invitation for Consultations to Discuss the Countervailing Duty Petition Concerning Imports of Aluminum Extrusions from Indonesia,” dated October 10, 2023.

<sup>19</sup> See Memorandum, “Consultations with the Officials from the Government of Indonesia,” dated October 19, 2023.

<sup>20</sup> See GOM’s Letter, “Aluminum Extrusions from Mexico GOM’s submission,” dated October 16, 2023.

<sup>21</sup> See Memorandum, “Consultations with Officials from the Government of Mexico,” dated October 19, 2023.

<sup>22</sup> See GOT’s Letter, “Response to Invitation for Consultations,” dated October 9, 2023.

<sup>23</sup> See Memorandum, “Consultations with Officials from the Government of the Republic of Turkey,” dated October 23, 2023; see also GOT’s Letter, “Countervailing Duty Petition on Aluminum Extrusions from Türkiye: Consultations Held on October 19, 2023,” dated October 23, 2023.

whole of a domestic like product. Thus, to determine whether a petition has the requisite industry support, the statute directs Commerce to look to producers and workers who produce the domestic like product. The U.S. International Trade Commission (ITC), which is responsible for determining whether “the domestic industry” has been injured, must also determine what constitutes a domestic like product in order to define the industry. While both Commerce and the ITC must apply the same statutory definition regarding the domestic like product,<sup>24</sup> they do so for different purposes and pursuant to a separate and distinct authority. In addition, Commerce’s determination is subject to limitations of time and information. Although this may result in different definitions of the like product, such differences do not render the decision of either agency contrary to law.<sup>25</sup>

Section 771(10) of the Act defines the domestic like product as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this title.” Thus, the reference point from which the domestic like product analysis begins is “the article subject to an investigation” (*i.e.*, the class or kind of merchandise to be investigated, which normally will be the scope as defined in the petition).

With regard to the domestic like product, the petitioners do not offer a definition of the domestic like product distinct from the scope of the investigations.<sup>26</sup> Based on our analysis of the information submitted on the record, we have determined that aluminum extrusions, as defined in the scope, constitute a single domestic like product, and we have analyzed industry support in terms of that domestic like product.<sup>27</sup>

<sup>24</sup> See section 771(10) of the Act.

<sup>25</sup> See *USEC, Inc. v. United States*, 132 F. Supp. 2d 1, 8 (CIT 2001) (citing *Algoma Steel Corp., Ltd. v. United States*, 688 F. Supp. 639, 644 (CIT 1988), *aff’d Algoma Steel Corp., Ltd. v. United States*, 865 F.2d 240 (Fed. Cir. 1989)).

<sup>26</sup> See Petitions at Volume I (pages 23–28); see also General Issues Supplement at 1 and Exhibit I-Supp-1.

<sup>27</sup> For a discussion of the domestic like product analysis as applied to these cases and information regarding industry support, see Countervailing Duty Investigation Initiation Checklists: Aluminum Extrusions from the People’s Republic of China, Indonesia, Mexico, and the Republic of Turkey, dated concurrently with this notice (Country-Specific CVD Initiation Checklists), at Attachment II, Analysis of Industry Support for the Antidumping and Countervailing Duty Petitions Covering Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Mexico, Malaysia, Taiwan, Thailand, the Republic of Turkey, the United Arab

In determining whether the petitioners have standing under section 702(c)(4)(A) of the Act, we considered the industry support data contained in the Petitions with reference to the domestic like product as defined in the “Scope of the Investigations,” in the appendix to this notice. To establish industry support, the petitioners provided the total 2022 shipments of the domestic like product for the U.S. producers that support the Petitions, as well as the estimated 2022 production of the domestic like product for the plants represented by the USW, and compared this to the estimated total 2022 shipments of the domestic like product for the entire domestic industry.<sup>28</sup> The petitioners estimated the total 2022 shipments of the domestic like product for the entire U.S. industry based on information derived from the Aluminum Association.<sup>29</sup> Because total industry production data for the domestic like product for 2022 are not reasonably available to the petitioners, and the petitioners have established that shipments are a reasonable proxy for production data,<sup>30</sup> we have relied on the data provided by the petitioners for purposes of measuring industry support.<sup>31</sup>

On October 17, 2023, we received timely filed comments on industry support from Hydro Precision Tubing USA, LLC (Hydro Precision), a U.S. producer of aluminum extrusions.<sup>32</sup> On October 17, 2023, we also received timely filed comments on industry support from Ashley Furniture Industries, LLC and Kimball International Inc. (collectively, Ashley/Kimball), domestic producers of

Emirates, and the Socialist Republic of Vietnam (Attachment II). These checklists are on file electronically via ACCESS.

<sup>28</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–3, I–4, I–23, and I–58); see also General Issues Supplement at 3–7 and Exhibits I-Supp-8 through I-Supp-10.

<sup>29</sup> See Petitions at Volume I (pages 3–6 and Exhibits I–4 and I–58); see also General Issues Supplement at 3–7 and Exhibit I-Supp-8.

<sup>30</sup> See Petitions at Volume I (pages 3–5 and Exhibit I–4); see also General Issues Supplement at 4–5.

<sup>31</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–1 through I–4, I–23, and I–58); see also General Issues Supplement at 2–7 and Exhibits I-Supp-4 through I-Supp-10. For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>32</sup> See Hydro Precision’s Letter, “Aluminum Extrusions from the People’s Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Hydro Precision Tubing USA, LLC’s Comments on the Lack of Standing of the Petitioner and Request for Polling of the Domestic Industry,” dated October 17, 2023.

furniture.<sup>33</sup> On October 19, 2023, the petitioners responded to the comments from Hydro Precision and Ashley/Kimball in a timely filed submission.<sup>34</sup>

Our review of the data provided in the Petitions, the General Issues Supplement, the Petitioners' Standing Response, and other information readily available to Commerce indicates that the petitioners have established industry support for the Petitions.<sup>35</sup> First, the Petitions established support from domestic producers (or workers) accounting for more than 50 percent of the total production of the domestic like product and, as such, Commerce is not required to take further action in order to evaluate industry support (e.g., polling).<sup>36</sup> Second, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(i) of the Act because the domestic producers (or workers) who support the Petitions account for at least 25 percent of the total production of the domestic like product.<sup>37</sup> Finally, the domestic producers (or workers) have met the statutory criteria for industry support under section 702(c)(4)(A)(ii) of the Act because the domestic producers (or workers) who support the Petitions account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the Petitions.<sup>38</sup> Accordingly, Commerce determines that the Petitions were filed on behalf of the domestic industry within the meaning of section 702(b)(1) of the Act.<sup>39</sup>

<sup>33</sup> See Ashley/Kimball's Letter, "Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Malaysia, Mexico, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Comments on Industry Support," dated October 17, 2023.

<sup>34</sup> See Petitioners' Letter, "Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, Malaysia, Mexico, the Republic of Korea, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam: Response to Comments on Industry Support," dated October 19, 2023 (Petitioners' Standing Response).

<sup>35</sup> See Petitions at Volume I (pages 2–6 and Exhibits I–1 through I–4, I–23, and I–58); see also General Issues Supplement at 2–7 and Exhibits I–Supp-4 through I–Supp-10; and Petitioners' Standing Response at 1–23 and Exhibits 1–16. For further discussion, see Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>36</sup> See Attachment II of the Country-Specific CVD Initiation Checklists; see also section 702(c)(4)(D) of the Act.

<sup>37</sup> See Attachment II of the Country-Specific CVD Initiation Checklists.

<sup>38</sup> *Id.*

<sup>39</sup> *Id.*

### Injury Test

Because China, Indonesia, Mexico, and Turkey are "Subsidies Agreement Countries" within the meaning of section 701(b) of the Act, section 701(a)(2) of the Act applies to these investigations. Accordingly, the ITC must determine whether imports of the subject merchandise from China, Indonesia, Mexico, and/or Turkey materially injure, or threaten material injury to, a U.S. industry.

### Allegations and Evidence of Material Injury and Causation

The petitioners allege that imports of the subject merchandise are benefiting from countervailable subsidies and that such imports are causing, or threaten to cause, material injury to the U.S. industry producing the domestic like product. In addition, the petitioners allege that subject imports from China, Indonesia, Mexico, and Turkey exceed the negligibility threshold provided for under section 771(24)(A) of the Act.<sup>40</sup>

The petitioner contends that the industry's injured condition is illustrated by a significant volume of subject imports; reduced market share; underselling and price depression and/or suppression; lost sales and revenues; decline in the domestic industry's production, capacity utilization, and U.S. shipments; declining employment variables; and adverse impact on the domestic industry's profitability and financial performance.<sup>41</sup> We assessed the allegations and supporting evidence regarding material injury, threat of material injury, causation, as well as negligibility, and we have determined that these allegations are properly supported by adequate evidence, and meet the statutory requirements for initiation.<sup>42</sup>

### Initiation of CVD Investigations

Based upon the examination of the Petitions and supplemental responses, we find that they meet the requirements of section 702 of the Act. Therefore, we are initiating CVD investigations to determine whether imports of

<sup>40</sup> See Petitions at Volume I (pages 37–38 and Exhibit I–16); see also General Issues Supplement at 9 and Exhibit I–Supp–11.

<sup>41</sup> See Petitions at Volume I (pages 22, 30–60 and Exhibits I–I–9 through I–56); see also General Issues Supplement at 7–9 and Exhibit I–Supp–11.

<sup>42</sup> See Country-Specific CVD Initiation Checklists at Attachment III, Analysis of Allegations and Evidence of Material Injury and Causation for the Antidumping and Countervailing Duty Petitions Covering Aluminum Extrusions from the People's Republic of China, Colombia, the Dominican Republic, Ecuador, India, Indonesia, Italy, the Republic of Korea, Mexico, Malaysia, Taiwan, Thailand, the Republic of Turkey, the United Arab Emirates, and the Socialist Republic of Vietnam.

aluminum extrusions from China, Indonesia, Mexico, and Turkey benefit from countervailable subsidies conferred by the GOC, GOI, GOM, and GOT, respectively. In accordance with section 703(b)(1) of the Act and 19 CFR 351.205(b)(1), unless postponed, we will make our preliminary determinations no later than 65 days after the date of these initiations.

### China

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 35 of 41 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate an investigation of each program, see the China CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Indonesia

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on seven of eight programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate an investigation of each program, see the Indonesia CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Mexico

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 14 of 17 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate an investigation of each program, see the Mexico CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Turkey

Based on our review of the Petitions, we find that there is sufficient information to initiate a CVD investigation on 44 of 52 programs alleged by the petitioners. For a full discussion of the basis for our decision to initiate an investigation of each program, see the Turkey CVD Initiation Checklist. A public version of the initiation checklist for this investigation is available on ACCESS.

### Respondent Selection

The petitioner identified 281 companies in China, 18 companies in Indonesia, 14 companies in Mexico, and 39 companies in Turkey as producers

and/or exporters of aluminum extrusions.<sup>43</sup>

Commerce intends to follow its standard practice in CVD investigations and calculate company-specific subsidy rates in these investigations. In the event that Commerce determines that the number of known producers/exporters is large, and it cannot individually examine each company based upon Commerce's resources, Commerce intends to select mandatory respondents based on quantity and value (Q&V) questionnaires issued to the potential respondents. Commerce normally selects mandatory respondents in CVD investigations using U.S. Customs and Border Protection (CBP) entry data for U.S. imports under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) subheadings listed in the scope of the investigations. However, for these investigations, due to the wide variety of individual types of aluminum extrusions products covered by the scope, we cannot rely on CBP entry data in selecting respondents.

Notwithstanding the decision to rely on Q&V questionnaires for respondent selection, due to the large number of producers and/or exporters identified in the Petitions for China, Indonesia and Turkey, Commerce has determined to limit the number of Q&V questionnaires that it will issue to exporters and producers based on CBP data for aluminum extrusions from those countries during the POI under the appropriate HTSUS subheadings listed in the "Scope of the Investigations," in the appendix. Accordingly, Commerce will send Q&V questionnaires to the largest producers and exporters that are identified in the CBP data for which there is complete address information on the record. With respect to Mexico, Commerce intends to send Q&V questionnaires to all producers and exporters that are identified in the Petitions for which there is complete address information on the record.

Commerce will post the Q&V questionnaires along with filing instructions on Commerce's website at <https://www.trade.gov/ec-adcvd-case-announcements>. Exporters/producers of aluminum extrusions from China, Indonesia, Mexico, and Turkey that do not receive Q&V questionnaires by mail may still submit a response to the Q&V questionnaire and can obtain the Q&V questionnaire from Enforcement and Compliance's website. Responses to the Q&V questionnaire must be submitted

by the relevant producers/exporters no later than 5 p.m. ET on November 7, 2023, which is two weeks from the signature date of this notice. All Q&V responses must be filed electronically via ACCESS. An electronically filed document must be received successfully, in its entirety, by ACCESS no later than 5 p.m. ET on the deadline noted above. Commerce intends to finalize its decision regarding respondent selection within 20 days of publication of this notice.

#### Distribution of Copies of the Petitions

In accordance with section 702(b)(4)(A) of the Act and 19 CFR 351.202(f), a copy of the public version of the Petitions has been provided to the GOC, GOI, GOM, and GOT via ACCESS. Furthermore, to the extent practicable, Commerce will attempt to provide a copy of the public version of the Petitions to each exporter named in the Petitions, as provided under 19 CFR 351.203(c)(2).

#### ITC Notification

Commerce will notify the ITC of its initiation, as required by section 702(d) of the Act.

#### Preliminary Determination by the ITC

The ITC will preliminarily determine, within 45 days after the date on which the Petitions were filed, whether there is a reasonable indication that imports of aluminum extrusions from China, Indonesia, Mexico and/or Turkey are materially injuring, or threatening material injury to, a U.S. industry.<sup>44</sup> A negative ITC determination for a country will result in the investigation being terminated with respect to that country.<sup>45</sup> Otherwise, these CVD investigations will proceed according to statutory and regulatory time limits.

#### Submission of Factual Information

Factual information is defined in 19 CFR 351.102(b)(21) as: (i) evidence submitted in response to questionnaires; (ii) evidence submitted in support of allegations; (iii) publicly available information to value factors under 19 CFR 351.408(c) or to measure the adequacy of remuneration under 19 CFR 351.511(a)(2); (iv) evidence placed on the record by Commerce; and (v) evidence other than factual information described in (i)-(iv). Section 351.301(b) of Commerce's regulations requires any party, when submitting factual information, to specify under which subsection of 19 CFR 351.102(b)(21) the

information is being submitted<sup>46</sup> and, if the information is submitted to rebut, clarify, or correct factual information already on the record, to provide an explanation identifying the information already on the record that the factual information seeks to rebut, clarify, or correct.<sup>47</sup> Time limits for the submission of factual information are addressed in 19 CFR 351.301, which provides specific time limits based on the type of factual information being submitted. Interested parties should review the regulations prior to submitting factual information in these investigations.

#### Extensions of Time Limits

Parties may request an extension of time limits before the expiration of a time limit established under 19 CFR 351.301, or as otherwise specified by Commerce. In general, an extension request will be considered untimely if it is filed after the expiration of the time limit established under 19 CFR 351.301.<sup>48</sup> For submissions that are due from multiple parties simultaneously, an extension request will be considered untimely if it is filed after 10 a.m. ET on the due date. Under certain circumstances, Commerce may elect to specify a different time limit by which extension requests will be considered untimely for submissions which are due from multiple parties simultaneously. In such a case, Commerce will inform parties in a letter or memorandum of the deadline (including a specified time) by which extension requests must be filed to be considered timely. An extension request must be made in a separate, stand-alone submission; under limited circumstances will we grant untimely filed requests for the extension of time limits, where we determine, based on 19 CFR 351.302, that extraordinary circumstances exist. Parties should review Commerce's regulations concerning the extension of time limits and the *Time Limits Final Rule* prior to submitting factual information in these investigations.<sup>49</sup>

#### Certification Requirements

Any party submitting factual information in an AD or CVD proceeding must certify to the accuracy and completeness of that information.<sup>50</sup>

<sup>46</sup> See 19 CFR 351.301(b).

<sup>47</sup> See 19 CFR 351.301(b)(2).

<sup>48</sup> See 19 CFR 351.302.

<sup>49</sup> See 19 CFR 301; see also *Extension of Time Limits; Final Rule*, 78 FR 57790 (September 20, 2013) (*Time Limits Final Rule*), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-09-20/html/2013-22853.htm>.

<sup>50</sup> See section 782(b) of the Act.

<sup>43</sup> See Petitions at Volume I (page 18 and Exhibit I-8); see also General Issues Supplement at 1-2 and Exhibit I-Supp-3.

<sup>44</sup> See section 703(a)(1) of the Act.

<sup>45</sup> *Id.*

Parties must use the certification formats provided in 19 CFR 351.303(g).<sup>51</sup> Commerce intends to reject factual submissions if the submitting party does not comply with the applicable certification requirements.

### Notification to Interested Parties

Interested parties must submit applications for disclosure under administrative protective order in accordance with 19 CFR 351.305. Parties wishing to participate in these investigations should ensure that they meet the requirements of 19 CFR 351.103(d) (e.g., by filing the required letters of appearance). Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until further notice.<sup>52</sup>

This notice is issued and published pursuant to sections 702 and 777(i) of the Act, and 19 CFR 351.203(c).

Dated: October 24, 2023.

**Lisa W. Wang,**

*Assistant Secretary for Enforcement and Compliance.*

### Appendix—Scope of the Investigations

The merchandise subject to these investigations are 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).

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, swaged, mitered, chamfered, threaded, and spun. Performing such operations in third countries does not otherwise remove the merchandise from the scope of the investigations.

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.

Aluminum extrusions may be heat sinks, which are fabricated aluminum extrusions that dissipate heat away from a heat source and may serve other functions, such as structural functions. Heat sinks come in a variety of sizes and shapes, including but not limited to a flat electronic heat sink, which

is a solid aluminum extrusion with at least one flat side used to mount electronic or mechanical devices; a heat sink that is a housing for electronic controls or motors; lighting heat sinks, which dissipate heat away from LED devices; and process and exchange heat sinks, which are tube extrusions with fins or plates used to hold radiator tubing. 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. For purposes of these investigations on aluminum extrusions from the People's Republic of China, only heat sinks designed and produced around meeting specified thermal performance requirements and tested to comply with such requirements are included in the scope.

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 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 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. Parts or subassemblies described by this paragraph that are subject to duties in their entirety pursuant to existing antidumping and countervailing duty orders are excluded from the scope of these investigations, so long as they remain subject to the scope of such orders. Any part or subassembly that otherwise meets the requirements of this scope and that is not covered by other antidumping and/or countervailing duty orders remains subject to the scope of these investigations.

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

<sup>51</sup> See *Certification of Factual Information to Import Administration During Antidumping and Countervailing Duty Proceedings*, 78 FR 42678 (July 17, 2013) (*Final Rule*); see also frequently asked questions regarding the *Final Rule*, available at [https://enforcement.trade.gov/tlei/notices/factual\\_info\\_final\\_rule\\_FAQ\\_07172013.pdf](https://enforcement.trade.gov/tlei/notices/factual_info_final_rule_FAQ_07172013.pdf).

<sup>52</sup> See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19; Extension of Effective Period*, 85 FR 41363 (July 10, 2020). Additionally, note that Commerce has modified its regulations to make permanent certain changes to its service procedures that were adopted on a temporary basis due to COVID-19, as well as additional clarifications and corrections to its AD/CVD regulations. Effective October 30, 2023, these changes will apply to all AD/CVD proceedings that are ongoing on the effective date and all AD/CVD proceedings initiated on or after the effective date. See *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069 (September 29, 2023).

or material, regardless of whether the additional parts or material are interchangeable.

The scope also excludes merchandise containing non-extruded aluminum components beyond fasteners that is not a part or subassembly of a larger product or system that enters unassembled as a packaged combination of parts to be assembled as is for its intended use, without undergoing after importation any processing, fabrication, or finishing or the addition of parts or material, regardless of whether the additional parts or material are interchangeable. To be excluded under this paragraph, the merchandise must be sold and enter as a discrete kit on one Customs entry form.

Examples of such excluded assembled and unassembled merchandise include windows with glass, door units with door panel and glass, motor vehicles, trailers, furniture, and appliances.

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 (not including proprietary equivalents or other certifying body equivalents) 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 (not including proprietary equivalents or other certifying body equivalents), 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 Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7605.19.0000, 7604.10.5000, or 7616.99.5190.

Also excluded from the scope of these antidumping and countervailing duty investigations on aluminum extrusions from the People's Republic of China 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); and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30,653 (May 26, 2011) (collectively, *Aluminum Extrusions from the People's Republic of China*). Solely for these investigations on aluminum extrusions from the People's Republic of China, the following is an exhaustive list of products that meet the definition of subject merchandise. Merchandise that is not included in the following list that meets the definition of subject merchandise in the 2011 antidumping and countervailing duty orders on *Aluminum Extrusions from the People's Republic of China* remains subject to the earlier orders. No other section of this scope language that provides examples of subject merchandise is exhaustive. The following products are included in the scope of these investigations on aluminum extrusions from the People's Republic of China, whether assembled or unassembled: heat sinks as described above; cleaning system components like mops and poles; banner stands/back walls; fabric wall systems; drapery rails; side mount valve controls; water heater anodes; solar panel mounting systems; 5050 alloy rails for showers and carpets; auto heating and cooling system components; assembled motor cases with stators; louver assemblies; event décor; window wall units and parts; trade booths; micro channel heat exchangers; telescoping poles, pole handles, and pole attachments; flagpoles; wind sign frames; foreline hose assembly; electronics enclosures; parts and subassemblies for storefronts, including portal sets; light poles; air duct registers; outdoor sporting goods parts and subassemblies; glass refrigerator shelves; aluminum ramps; handicap ramp system parts and subassemblies; frames and parts for tents and clear span structures; parts and subassemblies for screen enclosures, patios,

and sunrooms; parts and subassemblies for walkways and walkway covers; aluminum extrusions for LED lights; parts and subassemblies for screen, storm, and patio doors; pontoon boat parts and subassemblies, including rub rails, flooring, decking, transom structures, canopy systems, seating; boat hulls, framing, ladders, and transom structures; parts and subassemblies for docks, piers, boat lifts and mounting; recreational and boat trailer parts and subassemblies, including subframes, crossmembers, and gates; solar tracker assemblies with gears; garage door framing systems; door threshold and sill assemblies; highway and bridge signs; bridge, street, and highway rails; scaffolding, including planks and struts; railing and support systems; parts and subassemblies for exercise equipment; weatherstripping; door bottom and sweeps; door seals; floor transitions and trims; parts and subassemblies for modular walls and office furniture; truck trailer parts and subassemblies; boat cover poles, outrigger poles, and rod holders; bleachers and benches; parts and subassemblies for elevators, lifts, and dumbwaiters; parts and subassemblies for mirror and framing systems; window treatments; parts and subassemblies for air foils and fans; bus and RV window frames; sliding door rails; dock ladders; parts and subassemblies for RV frames and trailers; awning, canopy, and sunshade structures and their parts and subassemblies; marine motor mounts; linear lighting housings; and cluster mailbox systems.

Imports of the subject merchandise are primarily provided for under the following categories of the 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; 8302.60.3000; 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; 8547.90.0020; 8547.90.0030; 8708.10.3050; 8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9031.90.9195; 9401.99.9081; 9403.99.1040; 9403.99.9010; 9403.99.9015; 9403.99.9020; 9403.99.9040; 9403.99.9045; 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; 9547.90.0040; and 9603.90.8050.

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

[FR Doc. 2023–23961 Filed 10–30–23; 8:45 am]

BILLING CODE 3510–DS–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XD462]

#### Permits; Foreign Fishing

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of application for transshipment permit; request for comments.

**SUMMARY:** NMFS publishes for public review and comment information regarding a permit application for transshipment of farmed salmon from aquaculture operations in Maine waters to processing plants in Canada by Canadian flagged vessels. The application for a transshipment permit is submitted under provisions of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). This action is necessary for NMFS to make a determination that the permit application can be approved.

**DATES:** Written comments must be received by November 14, 2023.

**ADDRESSES:** Written comments on this action, identified by RTID 0648–XD462 should be sent to Kent Laborde and Jasmine Prat in the NMFS Office of International Affairs, Trade, and Commerce by email at [kent.laborde@noaa.gov](mailto:kent.laborde@noaa.gov) and [jasmine.prat@noaa.gov](mailto:jasmine.prat@noaa.gov).

**FOR FURTHER INFORMATION CONTACT:** Kent Laborde and Jasmine Prat by email at [kent.laborde@noaa.gov](mailto:kent.laborde@noaa.gov) and [jasmine.prat@noaa.gov](mailto:jasmine.prat@noaa.gov), or by phone at 301–956–5472.

**SUPPLEMENTARY INFORMATION:** Section 204(d) of the Magnuson-Stevens Act (16

U.S.C. 1824(d)) authorizes the Secretary of Commerce (Secretary) to issue a transshipment permit for a vessel other than a vessel of the United States to engage in fishing consisting solely of transporting fish or fish products at sea from a point within the United States Exclusive Economic Zone (EEZ) or, with the concurrence of a state, within the boundaries of that state, to a point outside the United States.

Section 204(d)(3)(D) of the Magnuson-Stevens Act provides that an application to transship from U.S. waters to another country using non-U.S. vessels may not be approved until the Secretary determines that “no owner or operator of a vessel of the United States which has adequate capacity to perform the transportation for which the application is submitted has indicated . . . an interest in performing the transportation at fair and reasonable rates.” NMFS is publishing this notice as part of its effort to make such a determination with respect to the application described below.

#### Summary of Application

NMFS received an application from True North Salmon Limited Partnership, Kelly Cove Salmon Limited, and 697002 NB, Inc., requesting authorization to transfer salmon from U.S. farm pens in Maine waters to five Canadian vessels for the purpose of transporting the salmon to Blacks Harbour, Canada for processing. The transshipment operations will occur within the boundaries of the State of Maine, and within 12 nautical miles from Maine’s seaward boundary. NMFS issued permits for the same vessels for use in calendar year 2023. Those permits will expire December 31, 2023.

Dated: October 26, 2023.

**Alexa Cole,**

*Director, Office of International Affairs, Trade, and Commerce, National Marine Fisheries Service.*

[FR Doc. 2023–24021 Filed 10–30–23; 8:45 am]

BILLING CODE 3510–22–P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[RTID 0648–XD459]

#### Takes of Marine Mammals Incidental to Specified Activities; Taking Marine Mammals Incidental to Pier Maintenance and Bank Stabilization at U.S. Coast Guard Air Station Port Angeles, Port Angeles, Washington

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice; issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with the regulations implementing the Marine Mammal Protection Act (MMPA) as amended, notification is hereby given that NMFS has issued an authorization to the U.S. Coast Guard (Coast Guard or USCG) to harass marine mammals incidental to construction activities associated with pier maintenance and bank stabilization at USCG Air Station Port Angeles, Port Angeles, Washington. **DATES:** This authorization is effective from July 16, 2024 through July 15, 2025.

**ADDRESSES:** Electronic copies of the application and supporting documents, as well as a list of the references cited in this document, may be obtained online at: <https://www.fisheries.noaa.gov/action/incidental-take-authorization-us-coast-guard-air-station-port-angeles-pier-maintenance-and>. In case of problems accessing these documents, please call the contact listed below.

**FOR FURTHER INFORMATION CONTACT:** Cara Hotchkin, OPR, NMFS, (301) 427–8401.

**SUPPLEMENTARY INFORMATION:**

#### Background

The MMPA prohibits the “take” of marine mammals, with certain exceptions. Sections 101(a)(5)(A) and (D) of the MMPA (16 U.S.C. 1361 *et seq.*) direct the Secretary of Commerce (as delegated to NMFS) to allow, upon request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and either regulations are proposed or, if the taking is limited to harassment, a notice of a proposed incidental harassment authorization (IHA) is provided to the public for review.

Authorization for incidental takings shall be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s) and will not have an unmitigable adverse impact on the availability of the species or stock(s) for taking for subsistence uses (where relevant). Further, NMFS must prescribe the permissible methods of taking and other “means of effecting the least practicable adverse impact” on the affected species or stocks and their habitat, paying particular attention to rookeries, mating grounds, and areas of similar significance, and on the



A-489-850  
Investigation  
POI: 04/01/23-09/30/23  
**Public Document**  
E&C/OII: SG

October 25, 2023

Re: Less-Than-Fair-Value Investigation of Certain Aluminum Extrusions from the Republic of Turkey: Request for Information

Dear Sir or Madam:

On October 24, 2023, the U.S. Department of Commerce (Commerce) initiated an antidumping duty investigation to determine whether certain aluminum extrusions from the Republic of Turkey (Turkey) are being sold in the United States at less than fair value.

In advance of the issuance of the antidumping questionnaire, Commerce asks that you respond to the questions in Attachment I to this letter, requesting information on the quantity and U.S. dollar sales value of all your sales to the United States during the period April 1, 2023, through September 30, 2023, covered by the scope of this investigation, produced in Turkey. The scope of the investigation is included in Attachment II to this letter, and general instructions for responding to this letter are contained in Attachment III. **Please be advised that receipt of this letter does not indicate that you will be chosen as a mandatory respondent because Commerce may find it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Tariff Act of 1930, as amended (the Act). Also, please be advised that receipt of this letter does not guarantee separate rate status. Your response to this letter may be subject to on-site verification by Commerce officials.**

Your response to this quantity and value questionnaire is due to Commerce no later than **5:00 p.m. Eastern Time (ET) on November 7, 2023**. *Due to time constraints in this investigation, Commerce will be limited in its ability to extend the deadline for the response to the attached Quantity and Value Questionnaire.* All submissions to Commerce must be accompanied by a Certificate of Accuracy from company officials and, if represented by legal counsel or other firm, a Certificate of Accuracy from the representative. Additionally, all submissions to Commerce must be served on the appropriate interested parties. A list of interested parties are regularly updated and maintained as record documents in ACCESS at <https://access.trade.gov>. Certificates of service and accuracy are in Attachment IV. General instructions for responding to this Quantity and Value Questionnaire are contained in Attachment III.

**Please note:** Parties should be aware that **the likelihood of Commerce granting an extension will decrease the closer the extension request is filed to the applicable time limit** because Commerce must have time to consider the extension request and decide on its disposition. Parties should not assume that they will receive an extension of a time limit if they have not received a response from Commerce. For submissions that are due at 5:00 p.m. ET, **if**



**Commerce is not able to notify the party requesting the extension of the disposition of the request by 5:00 p.m. ET, then the submission would be due by the opening of business (8:30 a.m. ET) on the next business day. See 19 CFR 351.103(b). If a party requests an extension because of ACCESS/technical filing difficulties to which it did not receive a response from Commerce by 5:00 p.m. ET, and the filing difficulties persist past 8:30 a.m. ET on the next business day, the party should contact the case analyst.**

If a party is experiencing issues with an ACCESS filing, the party should contact the ACCESS Help Desk by telephone to troubleshoot the filing issues. When experiencing filing issues on the day a submission is due, the filing party should also contact the case analyst if known, otherwise the official in charge, informing them of the filing difficulties. The submission for which a party is having difficulties filing on ACCESS should not be emailed to the case analyst or the official in charge.

Help Desk  
(202) 482-3150  
access@trade.gov  
<https://access.trade.gov>

In the unlikely event that you have received this questionnaire after the deadline to respond, you must contact the Commerce official identified in the questionnaire within five days of receipt of the questionnaire to receive further instructions and a revised deadline for submission of the required information. Failure to do so may result in the presumption that you failed to cooperate by not acting to the best of your ability to comply with the request for information, and may use an inference that is adverse to your interests in selecting from the facts otherwise available, in accordance with section 776(b) of the Act.

If you fail to respond or fail to provide the requested quantity and value information, please be aware that Commerce may find that you failed to cooperate by not acting to the best of your ability to comply with the request for information, and may use an inference that is adverse to your interests in selecting from the facts otherwise available, in accordance with section 776(b) of the Act.

In general, Commerce has found that determinations concerning whether particular companies should be “collapsed” (*i.e.*, treated as a single entity for purposes of calculating AD rates), require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not conduct collapsing analyses and will not collapse companies at the respondent selection phase of this investigation for purposes of respondent selection; please report volume and value data separately. Data pertaining to other, possibly affiliated, companies should be reported separately by those companies.

Should you have any questions about this matter, please contact Sean Grossnickle at (202) 482-3818.

Sincerely,



Christopher Hargett  
Program Manager, Office II  
AD/CVD Operations

A-489-850

Total Number of Pages: [INSERT TOTAL NUMBER OF PAGES]

Investigation

AD/CVD Operations, Office II

[INDICATE TYPE OF DOCUMENT, SEE ATTACHMENT III.B.E.]

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**OFFICE OF AD/CVD ENFORCEMENT  
QUANTITY AND VALUE QUESTIONNAIRE**

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**REQUESTER(S):**

[INSERT NAME OF COMPANY]

[COMPANY ADDRESS]

[CONTACT NAME AND TITLE]

[CONTACT TELEPHONE NUMBER]

[CONTACT FAX NUMBER]

[CONTACT E-MAIL ADDRESS]

**REPRESENTATION:**

{INSERT NAME OF COUNSEL, LAW FIRM AND CONTACT INFO}

**CASE:**

Certain Aluminum Extrusions from the Republic of Turkey

**PERIOD OF INVESTIGATION:** April 1, 2023, through September 30, 2023

**DATE OF INITIATION:**

October 24, 2023

**DUE DATE FOR Q&V RESPONSE:**

5:00 p.m. Eastern Time on November 7, 2023

**OFFICIAL IN CHARGE:**

Chris Hargett  
Program Manager  
AD/CVD Operations, Office II  
christopher.hargett@trade.gov

Sean Grossnickle  
International Trade Compliance Analyst  
AD/CVD Operations, Office II  
sean.grossnickle@trade.gov



**ATTACHMENT I****FORMAT FOR REPORTING QUANTITY AND VALUE OF SALES**

In providing the information in the chart below, please provide the total quantity in kilograms and total value (in U.S. dollars) of all your sales to the United States during the period April 1, 2023, through September 30, 2023, of merchandise covered by the scope of this investigation (see Attachment II), produced in the Socialist Republic of Turkey.<sup>1</sup>

Please include only sales exported by your company directly to the United States. However, if your company made sales to third countries for which you have knowledge that the merchandise was ultimately destined for the United States, please separately identify these sales quantities and the location (*i.e.*, countries) to which you made the sales.

Even if you believe that you should be treated as a single entity along with other exporters, please do not report aggregate data for all of the companies that you believe should be treated as a single entity but separately report your company's quantity and value data below. Quantity and value data pertaining to other, possibly affiliated companies, that you believe should be treated together with your company as a single entity should be separately reported by those companies.

<b>Market: United States</b>	<b>Total Quantity (kilograms)</b>	<b>Terms of Sale<sup>2</sup></b>	<b>Total Value<sup>3</sup> (U.S. Dollars)</b>
1. Export Price <sup>4</sup>			
2. Constructed Export Price <sup>5</sup>			
3. Further Manufactured <sup>6</sup>			
<b>Total</b>			

<sup>1</sup> Please use the invoice date when determining which sales to include within the period noted above. Generally, Commerce uses invoice date as the date of sale, as that is when the essential terms of sale are set. If you believe that another date besides the invoice date would provide a more accurate representation of your company's sales during the designated period, please report sales based on that date and provide a full explanation.

<sup>2</sup> To the extent possible, sales values should be reported based on the same terms (*e.g.*, FOB).

<sup>3</sup> Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

<sup>4</sup> Generally, a U.S. sale is classified as an export price sale when the first sale to an unaffiliated person occurs before the goods are imported into the United States.

<sup>5</sup> Generally, a U.S. sale is classified as a constructed export price sale when the first sale to an unaffiliated person occurs after importation. However, if the first sale to the unaffiliated person is made by a person in the United States affiliated with the foreign exporter, constructed export price applies even if the sale occurs prior to importation. Do not report the sale to the affiliated party in the United States; rather, report the sale made by the affiliated party to the unaffiliated customer in the United States. If you have sales of further manufactured merchandise, please report them under Item 3, rather than under Item 2.

<sup>6</sup> "Further manufactured" refers to merchandise that undergoes further manufacture or assembly in the United States before sale to the first unaffiliated customer.

## ATTACHMENT II

### DESCRIPTION OF PRODUCTS UNDER INVESTIGATION

The merchandise subject to these investigations 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).

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, swaged, mitered, chamfered, threaded, and spun. Performing such operations in third countries does not otherwise remove the merchandise from the scope of the investigations.

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.

Aluminum extrusions may be heat sinks, which are fabricated aluminum extrusions that dissipate heat away from a heat source and may serve other functions, such as structural functions. Heat sinks come in a variety of sizes and shapes, including but not limited to a flat electronic heat sink, which is a solid aluminum extrusion with at least one flat side used to mount electronic or mechanical devices; a heat sink that is a housing for electronic controls or motors; lighting heat sinks, which dissipate heat away from LED devices; and process and exchange heat sinks, which are tube extrusions with fins or plates used to hold radiator tubing. 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. For purposes of these investigations on aluminum extrusions from the People's Republic of China, only heat sinks designed and produced around meeting specified thermal performance requirements and tested to comply with such requirements are included in the scope.

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 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 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. Parts or subassemblies described by this paragraph that are subject to duties in their entirety pursuant to existing antidumping and countervailing duty orders are excluded from the scope of these investigations, so long as they remain subject to the scope of such orders. Any part or subassembly that otherwise meets the requirements of this scope and that is not covered by other antidumping and/or countervailing duty orders remains subject to the scope of these investigations.

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.

The scope also excludes merchandise containing non-extruded aluminum components beyond fasteners that is not a part or subassembly of a larger product or system that enters unassembled as a packaged combination of parts to be assembled as is for its intended use, without undergoing after importation any processing, fabrication, or finishing or the addition of parts or material, regardless of whether the additional parts or material are interchangeable. To be excluded under this paragraph, the merchandise must be sold and enter as a discrete kit on one Customs entry form.

Examples of such excluded assembled and unassembled merchandise include windows with glass, door units with door panel and glass, motor vehicles, trailers, furniture, and appliances.

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 (not including proprietary equivalents or other certifying body equivalents) 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 (not including proprietary equivalents or other certifying body equivalents), 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 Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7605.19.0000, 7604.10.5000, or 7616.99.5190.

Also excluded from the scope of these antidumping and countervailing duty investigations on aluminum extrusions from the People's Republic of China 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). Solely for these investigations on aluminum extrusions from the People's Republic of China, the following is an exhaustive list of products that meet the definition of subject merchandise. Merchandise that is not included in the following list that meets the definition of subject merchandise in the 2011 antidumping and countervailing duty orders on Aluminum Extrusions from the People's Republic of China remains subject to the earlier orders. No other section of this scope language that provides examples of subject merchandise is exhaustive. The following products are included in the scope of these investigations on aluminum extrusions from the People's Republic of China, whether assembled or unassembled: heat sinks as described above; cleaning system components like mops and poles; banner stands/back walls; fabric wall systems; drapery rails; side mount valve controls; water heater anodes; solar panel mounting systems; 5050 alloy rails for showers and carpets; auto heating and cooling system components; assembled motor cases with stators; louver assemblies; event décor; window wall units and parts; trade booths; micro channel heat exchangers; telescoping poles, pole handles, and pole attachments; flagpoles; wind sign frames; foreline hose assembly; electronics enclosures; parts and subassemblies for storefronts, including portal sets; light poles; air duct registers; outdoor sporting goods parts and subassemblies; glass refrigerator shelves; aluminum ramps; handicap ramp system parts and subassemblies; frames and parts for tents and clear span structures; parts and subassemblies for screen enclosures, patios, and sunrooms; parts and subassemblies for walkways and walkway covers; aluminum extrusions for LED lights; parts and subassemblies for screen, storm, and patio doors; pontoon boat parts and subassemblies, including rub rails, flooring, decking, transom structures, canopy systems, seating; boat hulls, framing, ladders, and transom structures; parts and subassemblies for docks, piers, boat lifts and mounting; recreational and boat trailer parts and subassemblies, including subframes, crossmembers, and gates; solar tracker assemblies with gears; garage door framing systems; door threshold and sill assemblies; highway and bridge signs; bridge, street, and highway rails; scaffolding, including planks and struts; railing and support systems; parts and subassemblies for exercise equipment; weatherstripping; door bottom and sweeps; door seals; floor transitions and trims; parts and subassemblies for modular walls and office furniture; truck trailer parts and subassemblies; boat cover poles, outrigger poles, and rod holders; bleachers and benches; parts and subassemblies for elevators, lifts, and dumbwaiters; parts and subassemblies for mirror and framing systems; window treatments; parts and subassemblies for air foils and fans; bus and RV window frames; sliding door rails; dock ladders; parts and subassemblies for RV frames and trailers; awning, canopy, and sunshade



structures and their parts and subassemblies; marine motor mounts; linear lighting housings; and cluster mailbox systems.

Imports of the subject merchandise are primarily provided for under the following categories of the 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; 8302.60.3000; 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; 8547.90.0020; 8547.90.0030; 8708.10.3050; 8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9031.90.9195; 9401.99.9081; 9403.99.1040; 9403.99.9010; 9403.99.9015; 9403.99.9020; 9403.99.9040; 9403.99.9045; 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; 9547.90.0040; and 9603.90.8050.

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

## ATTACHMENT III

### GENERAL INSTRUCTIONS

#### Instructions for Filing the Response

The following instructions apply to all documents you submit to Commerce during the course of this proceeding.

#### A. Due Date

1. All submissions must be made electronically using Commerce's ACCESS website at <http://access.trade.gov>, unless an exception applies. To determine if your response qualifies for manual filing, see the section on "Manual Filing" below. All laws, regulations, and other descriptive materials that supplement your responses should be submitted on the same date as the initial response.
2. The **business proprietary** response should be submitted on the day specified on the cover page of this questionnaire. The **public version** of the response may be filed one business day after the proprietary response.
3. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time (ET) on the due date, unless an earlier time is specified. Where applicable, a submitter must manually file a document between the hours of 8:30 a.m. and 5:00 p.m. ET on the due date, unless an earlier time is specified.

#### B. Format

1. You are required to state in the upper right-hand corner of your cover letter the following information in the following format:
  - a. on the first line, indicate the case number stated on the cover page to this questionnaire;
  - b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;
  - c. on the third line, indicate the specific segment of the proceeding, (*e.g.*, investigation, administrative review, scope inquiry, suspension agreement, *etc.*) and, if applicable, indicate the complete period of review (MM/DD/YY - MM/DD/YY);
  - d. on the fourth line, indicate Commerce office conducting the proceeding;

- e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether you agree or object to release of the submitted information under **administrative protective order** (APO) by stating one of the following:
  - “Business Proprietary Document -- May Be Released Under APO,”
  - “Business Proprietary Document -- May Not Be Released Under APO,”
  - “Business Proprietary/APO Version-- May Be Released Under APO,” as applicable,
  - “Public Version,” or
  - “Public Document.”
2. Please include a “Re:” line on the cover letter of your response, or any other submissions you make during this proceeding. In the Re: line, briefly summarize the purpose of your submission, *e.g.*, “response to questionnaire,” “case brief.”
3. Prepare your response in typed form and in English (*see* 351.303(d) and (e) for these and other formatting requirements). Include an original and translated version of all pertinent portions of non-English language documents that accompany your response, including financial statements.
4. It is your responsibility to contact the official in charge if subsequent to your filing there are events that affect your response (*e.g.*, changes in your cost accounting system are relevant to antidumping proceedings, and changes as a result of an audit are relevant to both antidumping and CVD proceedings).

### C. Manual Filing

**\*\* On the date of this questionnaire, alternative arrangements for manual filing must be made. If you are unable to file your submission electronically in ACCESS such that alternative arrangements are needed, please contact an official in charge at least 72 hours before the due date. For data files larger than 50 MB, email the ACCESS Help Desk at [access@trade.gov](mailto:access@trade.gov) so that they may assist you in reducing the size of your file.\*\***

1. All submissions must be filed electronically. Only under the following four circumstances will Commerce accept a hardcopy response that is manually filed:
  - Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a “bulky document.”
  - Data files greater than 50 MB must be filed manually on CD-ROM or DVD.

- If the ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00 p.m. and 4:30 p.m. ET or for any duration of time between 4:31 p.m. and 5:00 p.m. ET, then a person may manually file the document in the APO/Dockets Unit. Commerce will provide notice of such technical failures on the ACCESS Help Desk line at 202-482-3150 and on the Enforcement and Compliance website, which is <https://www.trade.gov/us-antidumping-and-countervailing-duties>.
  - Apart from the above, if you are unable to comply with the electronic filing requirement, as provided in 19 CFR 351.103(c) of Commerce's regulations and in accordance with section 782(c) of the Tariff Act of 1930, as amended (the Act), you must promptly notify the official in charge and submit a full written explanation of the reasons you are unable to file the document electronically. You must also suggest alternative forms in which to submit the information. Commerce will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.
2. All manually filed documents must be accompanied by a cover sheet generated in ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.
  3. If your response qualifies as a bulky document and you opt to file it manually, you must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.
  4. Manual submissions must be addressed and submitted to:  
**Secretary of Commerce**  
**Attention: Enforcement and Compliance, AD/CVD Operations Office** (*specify office number indicated on the cover page of this questionnaire*)  
**APO/Dockets Unit, Room 18022**  
**U.S. Department of Commerce**  
**1401 Constitution Ave NW**  
**Washington, DC 20230**

D. Certification

1. Submit the required **certification of accuracy**. Providers of information and the person(s) submitting it, if different (*e.g.*, a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. Commerce cannot accept questionnaire responses that do not contain the certification statements. Forms for such certification are included as appendices to this questionnaire. You may photocopy this form and submit a completed copy with each of your submissions.

2. Provide the required **certificate of service** (included as an appendix) with each business proprietary document and public version submitted to Commerce.
3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. Request business proprietary treatment for information submitted that you do not wish to be made publicly available. As a general rule, Commerce places all correspondence and submissions received in the course of an antidumping or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary information will not be made available to the public. If you wish to make a request for proprietary treatment for particular information, refer to sections 351.304, 351.305, and 351.306 of Commerce's regulations. You must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to Commerce.
2. Utilize the "one-day lag rule" under section 351.303(c)(2) of Commerce's regulations if you wish an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (section 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (section 351.303(c)(2)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.
3. By the close of business one business day after the date the business proprietary document is filed (refer to the "one-day lag rule" in the preceding paragraph), submit the public version of your response (section 351.303(c)(2)(iii)). A public version must contain:
  - a. a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence, and/or
  - b. an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

**Note:** *The summarization requirement does not apply solely to the narrative portion of your response. It applies equally to worksheets and other appendices to your response, and even to sales and cost databases submitted in antidumping proceedings. Generally, numerical data, such as that provided in sales and cost databases in*

*antidumping proceedings, are adequately summarized only if grouped or presented in terms of indices or figures ranged within 10 percent of the actual figure. If a particular portion of data is voluminous, use ranged figures for at least one percent of the voluminous portion.*

*Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.*

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an APO. U.S. law permits limited disclosure to representatives of parties (e.g., legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:
  - a. a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or
  - b. a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. As discussed above, you must state in the upper right-hand corner of the cover letter accompanying your questionnaire response whether you agree or object to release of the submitted information under APO (e.g., May Be Released Under APO or May Not Be Released Under APO). (See section 351.304 of Commerce's regulations for specific instructions.<sup>7</sup>)

5. Place brackets (“[ ]”) around information for which you request business proprietary treatment. Place double brackets (“[[ ]]”) around information for which you request proprietary treatment and which you do not agree to release under APO.<sup>8</sup>
6. Provide to all parties whose representatives have been granted APO access and who are listed on Commerce's most recent APO Service List, a complete copy of the

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<sup>7</sup> If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information (see section 351.304(d) of our regulations). However, any information which you withdraw will be taken out of the official record and will not be used in our determination.

<sup>8</sup> Commerce will not disclose proprietary customer names under APO during an antidumping or countervailing duty investigation until either an order is published or the investigation is suspended. To ensure that proprietary customer names are properly treated in this case, place double brackets (“[[ ]]”) around all proprietary customer names in your submissions to Commerce during the course of this investigation.



submission--proprietary document and public version, except for that information which you do not agree to release under APO.<sup>9</sup> (APO service lists, as well as public service lists, are regularly updated and maintained as record documents in ACCESS at <https://access.trade.gov> .) If you exclude information because you do not agree to release it under APO, you must submit the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked “Business Proprietary/APO Version - May Be Released Under APO” on the cover page. For parties that do not have access to information under APO, please provide a public version only.

Note: A chart summarizing AD/CVD document filing requirements can be found at <https://enforcement.trade.gov/filing/index.html>. ACCESS filing instructions are [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf). Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at <http://enforcement.trade.gov/apo/index.html>.

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<sup>9</sup>Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until May 19, 2020, unless extended. *See Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 41363 (July 10, 2020).

ATTACHMENT IV

CERTIFICATIONS OF FACTUAL ACCURACY AND CERTIFICATE OF SERVICE

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CERTIFICATIONS OF FACTUAL ACCURACY

FOR PROCEEDINGS INITIATED ON OR AFTER AUGUST 16, 2013

**§ 351.303 Filing, document identification, format, translation, service, and certification of documents.**

\* \* \* \* \*

(g) *Certifications.* Each submission containing factual information must include the following certification from the person identified in paragraph (g)(1) of this section and, in addition, if the person has legal counsel or another representative, the certification in paragraph (g)(2) of this section. The certifying party must maintain the original signed certification for a period of five years from the date of filing the submission to which the certification pertains. The original signed certification must be available for inspection by U.S. Department of Commerce officials. Copies of the certifications must be included in the submission filed at Commerce.

(1) For the person(s) officially responsible for presentation of the factual information:

**(i) COMPANY CERTIFICATION:\***

I, **(PRINTED NAME AND TITLE)**, currently employed by **(COMPANY NAME)**, certify that I prepared or otherwise supervised the preparation of the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE)** due on **(DATE)** OR filed on **(DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN { } : {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)})**. I certify that the public information and any business proprietary information of **(CERTIFIER'S COMPANY NAME)** contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I

certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, e.g., "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

**(ii) GOVERNMENT CERTIFICATION:\*\***

I, **(PRINTED NAME AND TITLE)**, currently employed by the government of **(COUNTRY)**, certify that I prepared or otherwise supervised the preparation of the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE) due on (DATE) OR filed on (DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN {}): {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}**). I certify that the public information and any business proprietary information of the government of **(COUNTRY)** contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\*\* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, e.g., "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

(2) For the legal counsel or other representative:

**REPRESENTATIVE CERTIFICATION:\*\*\***

I, (PRINTED NAME), with (LAW FIRM or OTHER FIRM), (INSERT ONE OF THE FOLLOWING OPTIONS IN {}: {COUNSEL TO} or {REPRESENTATIVE OF}) (COMPANY NAME, OR GOVERNMENT OF COUNTRY, OR NAME OF ANOTHER PARTY), certify that I have read the attached submission of (IDENTIFY THE SPECIFIC SUBMISSION BY TITLE) due on (DATE) OR filed on (DATE) pursuant to the (INSERT ONE OF THE FOLLOWING OPTIONS IN {}: {THE (ANTIDUMPING OR COUNTERVAILING DUTY) INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}). In my capacity as (INSERT ONE OF THE FOLLOWING OPTIONS IN {}: {COUNSEL} or {ADVISER, PREPARER, OR REVIEWER}) of this submission, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\*\*\* For multiple representative certifications, all representatives and their firms should be listed in the first sentence of the certification and all representatives should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, e.g., "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

## CERTIFICATE OF SERVICE

I, \_\_\_\_\_, hereby certify that a copy of the

(name of certifying official)

foregoing submission on behalf of \_\_\_\_\_,

(company name)

dated \_\_\_\_\_, was served by first class mail or by hand delivery (circle the method used) on the following parties:

(Business Proprietary Version)

On Behalf of

Name and address

(Public Version)

On Behalf of

Name and address

---

(Signature of Certifying Official)



C-489-851  
Investigation  
**Public Document**  
E&C/OIII: TJW

October 25, 2023

Re: Countervailing Duty Investigation of Aluminum Extrusions from the Republic of Turkey:  
Quantity and Value Questionnaire

Dear Sir or Madam:

On October 24, 2023, the U.S. Department of Commerce (Commerce) initiated a countervailing duty investigation to determine whether aluminum extrusions from the Republic of Turkey (Turkey) imported into the United States has benefitted from countervailable subsidies.

In advance of the issuance of the countervailing duty questionnaire, Commerce asks that you respond to the questions in Attachment I to this letter, requesting information on the quantity and U.S. dollar sales value of all your sales to the United States during the period of investigation January 1, 2022, through December 31, 2022, covered by the scope of this investigation, produced in Turkey. The scope of the investigation is included in Attachment II to this letter, and general instructions for responding to this letter are contained in Attachment III. Your receipt of this letter does not indicate that you will be chosen as a mandatory respondent because Commerce may find it is necessary to limit individual examination of respondents and conduct respondent selection under section 777A(c)(2) of the Tariff Act of 1930, as amended (the Act). Your response to this letter may be subject to on-site verification by Commerce officials.

Your response to this quantity and value questionnaire is due to Commerce **no later than 5:00 p.m. Eastern Time (ET), November 7, 2023**. *Due to time constraints in this investigation, Commerce will be limited in its ability to extend the deadline for the response to this quantity and value questionnaire.* All submissions to Commerce must be accompanied by a Certificate of Accuracy from company officials and, if represented by legal counsel or other firm, a Certificate of Accuracy from the representative. Additionally, all submissions to Commerce must be served on the appropriate interested parties. A list of interested parties are regularly updated and maintained as record documents in ACCESS at <https://access.trade.gov>. Certificates of service and accuracy are in Attachment IV. General instructions for responding to this Quantity and Value Questionnaire are contained in Attachment III.

**Please note:** Parties should be aware that **the likelihood of Commerce granting an extension will decrease the closer the extension request is filed to the applicable time limit** because Commerce must have time to consider the extension request and decide on its disposition. Parties should not assume that they will receive an extension of a time limit if they have not received a response from Commerce. For submissions that are due at 5:00 p.m. ET, **if Commerce is not able to notify the party requesting the extension of the disposition of the request by 5:00 p.m. ET, then the submission would be due by the opening of business (8:30**



**a.m. ET) on the next business day.<sup>1</sup> If a party requests an extension because of ACCESS/technical filing difficulties to which it did not receive a response from Commerce by 5:00 p.m. ET, and the filing difficulties persist past 8:30 a.m. ET on the next business day, the party should contact the case analyst.**

If a party is experiencing issues with an ACCESS filing, the party should contact the ACCESS Help Desk by telephone to troubleshoot the filing issues. When experiencing filing issues on the day a submission is due, the filing party should also contact the official(s) in charge informing them of the filing difficulties. The submission for which a party is having difficulties filing on ACCESS should not be emailed to the case analyst or the official in charge.

Help Desk  
(202) 482-3150  
access@trade.gov  
<https://access.trade.gov>

In the unlikely event that you have received this questionnaire after the deadline to respond, you must contact Commerce officials identified in the questionnaire within five days of receipt of the questionnaire to receive further instructions and a revised deadline for submission of the required information. Failure to do so may result in the presumption that you failed to cooperate by not acting to the best of your ability to comply with the request for information, and may use an inference that is adverse to your interests in selecting from the facts otherwise available, in accordance with section 776(b) of the Act.

If you fail to respond or fail to provide the requested quantity and value information, please be aware that Commerce may find that you failed to cooperate by not acting to the best of your ability to comply with the request for information, and may use an inference that is adverse to your interests in selecting from the facts otherwise available, in accordance with section 776(b) of the Act.

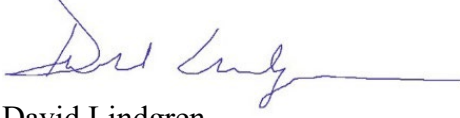
In general, Commerce has found that determinations concerning whether particular companies are affiliated and should be found to be cross-owned (*i.e.*, treated as a single entity for purposes of calculating subsidy rates), require a substantial amount of detailed information and analysis, which often require follow-up questions and analysis. Accordingly, Commerce will not make a cross-ownership determination at the respondent selection phase of this investigation for purposes of respondent selection; please report volume and value data separately. Data pertaining to other, possibly affiliated, companies should be reported separately by those companies.

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<sup>1</sup> See 19 CFR 351.103(b).

Should you have any questions about this matter, please contact Megan Goins at [megan.goins@trade.gov](mailto:megan.goins@trade.gov) or T.J. Worthington at [tj.worthington@trade.gov](mailto:tj.worthington@trade.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "David Lindgren", with a long horizontal flourish extending to the right.

David Lindgren  
Program Manager, Office III  
Antidumping and Countervailing Duty Operations

Attachments

C-489-851

**Total Number of Pages:** [INSERT TOTAL NUMBER OF PAGES]

**Investigation**

**AD/CVD Operations, Office III**

[INDICATE TYPE OF DOCUMENT, SEE ATTACHMENT III.B.E.]

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**OFFICE OF AD/CVD ENFORCEMENT  
QUANTITY AND VALUE QUESTIONNAIRE**

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**REQUESTER(S):** [INSERT NAME OF COMPANY]  
[COMPANY ADDRESS]  
[CONTACT NAME AND TITLE]  
[CONTACT TELEPHONE NUMBER]  
[CONTACT FAX NUMBER]  
[CONTACT E-MAIL ADDRESS]

**REPRESENTATION:** [INSERT NAME OF COUNSEL, LAW FIRM AND CONTACT INFO]

**CASE:** Aluminum Extrusions from the Republic of Turkey

**PERIOD OF INVESTIGATION:** January 1, 2022 – December 31, 2022

**DATE OF INITIATION:** October 24, 2023

**DUE DATE FOR Q&V RESPONSE:** November 7, 2023 at 5:00 p.m. Eastern Time

**OFFICIALS IN CHARGE:**

**NAME:** Megan Goins

**PHONE:** (202) 482- 0884

**E-MAIL:** megan.goins@trade.gov

**NAME:** T.J. Worthington

**PHONE:** (202) 482-4567

**E-MAIL:** tj.worthington@trade.gov

## ATTACHMENT I

### FORMAT FOR REPORTING QUANTITY AND VALUE OF SALES

In providing the information in the chart below, please provide the total quantity in kilograms and total value (in U.S. dollars) of all your sales to the United States during the period of investigation January 1, 2022, through December 31, 2022, of merchandise covered by the scope of this investigation (*see* Attachment II), produced in the Republic of Turkey.<sup>2</sup>

Please include only sales exported by your company directly to the United States. However, if your company made sales to third-countries for which you have knowledge that the merchandise was ultimately destined for the United States, please separately identify these sales quantities and the location (*i.e.*, countries) to which you made the sales.

Even if you believe that you should be treated as a single entity along with other exporters, please do not report aggregate data for all of the companies that you believe should be treated as a single entity but separately report your company's quantity and value data below. Quantity and value data pertaining to other, possibly affiliated companies, that you believe should be treated together with your company as a single entity should be separately reported by those companies. In other words, for every company that you are reporting exports for, please submit a separate chart with the individual quantity and value information.

<b>Market: United States</b>	<b>Total Quantity (kilograms)</b>	<b>Terms of Sale<sup>3</sup></b>	<b>Total Value<sup>4</sup> (U.S. Dollars)</b>
1. Sales of Subject Merchandise to the United States			
2. Sales to Third Countries Destined to the United States			
Total			

<sup>2</sup> Please use the invoice date when determining which sales to include within the period noted above. Generally, Commerce uses invoice date as the date of sale, as that is when the essential terms of sale are set. If you believe that another date besides the invoice date would provide a more accurate representation of your company's sales during the designated period, please report sales based on that date and provide a full explanation.

<sup>3</sup> To the extent possible, sales values should be reported based on the same terms (*e.g.*, FOB).

<sup>4</sup> Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

## ATTACHMENT II

### DESCRIPTION OF PRODUCTS UNDER INVESTIGATION

The merchandise subject to these investigations are 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).

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 investigations.

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.

Aluminum extrusions may be heat sinks, which are fabricated aluminum extrusions that dissipate heat away from a heat source and may serve other functions, such as structural functions. Heat sinks come in a variety of sizes and shapes, including but not limited to a flat electronic heat sink, which is a solid aluminum extrusion with at least one flat side used to mount electronic or mechanical devices; a heat sink that is a housing for electronic controls or motors; lighting heat sinks, which dissipate heat away from LED devices; and process and exchange heat sinks, which are tube extrusions with fins or plates used to hold radiator tubing. 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. For purposes of these investigations on aluminum extrusions from the People's Republic of China, only heat sinks designed and produced around meeting specified thermal performance requirements and tested to comply with such requirements are included in the scope.

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 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 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. Parts or subassemblies described by this paragraph that are subject to duties in their entirety pursuant to existing antidumping and countervailing duty orders are excluded from the scope of these investigations, so long as they remain subject to the scope of such orders. Any part or subassembly that otherwise meets the requirements of this scope and that is not covered by other antidumping and/or countervailing duty orders remains subject to the scope of these investigations.

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.

The scope also excludes merchandise containing non-extruded aluminum components beyond fasteners that is not a part or subassembly of a larger product or system that enters unassembled as a packaged combination of parts to be assembled as is for its intended use, without undergoing after importation any processing, fabrication, or finishing or the addition of parts or material, regardless of whether the additional parts or material are interchangeable. To be excluded under this paragraph, the merchandise must be sold and enter as a discrete kit on one Customs entry form.

Examples of such excluded assembled and unassembled merchandise include windows with glass, door units with door panel and glass, motor vehicles, trailers, furniture, and appliances.

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 (not including proprietary equivalents or other certifying body equivalents) 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 (not including proprietary equivalents or other certifying body equivalents), 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 Harmonized Tariff Schedule of the United States (HTSUS) subheadings 7605.19.0000, 7604.10.5000, or 7616.99.5190.

Also excluded from the scope of these antidumping and countervailing duty investigations on aluminum extrusions from the People's Republic of China 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); and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30,653 (May 26, 2011) (collectively, *Aluminum Extrusions from the People's Republic of China*). Solely for these investigations on aluminum extrusions from the People's Republic of China, the following is an exhaustive list of products that meet the definition of subject merchandise. Merchandise that is not included in the following list that meets the definition of subject merchandise in the 2011 antidumping and countervailing duty orders on *Aluminum Extrusions from the People's Republic of China* remains subject to the earlier orders. No other section of this scope language that provides examples of subject merchandise is exhaustive. The following products are included in the scope of these investigations on aluminum extrusions from the People's Republic of China, whether assembled or unassembled: heat sinks as described above; cleaning system components like mops and poles; banner stands/back walls; fabric wall systems; drapery rails; side mount valve controls; water heater anodes; solar panel mounting systems; 5050 alloy rails for showers and carpets; auto heating and cooling system components; assembled motor cases with stators; louver assemblies; event décor; window wall units and parts; trade booths; micro channel heat exchangers; telescoping poles, pole handles, and pole attachments; flagpoles; wind sign frames; foreline hose assembly; electronics enclosures; parts and subassemblies for storefronts, including portal sets; light poles; air duct registers; outdoor sporting goods parts and subassemblies; glass refrigerator shelves; aluminum ramps; handicap ramp system parts and subassemblies; frames and parts for tents and clear span structures; parts and subassemblies for screen enclosures, patios, and sunrooms; parts and subassemblies for walkways and walkway covers; aluminum extrusions for LED lights; parts and subassemblies for screen, storm, and patio doors; pontoon boat parts and subassemblies, including rub rails, flooring, decking, transom structures, canopy systems, seating; boat hulls, framing, ladders, and transom structures; parts and subassemblies for docks, piers, boat lifts and mounting; recreational and boat trailer parts and subassemblies, including subframes, crossmembers, and gates; solar tracker assemblies with gears; garage door framing systems; door threshold and sill assemblies; highway and bridge signs; bridge, street, and highway rails; scaffolding, including planks and struts; railing and support systems; parts and subassemblies for exercise equipment; weatherstripping; door bottom and sweeps; door seals; floor transitions and trims; parts and subassemblies for modular walls and office furniture; truck trailer parts and subassemblies; boat cover poles, outrigger poles, and rod holders;

bleachers and benches; parts and subassemblies for elevators, lifts, and dumbwaiters; parts and subassemblies for mirror and framing systems; window treatments; parts and subassemblies for air foils and fans; bus and RV window frames; sliding door rails; dock ladders; parts and subassemblies for RV frames and trailers; awning, canopy, and sunshade structures and their parts and subassemblies; marine motor mounts; linear lighting housings; and cluster mailbox systems.

Imports of the subject merchandise are primarily provided for under the following categories of the 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; 8302.60.3000; 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; 8547.90.0020; 8547.90.0030; 8708.10.3050; 8708.29.5160; 8708.80.6590; 8708.99.6890; 8807.30.0060; 9031.90.9195; 9401.99.9081; 9403.99.1040; 9403.99.9010; 9403.99.9015; 9403.99.9020; 9403.99.9040; 9403.99.9045; 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; 9547.90.0040; and 9603.90.8050.

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

**ATTACHMENT III**  
**GENERAL INSTRUCTIONS**

Instructions for Filing the Response

The following instructions apply to all documents you submit to Commerce during the course of this proceeding.

A. Due Date

1. All submissions must be made electronically using Commerce’s ACCESS website at <https://access.trade.gov>, unless an exception applies. To determine if your response qualifies for manual filing, see the section on “Manual Filing” below. All laws, regulations, and other descriptive materials that supplement your responses should be submitted on the same date as the initial response.
2. The **business proprietary** response should be submitted on the day specified on the cover page of this questionnaire. The **public version** of the response may be filed one business day after the proprietary response.
3. An electronically filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time (ET) on the due date, unless an earlier time is specified. Where applicable, a submitter must manually file a document between the hours of 8:30 a.m. and 5:00 p.m. ET on the due date, unless an earlier time is specified.

B. Format

1. You are required to state in the upper right-hand corner of your cover letter the following information in the following format:
  - a. on the first line, indicate the case number stated on the cover page to this questionnaire;
  - b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;
  - c. on the third line, indicate the specific segment of the proceeding, (*e.g.*, investigation, administrative review, scope inquiry, suspension agreement, *etc.*) and, if applicable, indicate the complete period of review (MM/DD/YY - MM/DD/YY);
  - d. on the fourth line, indicate Commerce office conducting the proceeding;

- e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether you agree or object to release of the submitted information under **administrative protective order** (APO) by stating one of the following:
- “Business Proprietary Document -- May Be Released Under APO,”
  - “Business Proprietary Document -- May Not Be Released Under APO,”
  - “Business Proprietary/APO Version-- May Be Released Under APO,” as applicable,
  - “Public Version,” or
  - “Public Document.”
2. Please include a “Re:” line on the cover letter of your response, or any other submissions you make during this proceeding. In the Re: line, briefly summarize the purpose of your submission, *e.g.*, “response to questionnaire,” “case brief.”
3. Prepare your response in typed form and in English. *See* 19 CFR 351.303(d) and (e) for these and other formatting requirements. Include an original and translated version of all pertinent portions of non-English language documents that accompany your response, including financial statements.
4. It is your responsibility to contact the official in charge if subsequent to your filing there are events that affect your response, *e.g.*, changes in your cost accounting system are relevant to antidumping proceedings, and changes as a result of an audit are relevant to both antidumping and countervailing duty proceedings.

### C. Manual Filing

**\*\* On the date of this questionnaire, alternative arrangements for manual filing must be made. If you are unable to file your submission electronically in ACCESS such that alternative arrangements are needed, please contact an official in charge at least 72 hours before the due date. For data files larger than 50 MB, email the ACCESS Help Desk at [access@trade.gov](mailto:access@trade.gov) so that they may assist you in reducing the size of your file.\*\***

1. All submissions must be filed electronically. Only under the following four circumstances will Commerce accept a hardcopy response that is manually filed:
- Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a “bulky document.”
  - Data files greater than 50 MB must be filed manually on CD-ROM or DVD.

- If the ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00 p.m. and 4:30 p.m. ET or for any duration of time between 4:31 p.m. and 5:00 p.m. ET, then a person may manually file the document in the APO/Dockets Unit. Commerce will provide notice of such technical failures on the ACCESS Help Desk line at (202) 482-3150 and on the Enforcement and Compliance website, which is <https://www.trade.gov/us-antidumping-and-countervailing-duties>.
  - Apart from the above, if you are unable to comply with the electronic filing requirement, as provided in 19 CFR 351.103(c) of Commerce's regulations, and in accordance with section 782(c) of the Tariff Act of 1930, as amended (the Act), you must promptly notify the official in charge and submit a full written explanation of the reasons you are unable to file the document electronically. You must also suggest alternative forms in which to submit the information. Commerce will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.
2. All manually filed documents must be accompanied by a cover sheet generated in ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.
  3. If your response qualifies as a bulky document and you opt to file it manually, you must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.
  4. Manual submissions must be addressed and submitted to:  
**Secretary of Commerce**  
**Attention: Enforcement and Compliance, AD/CVD Operations Office III**  
**APO/Dockets Unit, Room 18022**  
**U.S. Department of Commerce**  
**1401 Constitution Avenue NW**  
**Washington, DC 20230**

D. Certification

1. Submit the required **certification of accuracy**. Providers of information and the person(s) submitting it, if different (*e.g.*, a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. Commerce cannot accept questionnaire responses that do not contain the certification statements. Forms for such certification are included as appendices to this questionnaire. You may photocopy this form and submit a completed copy with each of your submissions.

2. Provide the required **certificate of service** (included as an appendix) with each business proprietary document and public version submitted to Commerce.
3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. Request business proprietary treatment for information submitted that you do not wish to be made publicly available. As a general rule, Commerce places all correspondence and submissions received in the course of an antidumping or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary information will not be made available to the public. If you wish to make a request for proprietary treatment for particular information, refer to 19 CFR 351.304, 351.305, and 351.306. You must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to Commerce.
2. Utilize the “one-day lag rule” under 19 CFR 351.303(c)(2) if you wish an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (19 CFR 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (19 CFR 351.303(c)(2)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.
3. By the close of business one business day after the date the business proprietary document is filed (refer to the “one-day lag rule” in the preceding paragraph), submit the public version of your response (19 CFR 351.303(c)(2)(iii)). A public version must contain:
  - a. a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence, and/or
  - b. an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

**Note:** *The summarization requirement does not apply solely to the narrative portion of your response. It applies equally to worksheets and other appendices to your response, and even to sales and cost databases submitted in antidumping*



*proceedings. Generally, numerical data, such as that provided in sales and cost databases in antidumping proceedings, are adequately summarized only if grouped or presented in terms of indices or figures ranged within 10 percent of the actual figure. If a particular portion of data is voluminous, use ranged figures for at least one percent of the voluminous portion.*

*Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.*

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an APO. U.S. law permits limited disclosure to representatives of parties (e.g., legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:
  - a. a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or
  - b. a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. As discussed above, you must state in the upper right-hand corner of the cover letter accompanying your questionnaire response whether you agree or object to release of the submitted information under APO (e.g., May Be Released Under APO or May Not Be Released Under APO). (See 19 CFR 351.304 for specific instructions.<sup>5</sup>)

5. Place brackets (“[ ]”) around information for which you request business proprietary treatment. Place double brackets (“[[ ]]”) around information for which you request proprietary treatment and which you do not agree to release under APO.<sup>6</sup>
6. Provide to all parties whose representatives have been granted APO access and who are listed on Commerce’s most recent APO Service List, a complete copy of the submission – proprietary document and public version, except for that information

<sup>5</sup> If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information. See 19 CFR 351.304(d). However, any information which you withdraw will be taken out of the official record and will not be used in our determination.

<sup>6</sup> Commerce will not disclose proprietary customer names under APO during an antidumping or countervailing duty investigation until either an order is published or the investigation is suspended. To ensure that proprietary customer names are properly treated in this case, place double brackets (“[[ ]]”) around all proprietary customer names in your submissions to Commerce during the course of this investigation.

which you do not agree to release under APO.<sup>7</sup> (APO service lists, as well as public service lists, are regularly updated and maintained as record documents in ACCESS at <https://access.trade.gov>.) If you exclude information because you do not agree to release it under APO, you must submit the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked “Business Proprietary/APO Version – May Be Released Under APO” on the cover page. For parties that do not have access to information under APO, please provide a public version only.

Note: A chart summarizing AD/CVD document filing requirements can be found at <https://access.trade.gov/Resources/filing/index.html>. ACCESS filing instructions are [https://access.trade.gov/help/Handbook\\_on\\_Electronic\\_Filing\\_Procedures.pdf](https://access.trade.gov/help/Handbook_on_Electronic_Filing_Procedures.pdf). Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at <https://www.trade.gov/administrative-protective-orders>.

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<sup>7</sup>Note that Commerce has temporarily modified certain of its requirements for serving documents containing business proprietary information, until May 19, 2020, unless extended. See *Temporary Rule Modifying AD/CVD Service Requirements Due to COVID-19*, 85 FR 17006 (March 26, 2020).

## ATTACHMENT IV

### CERTIFICATIONS OF FACTUAL ACCURACY AND CERTIFICATE OF SERVICE

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#### CERTIFICATIONS OF FACTUAL ACCURACY

##### § 351.303 Filing, document identification, format, translation, service, and certification of documents.

\* \* \* \* \*

(g) *Certifications.* Each submission containing factual information must include the following certification from the person identified in paragraph (g)(1) of this section and, in addition, if the person has legal counsel or another representative, the certification in paragraph (g)(2) of this section. The certifying party must maintain the original signed certification for a period of five years from the date of filing the submission to which the certification pertains. The original signed certification must be available for inspection by U.S. Department of Commerce officials. Copies of the certifications must be included in the submission filed at Commerce.

(1) For the person(s) officially responsible for presentation of the factual information:

**(i) COMPANY CERTIFICATION:\***

I, **(PRINTED NAME AND TITLE)**, currently employed by **(COMPANY NAME)**, certify that I prepared or otherwise supervised the preparation of the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE) due on (DATE) OR filed on (DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN {}): {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}**). I certify that the public information and any business proprietary information of **(CERTIFIER'S COMPANY NAME)** contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. I am also aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, “I” should be changed to “we” and “my knowledge” should be changed to “our knowledge.”

**(ii) GOVERNMENT CERTIFICATION:\*\***

I, **(PRINTED NAME AND TITLE)**, currently employed by the government of **(COUNTRY)**, certify that I prepared or otherwise supervised the preparation of the attached submission of **(IDENTIFY THE SPECIFIC SUBMISSION BY TITLE)** due on **(DATE)** OR filed on **(DATE)** pursuant to the **(INSERT ONE OF THE FOLLOWING OPTIONS IN { }): {THE (ANTIDUMPING OR COUNTERVAILING) DUTY INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}**). I certify that the public information and any business proprietary information of the government of **(COUNTRY)** contained in this submission is accurate and complete to the best of my knowledge. I am aware that the information contained in this submission may be subject to verification or corroboration (as appropriate) by the U.S. Department of Commerce. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\*\* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, *e.g.*, “I” should be changed to “we” and “my knowledge” should be changed to “our knowledge.”

(2) For the legal counsel or other representative:

**REPRESENTATIVE CERTIFICATION:\*\*\***

I, (PRINTED NAME), with (LAW FIRM or OTHER FIRM), (INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {COUNSEL TO} or {REPRESENTATIVE OF}) (COMPANY NAME, OR GOVERNMENT OF COUNTRY, OR NAME OF ANOTHER PARTY), certify that I have read the attached submission of (IDENTIFY THE SPECIFIC SUBMISSION BY TITLE) due on (DATE) OR filed on (DATE) pursuant to the (INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {THE (ANTIDUMPING OR COUNTERVAILING DUTY) INVESTIGATION OF (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (DATES OF PERIOD OF REVIEW) (ADMINISTRATIVE OR NEW SHIPPER) REVIEW UNDER THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)} or {THE (SUNSET REVIEW OR CHANGED CIRCUMSTANCE REVIEW OR SCOPE RULING OR CIRCUMVENTION INQUIRY) OF THE (ANTIDUMPING OR COUNTERVAILING) DUTY ORDER ON (PRODUCT) FROM (COUNTRY) (CASE NUMBER)}). In my capacity as (INSERT ONE OF THE FOLLOWING OPTIONS IN {} : {COUNSEL} or {ADVISER, PREPARER, OR REVIEWER}) of this submission, I certify that the information contained in this submission is accurate and complete to the best of my knowledge. I am aware that U.S. law (including, but not limited to, 18 U.S.C. 1001) imposes criminal sanctions on individuals who knowingly and willfully make material false statements to the U.S. Government. In addition, I am aware that, even if this submission may be withdrawn from the record of the AD/CVD proceeding, the U.S. Department of Commerce may preserve this submission, including a business proprietary submission, for purposes of determining the accuracy of this certification. I certify that a copy of this signed certification will be filed with this submission to the U.S. Department of Commerce.

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\*\*\* For multiple representative certifications, all representatives and their firms should be listed in the first sentence of the certification and all representatives should sign and date the certification. In addition, singular pronouns and possessive adjectives should be changed accordingly, e.g., "I" should be changed to "we" and "my knowledge" should be changed to "our knowledge."

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, hereby certify that a copy of the

(name of certifying official)

foregoing submission on behalf of \_\_\_\_\_,

(company name)

dated \_\_\_\_\_, was served by first class mail or by hand delivery (circle the method used) on the following parties:

(Business Proprietary Version)

On Behalf of

Name and address

(Public Version)

On Behalf of

Name and address

\_\_\_\_\_  
(Signature of Certifying Official)