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Scope Ruling: Blue Blade Extension
Tension Poles
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September 30, 2015

MEMORANDUM TO: Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

THROUGH: Scot Fullerton
Director
AD/CVD Operations, Office VI

Robert James
Program Manager, Office VI
Antidumping and Countervailing Duty Operations

FROM: Davina Friedmann
International Trade Compliance Analyst, Office VI
Antidumping and Countervailing Duty Operations

SUBJECT: Antidumping and Countervailing Duty Orders on Aluminum
Extrusions from the People's Republic of China: Final Scope
Ruling on Blue Blade Inc.'s Extension Tension Poles

Summary

On May 2, 2015, the Department of Commerce (the Department) received a scope ruling request from Blue Blade Inc.¹ (Blue Blade), to determine whether its Extension Tension Poles are subject to the antidumping (AD) and countervailing duty (CVD) orders on aluminum extrusions from the People's Republic of China (PRC).² On the basis of our analysis of the comments received, we determine that the Extension Tension Poles are excluded from the scope of the AD and CVD orders on aluminum extrusions from the PRC.

¹ See letter from Blue Blade, Inc., to the Secretary of Commerce entitled, "Aluminum Extrusions from the People's Republic of China: Request for a Scope Ruling on Certain Extension Tension Poles," dated May 2, 2015 (Blue Blade's Scope Request).

² See *Aluminum Extrusions from the People's Republic of China: Antidumping Duty Order*, 76 FR 30650 (May 26, 2011) and *Aluminum Extrusions from the People's Republic of China: Countervailing Duty Order*, 76 FR 30653 (May 26, 2011) (collectively, the *Orders*).

Background

On May 2, 2015, Blue Blade submitted its scope request in which it requested that the Department issue a scope ruling finding that Blue Blade's Extension Tension Poles are outside the scope of the Orders.³ The Department has extended the deadline for this scope ruling between June 2015 and July 2015.⁴ The deadline was most recently extended on September 15, 2015, until October 29, 2015.⁵ On July 13, 2015, the Department issued a supplemental questionnaire to Blue Blade for clarification of its scope request,⁶ to which Blue Blade responded on July 30, 2015.⁷ No other parties submitted comments on Blue Blade's Scope Request.

SCOPE OF THE ORDERS

The merchandise covered by the order{s} is aluminum extrusions which are shapes and forms, produced by an extrusion process, made from aluminum alloys having metallic elements corresponding to the alloy series designations published by The Aluminum Association commencing with the numbers 1, 3, and 6 (or proprietary equivalents or other certifying body equivalents). Specifically, the subject merchandise made from aluminum alloy with an Aluminum Association series designation commencing with the number 1 contains not less than 99 percent aluminum by weight. The subject merchandise made from aluminum alloy with an Aluminum Association series designation commencing with the number 3 contains manganese as the major alloying element, with manganese accounting for not more than 3.0 percent of total materials by weight. The subject merchandise is made from an aluminum alloy with an Aluminum Association series designation commencing with the number 6 contains magnesium and silicon as the major alloying elements, with magnesium accounting for at least 0.1 percent but not more than 2.0 percent of total materials by weight, and silicon accounting for at least 0.1 percent but not more than 3.0 percent of total materials by weight. The subject aluminum extrusions are properly identified by a four-digit alloy series without either a decimal point or leading letter. Illustrative examples from among the approximately 160 registered alloys that may characterize the subject merchandise are as follows: 1350, 3003, and 6060.

Aluminum extrusions are produced and imported in a wide variety of shapes and forms, including, but not limited to, hollow profiles, other solid profiles, pipes, tubes, bars, and rods. Aluminum extrusions that are drawn subsequent to extrusion (drawn aluminum) are also included in the scope.

³ See Scope Request.

⁴ See letter from the Department regarding "Aluminum Extrusions from the People's Republic of China: Extension of Time for Scope Ruling," dated June 17, 2015; see also letter from the Department regarding "Aluminum Extrusions from the People's Republic of China: Extension of Time for Scope Ruling," dated July 20, 2015.

⁵ See letter from the Department regarding "Aluminum Extrusions from the People's Republic of China: Extension of Time for Scope Ruling," dated September 15, 2015.

⁶ See letter from the Department to Grace Zhan, President of Blue Blade, Inc.: "Supplemental Questions," dated July 13, 2015 (Supplemental Questionnaire).

⁷ See "Re: *Aluminum Extrusions from the People's Republic of China: Response of Blue Blade to the Department's July 13, 2015 Supplemental Questions*," dated July 30, 2015. (Blue Blade's Supplemental Response).

Aluminum extrusions are produced and imported with a variety of finishes (both coatings and surface treatments), and types of fabrication. The types of coatings and treatments applied to subject aluminum extrusions include, but are not limited to, extrusions that are mill finished (*i.e.*, without any coating or further finishing), brushed, buffed, polished, anodized (including bright-dip anodized), liquid painted, or powder coated. Aluminum extrusions may also be fabricated, *i.e.*, prepared for assembly. Such operations would include, but are not limited to, extrusions that are cut-to-length, machined, drilled, punched, notched, bent, stretched, knurled, swaged, mitered, chamfered, threaded, and spun. The subject merchandise includes aluminum extrusions that are finished (coated, painted, *etc.*), fabricated, or any combination thereof.

Subject aluminum extrusions may be described at the time of importation as parts for final finished products that are assembled after importation, including, but not limited to, window frames, door frames, solar panels, curtain walls, or furniture. Such parts that otherwise meet the definition of aluminum extrusions are included in the scope. The scope includes the aluminum extrusion components that are attached (*e.g.*, by welding or fasteners) to form subassemblies, *i.e.*, partially assembled merchandise unless imported as part of the finished goods ‘kit’ defined further below. The scope does not include the non-aluminum extrusion components of subassemblies or subject kits.

Subject extrusions may be identified with reference to their end use, such as fence posts, electrical conduits, door thresholds, carpet trim, or heat sinks (that do not meet the finished heat sink exclusionary language below). Such goods are subject merchandise if they otherwise meet the scope definition, regardless of whether they are ready for use at the time of importation.

The following aluminum extrusion products are excluded: aluminum extrusions made from aluminum alloy with an Aluminum Association series designations commencing with the number 2 and containing in excess of 1.5 percent copper by weight; aluminum extrusions made from aluminum alloy with an Aluminum Association series designation commencing with the number 5 and containing in excess of 1.0 percent magnesium by weight; and aluminum extrusions made from aluminum alloy with an Aluminum Association series designation commencing with the number 7 and containing in excess of 2.0 percent zinc by weight.

The scope also excludes finished merchandise containing aluminum extrusions as parts that are fully and permanently assembled and completed at the time of entry, such as finished windows with glass, doors with glass or vinyl, picture frames with glass pane and backing material, and solar panels. The scope also excludes finished goods containing aluminum extrusions that are entered unassembled in a “finished goods kit.” A finished goods kit is understood to mean a packaged combination of parts that contains, at the time of importation, all of the necessary parts to fully assemble a final finished good and requires no further finishing or fabrication, such as cutting or punching, and is assembled “as is” into a finished product. An imported product will not be considered a “finished goods kit” and therefore excluded from the scope of the investigation merely by including fasteners such as screws, bolts, *etc.* in the packaging with an aluminum extrusion product.

The scope also excludes aluminum alloy sheet or plates produced by other than the extrusion process, such as aluminum products produced by a method of casting. Cast aluminum products

are properly identified by four digits with a decimal point between the third and fourth digit. A letter may also precede the four digits. The following Aluminum Association designations are representative of aluminum alloys for casting: 208.0, 295.0, 308.0, 355.0, C355.0, 356.0, A356.0, A357.0, 360.0, 366.0, 380.0, A380.0, 413.0, 443.0, 514.0, 518.1, and 712.0. The scope also excludes pure, unwrought aluminum in any form.

The scope also excludes collapsible tubular containers composed of metallic elements corresponding to alloy code 1080A as designated by the Aluminum Association where the tubular container (excluding the nozzle) meets each of the following dimensional characteristics: (1) length of 37 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 orders are finished heat sinks. Finished heat sinks are fabricated heat sinks made from aluminum extrusions the design and production of which are organized around meeting certain specified thermal performance requirements and which have been fully, albeit not necessarily individually, tested to comply with such requirements.

Imports of the subject merchandise are provided for under the following categories of the Harmonized Tariff Schedule of the United States (HTSUS): 7610.10.00, 7610.90.00, 7615.10.30, 7615.10.71, 7615.10.91, 7615.19.10, 7615.19.30, 7615.19.50, 7615.19.70, 7615.19.90, 7615.20.00, 7616.99.10, 7616.99.50, 8479.89.98, 8479.90.94, 8513.90.20, 9403.10.00, 9403.20.00, 7604.21.00.00, 7604.29.10.00, 7604.29.30.10, 7604.29.30.50, 7604.29.50.30, 7604.29.50.60, 7608.20.00.30, 7608.20.00.90, 8302.10.30.00, 8302.10.60.30, 8302.10.60.60, 8302.10.60.90, 8302.20.00.00, 8302.30.30.10, 8302.30.30.60, 8302.41.30.00, 8302.41.60.15, 8302.41.60.45, 8302.41.60.50, 8302.41.60.80, 8302.42.30.10, 8302.42.30.15, 8302.42.30.65, 8302.49.60.35, 8302.49.60.45, 8302.49.60.55, 8302.49.60.85, 8302.50.00.00, 8302.60.90.00, 8305.10.00.50, 8306.30.00.00, 8414.59.60.90, 8415.90.80.45, 8418.99.80.05, 8418.99.80.50, 8418.99.80.60, 8419.90.10.00, 8422.90.06.40, 8473.30.20.00, 8473.30.51.00, 8479.90.85.00, 8486.90.00.00, 8487.90.00.80, 8503.00.95.20, 8508.70.00.00, 8515.90.20.00, 8516.90.50.00, 8516.90.80.50, 8517.70.00.00, 8529.90.73.00, 8529.90.97.60, 8536.90.80.85, 8538.10.00.00, 8543.90.88.80, 8708.29.50.60, 8708.80.65.90, 8803.30.00.60, 9013.90.50.00, 9013.90.90.00, 9401.90.50.81, 9403.90.10.40, 9403.90.10.50, 9403.90.10.85, 9403.90.25.40, 9403.90.25.80, 9403.90.40.05, 9403.90.40.10, 9403.90.40.60, 9403.90.50.05, 9403.90.50.10, 9403.90.50.80, 9403.90.60.05, 9403.90.60.10, 9403.90.60.80, 9403.90.70.05, 9403.90.70.10, 9403.90.70.80, 9403.90.80.10, 9403.90.80.15, 9403.90.80.20, 9403.90.80.41, 9403.90.80.51, 9403.90.80.61, 9506.11.40.80, 9506.51.40.00, 9506.51.60.00, 9506.59.40.40, 9506.70.20.90, 9506.91.00.10, 9506.91.00.20, 9506.91.00.30, 9506.99.05.10, 9506.99.05.20, 9506.99.05.30, 9506.99.15.00, 9506.99.20.00, 9506.99.25.80, 9506.99.28.00, 9506.99.55.00, 9506.99.60.80, 9507.30.20.00, 9507.30.40.00, 9507.30.60.00, 9507.90.60.00, and 9603.90.80.50

The subject merchandise entered as parts of other aluminum products may be classifiable under the following additional Chapter 76 subheadings: 7610.10, 7610.90, 7615.19, 7615.20, and 7616.99 as well as under other HTSUS chapters. In addition, fin evaporator coils may be classifiable under HTSUS numbers: 8418.99.80.50 and 8418.99.80.60. While HTSUS

subheadings are provided for convenience and customs purposes, the written description of the scope of this *Order* is dispositive.⁸

LEGAL FRAMEWORK

When a request for a scope ruling is filed, the Department examines the scope language of the order and the description of the product contained in the scope-ruling request.⁹ Pursuant to the Department's regulations, the Department may also examine other information, including the description of the merchandise contained in the petition, the records from the investigations, and prior scope determinations made for the same product.¹⁰ If the Department determines that these sources are sufficient to decide the matter, it will issue a final scope ruling as to whether the merchandise is covered by an order.¹¹

Conversely, where the descriptions of the merchandise in the sources described in 19 CFR 351.225(k)(1) are not dispositive, the Department will consider the five additional factors set forth at 19 CFR 351.225(k)(2). These factors are: (i) the physical characteristics of the merchandise; (ii) the expectations of the ultimate purchasers; (iii) the ultimate use of the product; (iv) the channels of trade in which the product is sold; and (v) the manner in which the product is advertised and displayed. The determination as to which analytical framework is most appropriate in any given scope proceeding is made on a case-by-case basis after consideration of all evidence before the Department.

DESCRIPTION OF THE MERCHANDISE SUBJECT TO THIS SCOPE REQUEST

In its scope request, Blue Blade describes each Extension Tension Pole as composed of five different parts: 1) two telescoping tubes made of aluminum, 2) rubber tips on both ends with a cross-cut design, 3) a steel spring inside the tubes, 4) a plastic ring at the overlap of the two tubes, and 5) black paint which is baked onto the rod.¹² Blue Blade explains that each pole is fully assembled and individually packaged at the time of entry, although several products are fitted into the same box for shipment. The poles are sold to the consumers in the same condition in which they are imported, and do not, according to Blue Blade, require further assembly, manufacturing, or finishing after importation.¹³

The extension tension poles are imported in two different lengths, but are otherwise the same. Below is the information provided by Blue Blade of the two different variations of the product at issue:¹⁴

⁸ See the *Orders*.

⁹ See *Walgreen Co. v. United States*, 620 F.3d 1350, 1357 (Fed. Cir. 2010).

¹⁰ See 19 CFR 351.225(k)(1).

¹¹ See 19 CFR 351.225(d).

¹² See Scope Request, at 2.

¹³ *Id.*

¹⁴ See Scope Request, at 23 (Exhibit #1).

Item Number	Item Name	Description	Color	Weight
ROD0001	Small Extension Tension Pole	Aluminum extension tension pole with 5/8 inch and 1/2 inch diameter tubes. 23" in closed positions. Fits openings 24" to 36".	Black	4.8oz
ROD0002	Large Extension Tension Pole	Aluminum extension tension pole with 5/8 inch and 3/4 inch diameter tubes. 41" in closed positions. Fits openings 42" to 72".	Black	12.8oz

In its Supplemental Response, Blue Blade clarified that, at the present, the product at issue is beyond the concept phase, already produced and ready for importation.¹⁵ Blue Blade also indicated in its Supplemental Response that with respect to the small extension tension poles, each importation box contains two inner boxes, and each of these inner boxes has 25 poles. For the large Extension Tension Poles, each importation box contains two inner boxes, and each of these contains 20 poles. Also, Blue Blade provided photos for the packaging of the small Extension Tension Poles, demonstrating that they are finished and assembled at the time of importation.¹⁶

According to Blue Blade, the poles extend when the user twists both of the ends in opposite directions from one another. When both ends reach the hard surface on either side of the pole, additional twisting of the poles will create tension against the hard surfaces, which in turn suspends the pole. Blue Blade explains that its product is designed to be installed into an open wall space, such as in a closet. Once installed, the Extension Tension Poles are used to hang items of the consumer's choosing, including clothes and curtains.¹⁷

RELEVANT SCOPE DETERMINATIONS¹⁸

Unger Telescoping Poles¹⁹

Unger Enterprises, Inc. (Unger) argued that its telescoping poles are finished goods and therefore not subject to the orders. The Department found that, in addition to extruded aluminum components, Unger's telescoping poles include non-extruded aluminum materials such as plastic tube plugs, hand grips, locking collars, locking buttons and cones which go beyond mere fasteners.²⁰ In response to arguments by Petitioner that the non-extruded aluminum parts are mere fasteners or that they are merely "incidental" to the function of the product, the Department observed that the Orders contain no requirement regarding "incidental" function, and found that the non-extruded aluminum components integrate into the product in a variety ways beyond that

¹⁵ See Response to Supplemental Questionnaire, at 3.

¹⁶ *Id.*, at 3-5.

¹⁷ See Scope Request, at 9.

¹⁸ See the Department's Memorandum "Prior Scope Rulings Relevant to this Proceeding," dated concurrently with this memorandum.

¹⁹ See Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Final Scope Ruling on Unger Enterprises Inc.'s Telescoping Poles" (February 19, 2015) (Unger Telescoping Poles), at 10.

²⁰ *Id.*, at 10-11.

of a mere fastener.²¹ The Department additionally found that the telescoping poles were fully and permanently assembled and completed at the time of entry.²²

In addition, similar to the products considered in Drapery Rail Kits (Redetermination),²³ Banner Stands and Back Wall Kits,²⁴ and Solar Panels,²⁵ Unger's telescoping poles are designed to work with removable/interchangeable attachments.²⁶ The various products that may be attached to Unger's telescoping poles by end users after importation are interchangeable and are available from Unger and a variety of other suppliers. As a result, the Department determined that the product in question is excluded from the scope of the orders under the finished goods exclusion.²⁷

Pool Poles, Skimmers, and Rakes Scope Ruling²⁸

The Department found that certain telescopic pool poles, detachable skimmer poles and leaf skimmers and rakes were comprised of both extruded aluminum components and non-extruded aluminum materials (*i.e.*, plastic handles, plastic frames, and nylon netting), that these non-extruded aluminum materials go beyond mere fasteners, and, thus, the products at issue met the initial test for determining whether a good constitutes a finished good or finished goods kit.²⁹ Furthermore, because the information on record indicated that the requested products were fully and permanently assembled and completed merchandise at the time of entry, the Department found that certain poles, skimmers, and rakes met the exclusion criteria for finished goods and were, therefore, excluded from the scope of the *Orders*.³⁰

TSS Wind Sign Frames Scope Ruling³¹

The Department found that the Wind Sign Frames at issue consisted of extruded aluminum parts assembled with non-extruded aluminum components, such as a plastic insert, galvanized steel

²¹ *Id.*, at 11.

²² *Id.*

²³ See the Department's memorandum entitled "Final Scope Ruling on Drapery Rail Kits," dated February 3, 2012, *Final Results of Redetermination Pursuant to Court Remand Rowley Company v. United States* Ct. No. 12-00055 (CIT 2012), and *Rowley Company v. United States*, Consol. Ct. No. 12-00055 (CIT 2013) (Court Order affirming our remand redetermination), (collectively, "Drapery Rail Kits"). See also Prior Scopes Memorandum at Attachment 3.

²⁴ See the memorandum from John Conniff and Eric B. Greynolds to Christian Marsh entitled, "Final Scope Ruling on Harmer Stands and Back Wall Kits," dated October 19, 2011 (Harmer Stands Kits Scope Ruling); see also Prior scopes Memorandum at Attachment I.

²⁵ See the memorandum from Brooke Kennedy to Christian Marsh, "Final Scope Ruling on Clenergy (Xiamen) Technology's Solar Panel Mounting Systems," dated October 31, 2012 (Solar Panels Scope Ruling); see also Prior Scopes Memorandum at Attachment 5.

²⁶ *Id.*, at 11-12.

²⁷ *Id.*, at 13.

²⁸ See the memorandum from Eric B. Greynolds to Christian Marsh, "Final Scope Ruling on Pool Poles, Skimmers, and Rakes," dated November 24, 2014 (Pool Poles, Skimmers, and Rakes Scope Ruling); see also Prior Scopes Memorandum at Attachment 2.

²⁹ See Pool Poles Scope Ruling at 17.

³⁰ *Id.* at 17-19.

³¹ See Memorandum entitled, "Final Scope Ruling on TSS, Inc.'s Wind Sign Frames," dated June 15, 2015. (TSS Wind Sign Frames Scope Ruling).

corner supports, and steel springs.³² The Department determined that these non-extruded aluminum components go beyond mere fasteners.³³ Also, the Department found that the product at issue was fully and permanently assembled and completed at the time of entry. Similar to prior scope rulings, the Department found that it would be unreasonable to require that the Wind Sign Frames be imported with interchangeable bases made of plastic or steel, chosen by the end user.³⁴ The Department concluded that TSS, Inc.'s Wind Sign Frames were finished merchandise and, thus, excluded from the scope of the *Orders*.³⁵

ARGUMENTS FROM INTERESTED PARTIES

Blue Blade's Comments

Blue Blade argues that its Extension Tension Poles constitute finished merchandise at the time of entry into the United States and, therefore, are outside the scope of the order.³⁶ Blue Blade further argues that all the components of the Extension Tension Poles are permanently assembled and ready to use at the time of importation.

Blue Blade relies upon several different scope rulings in its Scope Request that speak to the "subassemblies test," including the Side Mount Control Valves Scope Ruling³⁷ and the Aluminum Anodes Scope Ruling.³⁸ In its Supplemental Response however, Blue Blade acknowledged that its Extension Tension Poles do not constitute a subassembly to be later integrated into a larger system because its product is finished merchandise ready for use at the time of importation.³⁹

Petitioner did not comment.⁴⁰

DEPARTMENT POSITION

The Department examined the language of the *Orders* and the description of the products contained in Blue Blade's Scope Request, as well as previous rulings made by the Department. We find that the description of the products, the scope language, and prior rulings are, together, dispositive as to whether the products at issue are subject merchandise, in accordance with 19 CFR 351.225(k)(1). Accordingly, for this determination, the Department finds it unnecessary

³² *Id.*, at 12.

³³ *Id.*, at 12-13.

³⁴ *Id.*, at 13.

³⁵ *Id.*

³⁶ *See* Scope Request, at 8-10.

³⁷ *See* Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Initiation and Preliminary Scope Ruling on Side Mount Valve Controls," dated September 24, 2012 (Side Mount Control Valves Scope Ruling), unchanged in Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Final Scope Ruling on Side Mount Valve Controls," dated October 26, 2012.

³⁸ *See* Memorandum to Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, "Final Scope Ruling on Aluminum Anodes for Water Heaters," dated October 17, 2012 (Aluminum Anodes Scope Ruling).

³⁹ *See* Supplemental Response, at 3.

⁴⁰ Petitioner is the Aluminum Extrusions Fair Trade Committee.

to consider the additional factors specified in 19 CFR 351.225(k)(2). For the reasons set forth below, we find that the merchandise at issue, the Extension Tension Poles, meet the exclusion criteria for “finished merchandise.”

The scope of the *Orders* excludes “finished merchandise containing aluminum extrusions *as parts* that are fully and permanently assembled and completed at the time of entry...” (emphasis added). Thus, the scope language describes excluded finished merchandise as “containing aluminum extrusions *as parts*...” We take this language to mean that the excluded “finished merchandise” must contain aluminum extrusions “as parts” plus an additional non-extruded aluminum component. Otherwise, this specific language (*i.e.*, “as parts”) would be read out of the scope, resulting in the different condition “containing aluminum extrusions that are fully and permanently assembled and completed at the time of entry.” Thus, to give effect to this “as parts” language, we find that to qualify for the finished merchandise exclusion the product must contain aluminum extrusions as parts, and must include some non-extruded aluminum component.

The Scope Request and accompanying exhibits demonstrate that the Extension Tension Poles contain aluminum extrusions “as parts” plus additional non-extruded aluminum components that go beyond mere fasteners.⁴¹ For example, the poles include non-extruded aluminum components, such as a steel spring inside the tubes and plastic collar.⁴² In prior scope rulings, such as the TSS Wind Sign Frames Scope Ruling and Unger Telescoping Poles, the Department found that such components go beyond mere fasteners.⁴³ Thus, we find that, regardless of the pole’s length, Blue Blade’s Extension Tension Poles meet this requirement of the finished merchandise exclusion because they contain non-extruded aluminum components that go beyond mere fasteners.

Upon examination of information submitted on this segment of the proceeding, namely Blue Blade’s Scope Request and its Supplemental Response, along with its accompanying exhibits, we find that, similar to the Unger Telescoping Poles and the Pool Poles, Skimmers, and Rakes Scope Ruling, the Extension Tension Poles are imported as finished products that contain aluminum extrusions as parts that are fully and permanently assembled at the time of importation.⁴⁴ For example, photographs illustrate that the products are completely assembled when they enter the United States.⁴⁵ Further, based upon the information supplied by Blue Blade, we find that the Extension Tension Poles are immediately ready for use upon entry into the United States without any repackaging, or need for further finishing, or fabrication after importation.⁴⁶

The Extension Tension Poles meet the scope definition of “finished merchandise” because they enter into the United States as fully and permanently completed and assembled products that contain non-extruded aluminum components beyond mere fasteners. Consequently, as noted

⁴¹ *Id.*, at 2.

⁴² *See* Scope Ruling, at 2.

⁴³ *See* TSS Wind Sign Frames Scope Ruling, at 12-13; *see also*, Unger Telescoping Poles, at 13.

⁴⁴ *See* Unger Telescoping Poles, at 14; *see also*, and Pool Poles, Skimmers, and Rakes Scope Ruling, at 17.

⁴⁵ *See* Response to Supplemental Questionnaire, at 4-5.

⁴⁶ *Id.*

above, we determine that Blue Blade's Extension Tension Poles are excluded from the scope of the *Orders* as "finished merchandise."

RECOMMENDATION

For the reasons discussed above, and in accordance with 19 CFR 351.225(d) and 19 CFR 351.225(k)(1), we recommend finding that both models of Blue Blade's Extension Tension Poles are finished merchandise and, thus, not subject to the scope of the *Orders*.

If the recommendation in this memorandum is accepted, we will serve a copy of this determination to all interested parties on the scope service list via first-class mail, as directed by 19 CFR 351.225(d).

Agree Disagree



Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

9/30/15

Date