



UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

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Scope Ruling Request (Certain Aluminum
Poles, Aluminum Skimmers,
Aluminum Rakes, and
Aluminum Leaf Skimmer Kits
for Use in Swimming Pools)

~~PROPRIETARY DOCUMENT~~

AD/CVD Operations, OVI: DS

PUBLIC VERSION

November 24, 2015

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

THROUGH: Scot Fullerton *SJF*
Director, Office VI
Antidumping and Countervailing Duty Operations

FROM: Deborah Scott *DS*
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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 Poolmaster, Inc.'s Aluminum Poles, Aluminum
Skimmers, Aluminum Rakes, Aluminum Leaf Skimmer Kits, and
Other Products for Use in Swimming Pools

SUMMARY

On April 1, 2015, the Department of Commerce (the Department) received a scope ruling request from Poolmaster, Inc. (Poolmaster)¹ to determine whether certain of its aluminum poles, aluminum skimmers, aluminum rakes, and aluminum leaf skimmer kits for use in swimming pools are subject to the antidumping duty (AD) and countervailing duty (CVD) orders on

¹ See Letter from Poolmaster to the Department, "Aluminum Extrusions from the People's Republic of China: Refiled Request for Scope Ruling for Certain Aluminum Poles, Aluminum Skimmers, Aluminum Rakes, and Aluminum Leaf Skimmer Kits for Use in Swimming Pools," dated April 1, 2015 (Scope Ruling Request).

aluminum extrusions from the People's Republic of China (PRC).² Poolmaster also requested that the Department determine whether certain pool vacuums, spa vacuums, telescopic pole with brush, and life hook are subject to the AD and CVD orders on aluminum extrusions from the PRC.³ Based on our analysis of Poolmaster's scope request, the Department determines that the products at issue are excluded from the scope of the *Orders*.

BACKGROUND

On April 1, 2015, Poolmaster requested that the Department determine whether imports of certain aluminum poles, aluminum skimmers, aluminum rakes, and aluminum leaf skimmer kits for use in swimming pools are outside the scope of the *Orders*. On June 17, 2015, the Department issued a supplemental questionnaire to Poolmaster to obtain additional information about the products at issue in its Scope Ruling Request.⁴ On July 16, 2015, Poolmaster submitted a response to the Department's supplemental questionnaire.⁵ On August 11, 2015, the Department issued another supplemental questionnaire to Poolmaster, to which Poolmaster responded on August 26, 2015.⁶ On September 25, 2015, Poolmaster filed an addendum to its August 26, 2015 supplemental questionnaire response.⁷ On October 13, 2015, the Department issued a letter extending the deadline for this scope ruling until November 24, 2015.⁸

No party submitted comments regarding Poolmaster's scope ruling request.

SCOPE OF THE ORDERS

The merchandise covered by the *Orders* 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

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*).

³ See Letter from Poolmaster to the Department, "Aluminum Extrusions from the People's Republic of China: Response of Poolmaster to the Department's June 17, 2015 Scope Questionnaire," dated July 16, 2015 (First Supplemental Response).

⁴ See Letter from the Department to Poolmaster dated June 17, 2015.

⁵ See First Supplemental Response.

⁶ See Letter from the Department to Poolmaster dated August 11, 2015 and Letter from Poolmaster to the Department, "Aluminum Extrusions from the People's Republic of China: Response of Poolmaster to the Department's August 11, 2015 Supplemental Scope Questionnaire," dated August 26, 2015 (Second Supplemental Response), respectively.

⁷ See Letter from Poolmaster to the Department, "Aluminum Extrusions from the People's Republic of China: Addendum to Poolmaster's August 25, 2015 Supplemental Questionnaire Response," dated September 25, 2015 (Addendum to Second Supplemental Response).

⁸ See Letter from the Department to Poolmaster dated October 13, 2015.

materials by weight. The subject merchandise is made from an aluminum alloy with an Aluminum Association series designation commencing with the number 6 contains magnesium and silicon as the major alloying elements, with magnesium accounting for at least 0.1 percent but not more than 2.0 percent of total materials by weight, and silicon accounting for at least 0.1 percent but not more than 3.0 percent of total materials by weight. The subject aluminum extrusions are properly identified by a four-digit alloy series without either a decimal point or leading letter. Illustrative examples from among the approximately 160 registered alloys that may characterize the subject merchandise are as follows: 1350, 3003, and 6060.

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

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

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

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

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

The scope also excludes finished merchandise containing aluminum extrusions as parts that are fully and permanently assembled and completed at the time of entry, such as finished windows with glass, doors with glass or vinyl, picture frames with glass pane and backing material, and solar panels. The scope also excludes finished goods containing aluminum extrusions that are entered unassembled in a “finished goods kit.” A finished goods kit is understood to mean a packaged combination of parts that contains, at the time of importation, all of the necessary parts to fully assemble a final finished good and requires no further finishing or fabrication, such as cutting or punching, and is assembled “as is” into a finished product. An imported product will not be considered a “finished goods kit” and therefore excluded from the scope of the *Orders* 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): 7609.00.00, 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.⁹

LEGAL FRAMEWORK

When a request for a scope ruling is filed, the Department examines the scope language of the order at issue and the description of the product contained in the scope-ruling request.¹⁰ 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.¹¹ 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.¹²

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 MERCHANDISE SUBJECT TO THIS SCOPE REQUEST

A. Aluminum Poles

In its Scope Ruling Request, Poolmaster described the aluminum poles at issue as one-, two-, and three-piece collapsible utility poles used for the cleaning and maintenance of swimming pools. Poolmaster stated the poles are used with a wide variety of attachments that are available from

⁹ See the *Orders*.

¹⁰ See *Walgreen Co. v. United States*, 620 F.3d 1350, 1357 (Fed. Cir. 2010).

¹¹ See 19 CFR 351.225(k)(1).

¹² See 19 CFR 351.225(d).

multiple suppliers.¹³ Poolmaster stated that the one-, two-, and three-piece poles are made of hollow extruded aluminum and have a plastic handle grip on the end/inner pole.¹⁴ The two- and three-piece poles are telescopic; connected to the base of the outer pole(s) is a plastic locking mechanism that allows the inner pole(s) to be secured upon extension.¹⁵ Poolmaster stated that at the time of entry, it classified its aluminum poles under HTSUS 7616.99.5090.¹⁶

Because Poolmaster's Scope Ruling Request only contained general information about its aluminum poles, the Department requested that Poolmaster provide specific information about each aluminum pole at issue in its scope ruling request. In response, Poolmaster provided details (*e.g.*, name, model number(s), dimensions, and packaging information) about each aluminum pole subject to its scope ruling request.¹⁷ The model numbers and specific names of the 36 aluminum poles at issue in this scope ruling can be found in Attachment 1 of this memorandum.

Poolmaster stated that all grips and cams (*i.e.*, locking mechanisms) used on its poles are made of acrylonitrile, butadiene, and styrene (ABS) plastic.¹⁸ Poolmaster also stated that many of the poles have two model numbers, one for poles already in inventory, which are blue, and another for new, identical products, which are silver.¹⁹ Poolmaster clarified that the model numbers it provided to the Department are used at the time of importation on the commercial invoice and packing list accompanying the entry summary, and on the products themselves.²⁰ Poolmaster stated that it imports poles under its own brand name, the "Stanley" brand name, and other private labels.²¹ Poolmaster specified that all of the poles at issue are "universal," meaning they can be attached to skimmers, rakes, and other accessories from various vendors such as JED, Arch Chemical, Skimline, Valerra, Hayward, and Pentair.²²

B. Aluminum Skimmers and Aluminum Rakes

In its Scope Ruling Request, Poolmaster stated that aluminum skimmers and aluminum rakes are used to remove leaves and other debris that collect in swimming pools.²³ Poolmaster explained that aluminum skimmers generally have a squared opening and a shallow net that is used to gather leaves floating on the surface or in the water of a pool.²⁴ Aluminum rakes, on the other hand, typically have an elongated oval opening and a deeper net that is used to collect leaves at or near the bottom of a pool, and allow for the collection of a greater volume of leaves.²⁵ Poolmaster stated that the aluminum skimmers and aluminum rakes come in a variety of sizes and colors and that, at the time of importation, the aluminum skimmers and aluminum rakes are

¹³ See Scope Ruling Request at 3.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.* at 2.

¹⁷ See First Supplemental Response at 1-2 and Exhibits 1 and 2; *see also* Second Supplemental Response at 1-2 and Exhibit A.

¹⁸ See Second Supplemental Response at 1.

¹⁹ See First Supplemental Response at 1.

²⁰ See Second Supplemental Response at 1.

²¹ See First Supplemental Response at 2.

²² See Second Supplemental Response at 1.

²³ See Scope Ruling Request at 6.

²⁴ *Id.* at 6-7.

²⁵ *Id.* at 7.

permanently assembled and completed with all necessary parts attached.²⁶ At the time of entry, Poolmaster classified aluminum skimmers and aluminum rakes under HTSUS 9506.99.5500.²⁷

In its Scope Ruling Request, Poolmaster provided examples of some of the aluminum skimmers and aluminum rakes it sells.²⁸ The Department requested that Poolmaster provide specific information about each aluminum skimmer and aluminum rake at issue in its scope ruling request. In response, Poolmaster provided details (*e.g.*, name, model number, material composition and dimensions, and packaging information) about each aluminum skimmer and each aluminum rake subject to its scope ruling request.²⁹ The model numbers and specific names of the 15 aluminum skimmers and 14 aluminum rakes for which Poolmaster requested a scope ruling can be found in Attachments 2 and 3, respectively, of this memorandum.

Poolmaster specified that the inner frame of each aluminum skimmer and aluminum rake is composed of extruded aluminum; the outer frame of each aluminum skimmer and aluminum rake is made of plastic (polyvinyl chloride (PVC), polyethylene, or ABS); the handle of each aluminum skimmer and aluminum rake consists of extruded aluminum, cast aluminum, or ABS plastic; and the net of each aluminum skimmer and aluminum rake is made of plastic (either polyethylene or polyethylene with a PVC coating), polyethylene terephthalate, or terylene.³⁰ Poolmaster clarified that the model numbers it provided to the Department are used at the time of importation on the commercial invoice and packing list accompanying the entry summary, and on the products themselves.³¹ Poolmaster stated that it imports aluminum skimmers and aluminum rakes under its own brand name, the “Stanley” brand name, and other private labels.³² Poolmaster stated that all of the aluminum skimmers and aluminum rakes at issue have a universal handle that enables them to be attached to poles from different vendors such as JED, Arch Chemical, Swimline, Valerra, Hayward, and Pentair.³³

C. Aluminum Leaf Skimmer Kits

Poolmaster stated that telescoping poles may also be sold as part of a kit that includes a leaf skimmer. Poolmaster stated that it classified aluminum leaf skimmer kits under HTSUS 9506.99.5500 at the time of entry.³⁴ In its Scope Ruling Request, Poolmaster provided information about two of the aluminum leaf skimmer kits that it sells, noting that for both kits, the skimmer and pieces of the pole are all shrink-wrapped together and ready for final assembly by the customer.³⁵ The Department requested that Poolmaster provide specific information about each aluminum leaf skimmer kit at issue in its scope ruling request. In response,

²⁶ *Id.*

²⁷ *Id.* at 2.

²⁸ *Id.* at 8-12 and 14-17.

²⁹ See First Supplemental Response at 2-5 and Exhibits 1, 3, and 4; see also Second Supplemental Response at 2-4 and Exhibits A and B.

³⁰ See Second Supplemental Response at Exhibit A; see also First Supplemental Response at 3-4 and Exhibits 3 and 4.

³¹ See Second Supplemental Response at 1.

³² See First Supplemental Response at 5.

³³ *Id.* at 4.

³⁴ See Scope Ruling Request at 2.

³⁵ *Id.* at 19-20.

Poolmaster provided details (*e.g.*, name, model number, material composition and dimensions, and packaging information) about each aluminum leaf skimmer kit for which it requested a scope ruling.³⁶ The model numbers and specific names of the 9 aluminum leaf skimmer kits for which Poolmaster requested a scope ruling can be found in Attachment 4 of this memorandum.

Poolmaster stated that each aluminum leaf skimmer kit consists of 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, and is assembled “as is” into a finished product.³⁷ Poolmaster explained that the pole portion of each aluminum leaf skimmer kit consists of extruded aluminum; the frame, handle, and net of the leaf skimmer are made of high-density polyethylene, polypropylene, or polyethylene; and the cam, grip, and connectors are made of polypropylene.³⁸ Poolmaster clarified that the model numbers it provided to the Department are used at the time of importation on the commercial invoice and packing list accompanying the entry summary, and on the products themselves.³⁹ Poolmaster stated that it imports aluminum leaf skimmer kits under its own brand name, the “Stanley” brand name, and other private labels.⁴⁰

D. Other Products

In its First Supplemental Response, Poolmaster requested that the Department also include in its scope ruling two pool vacuums, two spa vacuums, a telescopic pole with brush attached, and a life hook.⁴¹ Poolmaster provided details (*e.g.*, name, model number, material composition and dimensions, and packaging information) about each of these products.⁴² The model numbers and specific names of these six items can be found in Attachment 5 of this memorandum. Poolmaster clarified that the model numbers it provided to the Department are used at the time of importation on the commercial invoice and packing list accompanying the entry summary, and on the products themselves.⁴³ Poolmaster stated that it imports the pool vacuums, spa vacuums, and telescopic pole with brush under HTSUS 9506.99.5500, and the life hook under HTSUS 7616.99.5090.⁴⁴

Regarding the pool vacuums, spa vacuums, and telescopic pole with brush, Poolmaster stated that each of these products is a kit consisting of 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, and is assembled “as is” into a finished product.⁴⁵

³⁶ See First Supplemental Response at 5-10 and Exhibits 1 and 5; *see also* Second Supplemental Response at 4-8 and Exhibits A, B, C, and D.

³⁷ See First Supplemental Response at 7.

³⁸ See Second Supplemental Response at 7-8 and Exhibits A and D; *see also* First Supplemental Response at 6 and Exhibit 5.

³⁹ See Second Supplemental Response at 1.

⁴⁰ See First Supplemental Response at 9.

⁴¹ *Id.* at 5.

⁴² See First Supplemental Response at 5-10 and Exhibits 1 and 5; *see also* Second Supplemental Response at 4-8 and Exhibits A, C, D, and E.

⁴³ See Second Supplemental Response at 1.

⁴⁴ See Addendum to Second Supplemental Response at 1-2.

⁴⁵ See First Supplemental Response at 9. Poolmaster noted that in the case of one of the spa vacuums, the batteries are not included in the package.

Poolmaster explained that the pole portion of the pool vacuums, spa vacuums, and telescopic pole with brush is made of extruded aluminum, while the other parts of these products are made of non-extruded aluminum components.⁴⁶ Poolmaster stated that it imports the pool vacuums and spa vacuums under its own brand name and the “Stanley” brand name, and the telescopic pole with brush under a private label.⁴⁷

With respect to the life hook, Poolmaster explained that this product is used as an emergency aid for swimmers.⁴⁸ Poolmaster stated the life hook is not a kit, but is fully assembled prior to importation.⁴⁹ Poolmaster stated the life hook does not have a pole, but if the user wishes to extend its reach, it can be attached to an interchangeable standard pole, which would be sold separately.⁵⁰ Poolmaster clarified the life hook is not required to be attached to a pole in order to fully function and is typically used without a pole.⁵¹ Poolmaster stated that the life hook handle and the hook itself are made of extruded aluminum, while the other parts, which consist of a top cap, a bottom cap, and a clip, are made of ABS plastic.⁵² Poolmaster explained the top cap serves two purposes: it fastens the hook to the handle and also helps to maintain the shape of the handle by reinforcing the aluminum and preventing dents or bending of the handle.⁵³ Poolmaster stated the bottom cap also has two functions: to help in keeping the shape of the handle and to protect the user from scraping himself on the sharp edge of the aluminum.⁵⁴ Poolmaster indicated that it imports the life hook under its own brand name.⁵⁵

RELEVANT SCOPE DETERMINATIONS⁵⁶

A. Unger Pole Handles Scope Ruling⁵⁷

In the Unger Pole Handles Scope Ruling, the products at issue were several pole handles designed to work with a variety of cleaning/tool heads that are attached to the poles. In addition

⁴⁶ See Second Supplemental Response at 8 and Exhibits A and D; see also First Supplemental Response at 6 and Exhibit 5. Specifically, the pool vacuums’ handle, connectors, and bristles are composed of polypropylene, the net is made of polyethylene, and the hose connector, vacuum body and handle, wheels, and drawstring cord lock consist of ABS. The spa vacuums’ grip and handle, cam, accessory suction nozzle, switch, brush, motorized impeller, and battery compartment are made of ABS; the vacuum filter is made of ABS and aluminum mesh; and the bristles are made of polypropylene. Finally, for the telescopic pole with brush, the brush handle and frame are made of cast aluminum, the brush bristles and brush base are made of polypropylene, and the pole grip and cam are made of ABS.

⁴⁷ See First Supplemental Response at 9 and Second Supplemental Response at Exhibit A.

⁴⁸ See First Supplemental Response at 5.

⁴⁹ *Id.* at 7-8.

⁵⁰ *Id.* at 6 and 8.

⁵¹ *Id.* at 7.

⁵² See Second Supplemental Response at 5-6, 8, and Exhibits A and D.

⁵³ *Id.* at 6.

⁵⁴ *Id.*

⁵⁵ *Id.* at Exhibit A.

⁵⁶ See Memorandum from Deborah Scott to The File, “Antidumping and Countervailing Duty Orders on Aluminum Extrusions from the People’s Republic of China: Prior Scope Rulings Relevant to this Proceeding,” dated concurrently with this memorandum (Prior Scopes Memorandum).

⁵⁷ See Memorandum from James Terpstra to Christian Marsh, “Final Scope Ruling on Unger Enterprises Inc.’s Pole Handles,” dated April 22, 2015 (Unger Pole Handles Scope Ruling); see also Prior Scopes Memorandum at Attachment 1.

to aluminum tubes of various lengths and diameters, each pole handle incorporates a polypropylene hand grip, a polypropylene tool and one of several accessory attachment heads that accept a variety of tools and attachments.⁵⁸ The Department found that the products at issue met the exclusion criteria for “finished goods.” The Department noted that the “finished merchandise” exclusion specifies that excluded merchandise contain aluminum extrusions “as parts.” Thus, to give effect to this “as parts” language, the Department found that to qualify for the finished merchandise exclusion the product must contain both aluminum extrusions and some non-extruded aluminum component. Accordingly, noting that the products at issue contained non-extruded aluminum parts (which are more than mere fasteners), in addition to extruded aluminum components, the Department found that Unger’s pole handles were merchandise containing aluminum extrusions as parts that are fully and permanently assembled and completed at the time of entry, and thus, excluded by the finished merchandise exclusion.⁵⁹

B. Klik-Klik MagPole Scope Ruling⁶⁰

Klik-Klik Systems Inc. (Klik-Klik) argued that its MagPole pole product is a finished good and not subject to the *Orders*. The Department found that, in addition to extruded aluminum components, the MagPole included non-extruded aluminum materials such as fiberglass tubes, plastic handles, plastic buttons, rubber bumpers and steel rolling pins which go beyond mere fasteners.⁶¹ In addition, the Department found that the MagPole is fully and permanently assembled and completed at the time of entry.⁶² Although the MagPole may be used with separate tools, those attachments are removable/interchangeable, available from a wide variety of suppliers, and selected based on the preference of the end user.⁶³ The Department therefore determined that Klik-Klik’s MagPoles are excluded from the scope of the orders as finished goods.⁶⁴

C. Unger Telescoping Poles Scope Ruling⁶⁵

Unger Enterprises Inc. (Unger) argued that its telescoping poles are finished goods and therefore excluded from the scope of 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.⁶⁶ 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,

⁵⁸ See Unger Pole Handles Scope Ruling at 5-6.

⁵⁹ *Id.* at 12-13.

⁶⁰ See Memorandum from James Terpstra to Christian Marsh, “Final Scope Ruling on Klik-Klik Systems Inc. (“Klik-Klik”) Magpole,” dated November 19, 2014 (Klik-Klik MagPole Scope Ruling); see also Prior Scopes Memorandum at Attachment 2.

⁶¹ See Klik-Klik MagPole Scope Ruling at 8.

⁶² *Id.* at 9.

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ See Memorandum from James Terpstra to Christian Marsh, “Final Scope Ruling on Unger Enterprises Inc.’s Telescoping Poles,” dated February 19, 2015 (Unger Telescoping Poles Scope Ruling); see also Prior Scopes Memorandum at Attachment 3.

⁶⁶ See Unger Telescoping Poles Scope Ruling at 10-11.

and found that the non-extruded aluminum components integrate into the product in a variety of ways beyond that of a mere fastener.⁶⁷ The Department additionally found that the telescoping poles were fully and permanently assembled and completed at the time of entry.⁶⁸

In addition, similar to the products considered under other scope rulings, Unger's telescoping poles are designed to work with removable/interchangeable attachments.⁶⁹ 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 products in question were excluded from the scope of the orders under the finished goods exclusion.⁷⁰

D. Side Mount Valve Control Kits Scope Ruling⁷¹

At issue in the scope ruling were certain side-mount valve controls (SMVC) kits that are used in pumping apparatuses that are attached to fire engines. The requestor argued that an SMVC kit, as imported, contains all the components necessary to complete the product and that all SMVC components and hardware are fully fabricated and require no further finishing or fabrication prior to being assembled. On this basis, the requestor argued that the product in question met the exclusion criteria for "finished goods."⁷²

In the scope ruling, the Department explained that, upon further reflection of the language in the scope of the *Orders*, it was revising the manner in which it determines whether a given product is a "finished good" or "finished goods kit." The Department explained that it identified a concern with its prior analysis, namely that it may lead to unreasonable results. The Department explained that an interpretation of "finished goods kit" which requires all parts to assemble the ultimate downstream product may lead to absurd results, particularly where the ultimate downstream product is, for example, a fire truck. The Department explained that such an interpretation may expand the scope of the *Orders*, which are intended to cover aluminum extrusions.⁷³

The Department determined that the scope, taken as a whole, indicates that "subassemblies" (*i.e.*, "partially assembled merchandise") may be excluded from the scope provided that they enter the United States as "finished goods" or "finished goods kits" and that the "subassemblies" require no further "finishing" or "fabrication." Therefore, the Department analyzed whether the SMVC kits at issue constituted a subassembly that enters the United States as a "finished goods kit." In order for the SMVC kit to be excluded from the scope of the *Orders*, the Department found that:

⁶⁷ *Id.* at 11.

⁶⁸ *Id.*

⁶⁹ *Id.* at 11-12.

⁷⁰ *Id.* at 13.

⁷¹ See Memorandum from John Conniff and Eric B. Greynolds to Christian Marsh, "Initiation and Preliminary Scope Ruling on Side Mount Valve Controls," dated September 24, 2012 (Preliminary SMVC Kits Scope Ruling), unchanged in Memorandum from John Conniff and Eric B. Greynolds to Christian Marsh, "Final Scope Ruling on Side Mount Valve Controls," dated October 26, 2012 (collectively, Side Mount Valve Control Kits Scope Ruling); see also Prior Scopes Memorandum at Attachment 4.

⁷² See Preliminary SMVC Kits Scope Ruling at 6.

⁷³ *Id.* at 6-7.

(1) the SMVC kit must contain all of the parts necessary to assemble a complete SMVC; (2) all of the components and hardware of the SMVC kit must be fully fabricated and required no further finishing or fabrication prior to being assembled; and (3) once assembled, the SMVC must be ready for use in conjunction with the downstream product upon installation.⁷⁴ Based on this analysis, the Department found that the SMVC kits at issue met the exclusion criteria for subassemblies that enter the United States as “finished goods kits.”⁷⁵

ARGUMENTS FROM INTERESTED PARTIES

Poolmaster argues that its aluminum poles, aluminum skimmers, and aluminum rakes are excluded from the scope of the *Orders* as finished merchandise for the following reasons. First, Poolmaster claims, its aluminum poles, skimmers and rakes contain all of the parts necessary to compose a completed good.⁷⁶ Second, Poolmaster asserts, its aluminum poles, skimmers and rakes are fully and permanently assembled at the time of entry, and are ready for use by the customer.⁷⁷ Third, Poolmaster contends, its aluminum poles, skimmers and rakes contain both extruded aluminum and non-extruded aluminum parts other than fasteners.⁷⁸

Poolmaster argues that while different customizable components may be added to the aluminum poles, skimmers, and rakes, this does not disqualify them from the finished merchandise exclusion.⁷⁹ Poolmaster argues that even though the poles are ultimately attached to other parts (*i.e.*, skimmers and rakes), and the skimmers and rakes are ultimately attached to other parts (*i.e.*, poles), the Side Mount Valve Control Kits Scope Ruling instructs that subassemblies such as aluminum poles, skimmers, and rakes may be a part of a bigger structure and still be considered finished merchandise.⁸⁰

In addition, Poolmaster contends its aluminum leaf skimmer kits are outside the scope of the *Orders* because they meet the finished goods kit exclusion.⁸¹ Poolmaster asserts the aluminum leaf skimmer kits are a packaged combination of parts (*i.e.*, the leaf skimmer and telescopic pole pieces) containing, at the time of importation, all of the parts necessary to fully assemble a finished good and requires no further finishing or fabrication, such as cutting or punching, and is assembled “as is” into a finished product.⁸² Poolmaster states that the skimmer and pole parts are provided together for the customer to complete final assembly, but no further finishing or fabrication is needed.⁸³ In addition, Poolmaster claims the aluminum leaf skimmer kits comprise more than just aluminum extrusions and fasteners; specifically, they contain different plastic pieces that serve functions other than fastening.⁸⁴ Similarly, Poolmaster contends its pool vacuums, spa vacuums, and telescopic pole with brush are kits consisting of a packaged

⁷⁴ *Id.* at 7.

⁷⁵ *Id.* at 7-8.

⁷⁶ *See* Scope Ruling Request at 35.

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ *Id.* at 35-36.

⁸⁰ *Id.* at 36.

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

⁸⁴ *Id.* at 36-37.

combination of parts that contains, at the time of importation, all of the parts needed to fully assemble a finished good and requires no finishing or fabrication, and is assembled “as is” into a finished product.⁸⁵ Poolmaster asserts its pool vacuums, spa vacuums, and telescopic pole with brush are outside the scope of the *Orders* because these products meet the finished merchandise and/or finished goods kits exclusion.⁸⁶

Regarding the life hook, Poolmaster argues this product is fully assembled at the time of importation and therefore meets the finished merchandise exclusion.⁸⁷ Poolmaster claims the life hook should not be disqualified from the finished merchandise exclusion based on the fact that the life hook can be attached to an interchangeable, standard pole if the customer wishes to extend its reach.⁸⁸ Poolmaster asserts that even if the Department were to find that the top cap of the life hook is a fastener, the bottom cap does not serve as a fastener in any way.⁸⁹ Specifically, the bottom cap helps to maintain the shape of the handle and protects the consumer from the sharp edge of the aluminum.⁹⁰ As such, Poolmaster contends the life hook meets the finished merchandise exclusion, because in addition to containing extruded aluminum, it has a non-extruded aluminum bottom cap that does not serve as a fastener.⁹¹

No other party submitted comments regarding Poolmaster’s Scope Ruling Request.

DEPARTMENT’S POSITION

The Department examined the language of the *Orders* and the description of the products contained in Poolmaster’s Scope Ruling Request and supplemental questionnaire responses, 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 to consider the additional factors specified in 19 CFR 351.225(k)(2). For the reasons set forth below, we find that Poolmaster’s aluminum poles, aluminum skimmers, aluminum rakes, and life hook meet the exclusion criteria for “finished merchandise.” We further find that Poolmaster’s aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush meet the exclusion criteria for “finished goods kits.”

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*...” As previously explained in the Unger Pole Handles Scope Ruling, we take this language to mean that the excluded “finished merchandise” must contain aluminum extrusions “as parts” plus an additional non-extruded aluminum component.⁹²

⁸⁵ See First Supplemental Response at 9.

⁸⁶ See Addendum to Second Supplemental Response at 1-2.

⁸⁷ *Id.* at 7-8.

⁸⁸ *Id.* at 7-9.

⁸⁹ See Second Supplemental Response at 6.

⁹⁰ *Id.*

⁹¹ *Id.*

⁹² See Unger Pole Handles Scope Ruling at 12-13.

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 therefore must include some non-extruded aluminum component.

Poolmaster’s Scope Ruling Request and supplemental questionnaire responses demonstrate that the aluminum poles, aluminum skimmers, aluminum rakes, and life hook at issue all contain aluminum extrusions “as parts” plus additional non-extruded aluminum components that go beyond mere fasteners. All of the aluminum poles at issue are made of extruded aluminum and have non-extruded aluminum (*i.e.*, ABS plastic) handle grips and locking mechanisms.⁹³ As for the aluminum skimmers and aluminum rakes at issue, all of the inner frames and some of the handles are composed of extruded aluminum, while the remaining components consist of non-extruded aluminum.⁹⁴ Specifically, the outer frames of the aluminum skimmers and aluminum rakes at issue are made of plastic (PVC, polyethylene, or ABS); the non-extruded aluminum handles consist of either cast aluminum or ABS plastic; and the nets are composed of plastic (either polyethylene or polyethylene with a PVC coating), polyethylene terephthalate, or terylene.⁹⁵ Finally, with respect to the life hook, the handle and the hook itself are made of extruded aluminum, while the remaining components (a top cap, a bottom cap, and a clip) consist of ABS plastic.⁹⁶ With respect to the life hook, the product contains a plastic bottom cap that assists in maintaining the shape of the handle and protects the consumer from the sharp edge of the aluminum.⁹⁷ In this way, the bottom cap performs functions other than that of a fastener and, therefore, the life hook contains non-extruded aluminum components beyond mere fasteners. Therefore, we find that Poolmaster’s aluminum poles, aluminum skimmers, aluminum rakes, and life hook meet the “as parts” requirement of the finished merchandise exclusion because all of the products at issue contain non-extruded aluminum components that go beyond mere fasteners.

The finished merchandise exclusion also requires that the product at issue be “fully and permanently assembled and completed at the time of entry.” Information on the record of this scope ruling request shows that Poolmaster’s aluminum poles, aluminum skimmers, aluminum rakes, and life hook are merchandise containing aluminum extrusions as parts that are fully and permanently assembled and completed at the time of entry. For example, photographs show that these products are completely assembled when they enter the United States.⁹⁸ Therefore, we find that Poolmaster’s aluminum poles, aluminum skimmers, aluminum rakes, and life hook meet the requirement in the scope definition that they enter into the United States as fully and permanently assembled and completed products.

Additionally, similar to the products considered in the Klik-Klik Magpole Scope Ruling, Unger Telescoping Poles Scope Ruling, and Unger Pole Handles Scope Ruling,⁹⁹ Poolmaster’s

⁹³ See Scope Ruling Request at 3 and Second Response at 1.

⁹⁴ See Second Supplemental Response at Exhibit A; *see also* First Supplemental Response at 3-4 and Exhibits 3 and 4.

⁹⁵ *Id.*

⁹⁶ *Id.* at 5-6, 8, and Exhibits A and D.

⁹⁷ See Second Supplemental Response at 6 and Exhibit D.

⁹⁸ See Scope Ruling Request at 5-6, 13, and 18 and Second Supplemental Response at Exhibit D.

⁹⁹ See Klik-Klik Magpole Scope Ruling at 9, Unger Telescoping Poles Scope Ruling at 11-12, and Unger Pole

aluminum poles, aluminum skimmers, and aluminum rakes are designed to work with removable/interchangeable attachments.¹⁰⁰ The poles at issue are universal, and thus can be attached to skimmers, rakes, and other accessories from various suppliers such as JED, Arch Chemical, Skimline, Valerra, Hayward, and Pentair by end users after importation.¹⁰¹ Likewise, the aluminum skimmers and aluminum rakes at issue have a universal handle that enables them to be attached to poles from different suppliers such as JED, Arch Chemical, Swimline, Valerra, Hayward, and Pentair by end users after importation.¹⁰² As the poles and the skimmer and rake handles are universal, the choice of such attachments is dependent upon the end user. Regarding the life hook, this product is not required to be attached to a pole in order to fully function and is typically used without a pole, but it may be attached to an interchangeable standard pole if the user wishes to extend its reach.¹⁰³ As the life hook may be attached to an interchangeable standard pole, the choice of such pole is also dependent upon the end user. Consistent with the aforementioned Scope Rulings, the Department finds that it would be unreasonable to require Poolmaster's aluminum poles, aluminum skimmers, aluminum rakes, and life hook to be imported with interchangeable attachments that can change with users' needs in order for the Department to consider these products to constitute "finished merchandise" for purposes of scope exclusion.

Because we find that Poolmaster's aluminum poles, aluminum skimmers, and aluminum rakes constitute "finished merchandise" rather than finished merchandise subassemblies that are incorporated into a larger product, we do not find it necessary to address Poolmaster's reference to the Side Mount Valve Control Kits Scope Ruling.

In summary, as explained above, we determine that Poolmaster's aluminum poles, aluminum skimmers, aluminum rakes, and life hook are fully and permanently assembled and completed at the time of entry and contain non-extruded aluminum components beyond mere fasteners, and as such, we find these products to be excluded from the scope of the *Orders* as "finished merchandise."

We now turn to the other products at issue in this scope ruling request – the aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush – which Poolmaster describes as "finished goods kits." The scope of the *Orders* also excludes finished products containing aluminum extrusions that are entered unassembled in a "finished goods kit." The scope of the *Orders* defines "finished goods kit" as "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."¹⁰⁴ The scope of the *Orders* provides that an imported product will not be considered for exclusion as a "finished goods kit" "merely by including fasteners such as screws, bolts, *etc.* in the packaging with an aluminum extrusion product."

Handles Scope Ruling at 15.

¹⁰⁰ See Second Supplemental Response at 1 and Exhibit A and First Supplemental Response at 4.

¹⁰¹ See Second Supplemental Response at 1.

¹⁰² See First Supplemental Response at 4.

¹⁰³ *Id.* at 7-8.

¹⁰⁴ See the *Orders*.

To determine whether Poolmaster’s aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush meet the exclusion for “finished goods kits,” we first examine whether each product at issue consists of more than aluminum extrusions and mere fasteners. Poolmaster’s Scope Ruling Request and supplemental questionnaire responses establish that the aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush at issue contain both aluminum extrusions and non-extruded aluminum components that go beyond mere fasteners. With respect to the aluminum leaf skimmer kits, the poles are made of extruded aluminum, while other parts (the frame, handle, and net of the leaf skimmers, and the cams and grips) are made of high-density polyethylene, polypropylene, or polyethylene.¹⁰⁵ Likewise, regarding the pool vacuums, spa vacuums, and telescopic pole with brush, the poles are made of extruded aluminum, while other parts of these products consist of various non-extruded aluminum components.¹⁰⁶ Specifically, the pool vacuums’ handle and bristles are composed of polypropylene, the net is made of polyethylene, and the vacuum body and handle, wheels, and drawstring cord lock consist of ABS.¹⁰⁷ The spa vacuums’ grip and handle, cam, accessory suction nozzle, switch, brush, motorized impeller, and battery compartment are made of ABS; the vacuum filter is made of ABS and aluminum mesh; and the bristles are made of polypropylene.¹⁰⁸ Lastly, for the telescopic pole with brush, the brush handle and frame are made of cast aluminum, the brush bristles and brush base are made of polypropylene, and the pole grip and cam are made of ABS.¹⁰⁹ Thus, we find that the aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush all contain non-extruded aluminum parts other than fasteners.

Next, we consider whether the aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush meet the definition of “finished goods kit” as 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. Based on the descriptions of these products and photographs in Poolmaster’s Scope Ruling Request and supplemental questionnaire responses, we find that Poolmaster’s aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush are packaged combinations of parts that contain, at the time of importation, all of the necessary parts to fully assemble a final finished good and require no further finishing or fabrication, such as cutting and punching, and are assembled “as is” into a finished product.¹¹⁰ Therefore, we find that Poolmaster’s aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush meet the definition of “finished goods kits.”

In conclusion, as explained above, we determine that Poolmaster’s aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush contain both aluminum extrusions

¹⁰⁵ See Second Supplemental Response at 7-8 and Exhibits A and D; see also First Supplemental Response at 6 and Exhibit 5.

¹⁰⁶ See Second Supplemental Response at 8 and Exhibits A and D; see also First Supplemental Response at 6 and Exhibit 5.

¹⁰⁷ See Second Supplemental Response at Exhibits A and D.

¹⁰⁸ See Second Supplemental Response at 8 and Exhibits A and D.

¹⁰⁹ *Id.*

¹¹⁰ See Scope Ruling Request at 19-20; First Supplemental Response at 7 and 9; and Second Supplemental Response at Exhibit D.


and non-extruded aluminum components that go beyond mere fasteners and qualify as “finished goods kits” as defined by the scope of the *Orders*. Accordingly, we find these products to be excluded from the scope of the *Orders* as “finished goods kits.”

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 the aluminum poles, aluminum skimmers, aluminum rakes, and life hook at issue are finished merchandise and, thus, not subject to the scope of the *Orders*. We further recommend finding that the aluminum leaf skimmer kits, pool vacuums, spa vacuums, and telescopic pole with brush at issue are finished goods kits and, thus, are 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

11/24/15

Date

ATTACHMENT 1

ALUMINUM POLES Subject to Poolmaster's Scope Ruling Request

Model Number		Description
Current SKU Blue Color	New SKU Silver Color	
POOLMASTER		
21230	n/a	Commercial 12' Straight 1 pc. Pole
21231	n/a	Commercial 16' Straight 1 pc. Pole
18612	18712	Basic 12' Telescopic Pole w/handle
18616	18716	Basic 16' Telescopic Pole w/handle
21210	21310	Classic 8' Telescopic Pole w/handle
21212	21312	Premier 12' Telescopic Pole Posi-Lock
21216	21316	Premier 16' Telescopic Pole Posi-Lock
21246	21346	Classic 8' Telescopic Pole Inside Cam
21248	21348	Classic 16' Telescopic Pole Inside Cam
21258	21358	Premier 16' Telescopic Pole Metal Inside Cam
21234	21334	Commercial 16' Telescopic Pole Inside Cam
21205	n/a	12' Standard 3-PC Telescopic Pole w/handlegrip
21207	21307	Classic 15' 3-pc. Telescopic Pole
21207bx	21307bx	3 pc. 5'-15' Telescopic Pole - Blue
21228	21328	Premier 21' Telescopic Pole 3-pc Posi Lock
21228bx	21328bx	3 pc. 8'-21' Telescopic Pole - Blue
21247		Classic 12' Telescopic Pole - Inside Cam
21257		Premier 12' Telescopic Pole Metal Inside Cam
21818		Premier 16' Telescopic Pole - Inside Cam
STANLEY		
21812	n/a	Stanley 12' Telescopic Pole
21816	n/a	Stanley 16' Telescopic Pole
21818	n/a	Stanley 16' Telescopic Pole - Inside Cam
[]		
18613	n/a	12' Telescopic Pole w/handle []
18617	n/a	16' Telescopic Pole w/handle []
21245	n/a	8' Telescopic Pole w/handle []
21249	n/a	16' Telescopic Pole w/handle []
21259	n/a	16' Telescopic Metal Inside Cam []
[]		
21813	n/a	Stanley Australia 12' Telescopic Pole
21817	n/a	Stanley Australia 16' Telescopic Pole
[]		
61201		[] 16' Standard Telescopic Pole w/Grip
61209		[] 8' Telescopic Pole - Inside Cam
61301	61316	[] Telescopic Pole 16'
61308		[] Telescopic Pole 8'
61309	61308	[] Telescopic Pole 8'
61316		[] Telescopic Pole 16'
[]		
18616NSP		Basic 16' Telescopic Pole w/handle

Source: Second Supplemental Response at Exhibit A.

Attachment 2

ALUMINUM SKIMMERS Subject to Poolmaster's Scope Ruling Request

Model Number	Description
POOLMASTER	
18210	Aluminum Skimmer-Basic
21188	Classic Finisher Leaf Skimmer
21190	Aluminum Skimmer-Classic
21181	Solid Core Aluminum Skimmer-Premier
21191	DLX Heavy Weight Aluminum Skimmer-Premier
21183	Premier Commercial Leaf Skimmer
STANLEY	
21881	Stanley Deluxe Solid Core Aluminum Leaf Skimmer
21890	Stanley Aluminum Leaf Skimmer
21191	Stanley Deluxe HD Aluminum Leaf Skimmer
[]	
61190R	Aluminum Deluxe Leaf Skimmer
[]	
61183	[] Premier Commercial Skimmer
61190	[] Aluminum Deluxe Leaf Skimmer
61191	[] Deluxe Aluminum Leaf Skimmer
21200	[] Canada Pro Deluxe Aluminum Skimmer
61291	[] Aluminum Leaf Skimmer

Source: Second Supplemental Response at Exhibit A.

Attachment 3

ALUMINUM RAKES Subject to Poolmaster's Scope Ruling Request

Model Number	Description
POOLMASTER	
18215	Aluminum Rake-Basic
21195	Aluminum Rake-Classic
21189	Finisher Rake-Classic
21182	Premier Pro Aluminum Leaf Rake
21184	Leaf Rake-Commercial
21196	DLX Heavy Weight Aluminum Rake-Premier
21198	Premier Aluminum Leaf Rake - Insert
STANLEY	
21882	Stanley Deluxe Solid Core Aluminum Leaf Rake
21895	Stanley Aluminum Leaf Rake
21896	Stanley Deluxe HD Aluminum Leaf Rake
[]	
61184	[] Premier Commercial Leaf Rake
61198	[] Deluxe Aluminum Leaf Rake
61298	[] Aluminum Leaf Rake
21194	[] Deluxe Aluminum Rake

Source: Second Supplemental Response at Exhibit A.

Attachment 4

ALUMINUM LEAF SKIMMER KITS Subject to Poolmaster's Scope Ruling Request

Model Number	Description
POOLMASTER	
18207	Poly Leaf Skimmer w/4' Pole - 2 pcs.
21150	Poly Leaf Skimmer/5' Pole Combo
21178	Poly Leaf Skimmer/4-8' Tele Pole
21197	Poly Leaf Skimmer w/4'-8' Telescopic Pole
STANLEY	
21897	Stanley Molded Leaf Skimmer w/Pole
[]	
61196	/] 8' Telescopic Pole w/Skimmer
61197	/] 4'-8' Telescoping Skimmer
61297	/] Telescopic Skimmer 4'-8'
21192	/] 4'-8' Telescopic Skimmer

Source: Second Supplemental Response at Exhibit A.

Attachment 5

OTHER PRODUCTS Subject to Poolmaster's Scope Ruling Request

Model Number	Description
POOLMASTER	
28009	Black Magic Jet Vac w/Pole
28200	Black Magic Battery Spa Vacuum
32158	Life Hook- Bulk
STANLEY	
28800	Stanley Spa Vacuum
28808	Stanley Vinyl Hybro Jet Vacuum
[]	
61199	12' telescopic Pole w/Brush

Source: Second Supplemental Response at Exhibit A.