



Ottawa, May 19, 2011

# MEMORANDUM D15-2-54

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## In Brief

### **CERTAIN ALUMINUM EXTRUSIONS ORIGINATING IN OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA**

Application of anti-dumping and countervailing duties

1. This memorandum refers to the application of anti-dumping and countervailing duties to importations of certain aluminum extrusions originating in or exported from the People's Republic of China.
2. This memorandum is being revised to reflect the Canadian International Trade Tribunal's determination dated February 10, 2011, granting additional product exclusions from their findings made on March 17, 2009.
3. This memorandum is also being revised to list additional Harmonized System classification numbers under heading 76.10, where importers have been found to regularly classify subject aluminum extrusions.





Ottawa, May 19, 2011

# MEMORANDUM D15-2-54

## **CERTAIN ALUMINUM EXTRUSIONS ORIGINATING IN OR EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA**

This memorandum refers to the application of anti-dumping and countervailing duties pursuant to section 3 of the *Special Import Measures Act* (SIMA) to importations of certain aluminum extrusions originating in or exported from the People's Republic of China (China). These duties are applied as a result of the findings of injury by the Canadian International Trade Tribunal (Tribunal).

### **GUIDELINES AND GENERAL INFORMATION**

1. A description of the goods subject to anti-dumping and countervailing duties is as follows:

aluminum extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by The Aluminum Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being as extruded (mill), mechanical, anodized or painted or otherwise coated, whether or not worked, having a wall thickness greater than 0.5 mm., with a maximum weight per meter of 22 kilograms and a profile or cross-section which fits within a circle having a diameter of 254 mm., originating in or exported from the People's Republic of China.

Excluding:

- (a) Aluminum extrusions produced from either a 6063 or a 6005 alloy type with a T6 temper designation, in various lengths, with a powder coat finish on both the interior and the exterior surfaces of the extrusion, which finish is certified to meet the American Architectural Manufacturers Association AAMA 2603 standard, "Voluntary Specification, Performance Requirements and Test Procedures for Pigmented Organic Coatings on Aluminum Extrusions and Panels", for use in exterior railing systems;
- (b) Aluminum extrusions produced from a 6063 alloy type with a T5 temper designation, having a length of 3.66 m, with a powder coat finish, which finish is certified to meet the American Architectural

Manufacturers Association AAMA 2603 standard, "Voluntary Specification, Performance Requirements and Test Procedures for Pigmented Organic Coatings on Aluminum Extrusions and Panels", for use as head rails and bottom rails in fabric window shades and blinds where the fabric has a cross-sectional honeycomb or "cellular" construction;

(c) Aluminum extrusions produced from a 6063 alloy type with a T5 temper designation and forming part of the Vario System™ 20, 30, 40, 45 and 60 series line of profiles, or equivalent, having a length of either 4.5 or 5.8 m and a straightness tolerance of +/-1.5 mm or less per 6.0 m of length, for use in those parts of mechanical systems and automated machinery, such as gantry systems and conveyors, where precise linear movement is required;

(d) Aluminum extrusions produced from either a 6063 or a 6463 alloy type, having a length of 3 m, with a hand-applied gold and silver leaf finish, for use as picture frame mouldings;

(e) Aluminum extrusions produced from a 6063 alloy type with either a T5 or a T6 temper designation, having a length of between 20 and 33 ft. (between 6.10 and 10.06 m), with a powder coat finish, which finish is certified to meet the American Architectural Manufacturers Association AAMA 2603 standard ("Voluntary Specification, Performance Requirements and Test Procedures for Pigmented Organic Coatings on Aluminum Extrusions and Panels"), for use in window frames; and

(f) Heat sinks imported under tariff item No. 8473.30.90 and weighing 700 g or less.

(g) Aluminum extrusions produced by China Square Industrial Ltd. from either a 6063 or a 6463 alloy type with a T5 temper designation, with a profile or cross-section which fits within a circle having a diameter of 100 mm, for use by MAAX Bath Inc. in the assembly of its shower enclosures, specifically identified in the Appendix of the Determination and reasons issued by the Canadian International Trade Tribunal on February 10, 2011, in Inquiry No. NQ-2008-003R. The list of these excluded products can be found at the following link: [www.citt.gc.ca/dumping](http://www.citt.gc.ca/dumping).

2. For the excluded products listed above that require a finish which is “certified to meet the American Architectural Manufacturers Association AAMA 2603 standard”, the Canada Border Services Agency is interpreting this wording to mean that the applicator of the powder coating finish to the extrusion must be a certified applicator by the American Architectural Manufacturers Association. A listing of the producers certified by the American Architectural Manufacturers Association can be found on the AAMA Verified Components List on their Web site ([www.aamanet.org](http://www.aamanet.org)). The certification must be in effect on the date of the sale of the goods into Canada.

3. The dates of the proceedings and findings concerning this case are as follows:

Action	Date
Initiation of Investigations	August 18, 2008
Preliminary Determinations	November 17, 2008
Final Determinations	February 16, 2009
Tribunal’s Findings	March 17, 2009
Tribunal’s Remand Determination	February 10, 2011

4. The subject goods are typically classified in the Harmonized System under the following ten digit classification numbers:

7604.10.11.10	7604.29.12.22
7604.10.11.90	7604.29.12.23
7604.10.12.11	7604.29.12.24
7604.10.12.19	7604.29.12.29
7604.10.12.21	7604.29.20.11
7604.10.12.22	7604.29.20.19
7604.10.12.23	7604.29.20.21
7604.10.12.24	7604.29.20.29
7604.10.12.29	7604.29.20.30
7604.10.20.11	7608.10.00.10
7604.10.20.19	7608.10.00.90
7604.10.20.21	7608.20.00.10
7604.10.20.29	7608.20.00.90
7604.10.20.30	7610.10.00.10
7604.21.00.10	7610.10.00.20
7604.21.00.20	7610.10.00.30
7604.29.11.10	7610.90.00.10
7604.29.11.90	7610.90.00.20
7604.29.12.11	7610.90.00.30
7604.29.12.19	7610.90.00.40
7604.29.12.21	7610.90.00.90

5. The liability for anti-dumping and countervailing duties results from the proceedings conducted under SIMA and from the findings made by the Canadian International Trade Tribunal. Information regarding the normal value of subject goods and the amount of anti-dumping and countervailing duties payable should be obtained from the exporter. Related information may be made available to importers on a need-to-know basis in accordance with the provisions of Memorandum D14-1-2, *Disclosure of Normal Value, Export Prices, and Amount of Subsidy Established Under the Special Import Measures Act to Importers*.

6. For importations of the subject goods produced or exported by a company in China that has not been issued its own normal values, the anti-dumping duty is equal to 101% of the export price, as determined under section 24, 25 or 29 of SIMA.

7. For importations of the subject goods produced or exported by a company in China that has not been issued its own amount of subsidy, the countervailing duty is equal to 15.84 Renminbi per kilogram.

8. Importers who are unsure whether or not their goods are subject to the Tribunal’s findings should contact the Anti-dumping and Countervailing Directorate of the Canada Border Services Agency with a complete description of the goods to be imported prior to declaring the goods.

**REFERENCES**

<b>ISSUING OFFICE –</b> Anti-dumping and Countervailing Directorate Programs Branch	<b>HEADQUARTERS FILE –</b> 4214-22 and 4218-26
<b>LEGISLATIVE REFERENCES –</b> <i>Special Import Measures Act</i> , section 3	<b>OTHER REFERENCES –</b> D14-1-2
<b>SUPERSEDED MEMORANDA “D” –</b> D15-2-54 dated September 21, 2009	

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are available in both official languages.

