



## **Aluminum Extrusion Tariffs: “The Broadest Scope Orders We’ve Ever Seen”**

*By Rand Baldwin, AEC President*

Four members of your trade association, the Aluminum Extruders Council, visited with officials at the U.S. Department of Commerce in Washington DC on November 29. It was a rare opportunity for DOC officials – the people who make decisions on waivers and our China tariff orders – to meet directly with industry representatives. As one of the members of our delegation, I can tell you that we were grateful to have the chance to learn more about the process of enforcing and defending these important orders.

Foremost on the agenda were recent rulings on “Scope Requests”, which are procedural requests of the Department of Commerce brought by Chinese extrusion companies or importers. In such requests, the petitioner is usually asking for their product be ruled exempt from paying duties on the basis that said product is “outside the scope” of the tariff orders.

The most common type of Request comes from those who feel their product is a “finished good” that only contains aluminum extrusions as part of something that has become a wholly different item. For example, a trade show booth kit that contains an extruded aluminum frame, plus *everything else* that is needed to make it a booth, was ruled to be outside the scope. On the other hand, a shower door that includes aluminum extruded framing, but does not include the glass, was ruled to be within scope.

DOC officials confirmed that they had seen an unusually high number of Scope Requests come in on the aluminum extrusion orders. Most of these requests had, by their reckoning, fallen within the scope of the original orders and, thus, the Chinese extruder or importer was subject to paying the tariff. As we have shown in prior editions of this newsletter, these tariffs have been *very effective* in re-establishing a level playing field for extruders in the U.S. and Canada.

Interestingly, officials also commented that the aluminum extrusion orders were among “the broadest scope orders we’ve ever seen.” On the one hand, this means that our industry did a thorough job in protecting a wide spectrum of our diverse product lines. On the other hand, such a wide swath can lead to a high number of requests for waivers, which is exactly what has happened to AEC.

*December 2012*