

COVER SHEET

{Insert Case Number (A/C-XXX-XXX)}

Total Number of Pages: {Insert Total Number of Pages}

Enforcement & Compliance
Scope Inquiry

AD/CVD Operations, Office {Insert Office Numbers}

{Indicate Business Proprietary, Public Version, or Public Document}

SCOPE RULING APPLICATION

APPLICANT(S): {insert name of applicant}

REPRESENTATION: {insert name of counsel and law firm and contact info}

CASE: {insert name of antidumping and/or countervailing duty order,
country(ies) and case number(s), including companion
countervailing duty case number where applicable}

PRODUCT FOR WHICH SCOPE RULING IS REQUESTED: {insert the name of the
product for which the applicant is
requesting a scope ruling}

DATE OF SUBMISSION: {insert date of application filing}

Section I: General Information

This application requests a scope ruling for *{insert product name}*. This application is submitted in accordance with Commerce’s [Scope Ruling Application Guide](#) and [19 CFR 351.225\(c\)](#). All electronic files have been uploaded in a manner indicating their specific contents. Where possible, exhibits have not been split between electronic files. Where any websites are referenced, screenshots of the websites have been provided as exhibits.

If this application pertains to the scope of companion antidumping and countervailing duty orders of the same product from the same country, it has been filed only on the record of the applicable antidumping proceeding. Where there is a companion countervailing duty order to which this scope inquiry would apply equally, the companion countervailing duty order case number should be identified under “CASE” on the cover page of this application.

This application has been filed in typed form and in English. Where applicable, original and translated versions of all pertinent portions of non-English language documents accompany this application. All sources of information have been identified, and copies of source documents necessary to understand this application have been included.

The following is a table of attachments/exhibits accompanying this application:

Insert table of attachments/exhibits

<i>Attachment/Exhibit 1</i>	<i>Name of Attachment/Exhibit</i>
<i>Attachment/Exhibit 2</i>	<i>Name of Attachment/Exhibit</i>
<i>Attachment/Exhibit n.</i>	<i>Name of Attachment/Exhibit</i>

NOTE: The following examples may be cause for Commerce to reject an application:

- Failure to provide complete responses to each question, including public responses to questions 1a. through 1d.
- Failure to provide relevant supporting documentation in accordance with the format requested (*i.e.*, failure to provide screenshots of referenced websites as exhibits).
- If certain questions are not answered completely, or certain information relevant to the scope application is missing, failure to explain the reasons the party does not have access to the information and has not provided that information in the application, including what steps the party took to obtain the information.

Section II: Product Information¹

To the extent reasonably available, we are providing the following requested information and relevant supporting documentation. We have responded to each question in its entirety, or, alternatively, we have explained the reasons we do not have access to the information, including what steps we took to obtain the information, in Appendix A.

Responses to questions 1a. through 1d. are intended to be published in Commerce's monthly Federal Register notice of filed scope applications.² Therefore, the description must contain a sufficient public summary to enable the public to understand the product at issue.

1. A **public** narrative describing the product and the information about the product listed below:

- a. A description of the physical characteristics (including chemical, dimensional, and technical characteristics) of the product. *See* 19 CFR 351.225(c)(2)(i)(A).

Insert public narrative description of physical characteristics. For reference, a list of examples covering questions 1a. – 1d. is provided below.

- b. The country(ies) where the product is produced, the country from where the product is exported, and if imported, the declared country of origin. *See* 19 CFR 351.225(c)(2)(i)(B).

Identify the names of the applicable countries.

- c. The product's tariff classification under the Harmonized Tariff Schedule of the United States (HTSUS) if already imported or otherwise known. *See* 19 CFR 351.225(c)(2)(i)(C).

Insert HTSUS classification if already imported or otherwise known.

- d. The uses of the product. *See* 19 CFR 351.225(c)(2)(i)(D).

Insert public narrative description of product uses.

- e. A **concise** public summary of the products description (including brief mention of the physical characteristics, the country of production and exportation, the tariff classification, and uses of the product). *See* 19 CFR 351.225(c)(2)(ii).

For reference, here are examples of responses which were historically considered acceptable concise public summaries:

¹ The regulations pertaining to filing a scope ruling application may be found at <https://www.federalregister.gov/documents/2021/09/20/2021-17861/regulations-to-improve-administration-and-enforcement-of-antidumping-and-countervailing-duty-laws>.

² *See, e.g., Notice of Scope Ruling Applications Filed in Antidumping and Countervailing Duty Proceedings*, 87 FR 2594 (January 18, 2022).

A passenger vehicle wheel described as:

“within rim sizes ranging from 16x6 in. to 16x7 in., with bolt patterns of 8x6.5 in. and 8x170 mm, with center holes (i.e., hub bore sizes) ranging from 4.57 to 4.93 inches, with load capacity ranging from 2500 to 3750, for use in passenger vehicle wheels, classified under HTSUS 8708.70.45.60. The products will be produced in, and exported from, China, with China as the declared country of origin.”

A wood product described as:

“composite jambs are predominantly made of composite materials. They are used as part of an interior door frame. The core of the composite jambs is made of 10 mm thick of OSB and is laminated with pine veneer on the face and back. The door stop is made from 9 mm thick layer of MDF. The flat jamb measures approximately 16.67 mm thick, 115.89 mm wide and 2039.938 mm long and the super and stapled jamb measures approximately 16.67 mm thick, 115.89 mm wide and 2039.938 mm long. The composite jambs are dadoed on one side and the other side has a flat smooth surface. They are not finger-jointed and/nor edge-glued.

The composite jambs and door stop are produced in China, have country of origin of China and are to be imported from China to the United States. The HTSUS classification for the composite jambs is HTSUS subheading 4418.99.9590.”

2. Additional information (including **business proprietary information**) relevant to the scope application. See 19 CFR 351.225(c)(i).

- a. Information not provided above with respect to the physical characteristics (including chemical, dimensional, and technical characteristics) and uses of the product, including proprietary information and other detailed data relevant to the product. See 19 CFR 351.225(c)(2)(i)(A) and (D).

Insert further detailed descriptions and information pertaining to the product’s physical characteristics and uses.

- b. Attach copies of any Customs rulings relevant to the tariff classification as exhibits to this application. See 19 CFR 351.225(c)(2)(i)(C).

Identify exhibit numbers for attached Customs Rulings.

- c. Provide clear and legible photographs, schematic drawings, specifications, standards, marketing materials, and other exemplars providing a visual depiction of the product, provided as attachments with accompanying descriptions of the attachments. See 19 CFR 351.225(c)(2)(i)(E). If certain documents are unavailable, please provide a complete description of those documents and the efforts taken to acquire those documents in Appendix A below.

Insert narrative descriptions of the attachments and identify exhibit numbers for attachments.

- d. A description of parts, materials, and the production process employed in the production of the product. *See* 19 CFR 351.225(c)(2)(i)(F).

Insert narrative description of parts, materials, and production process.

3. The name and address of the producer, exporter, third-country exporter, and importer of the product. *See* 19 CFR 351.225(c)(2)(iii).

Insert name and address of the producer, exporter, third-country exporter, and importer.

4. A narrative history of the production of the product at issue, including a history of earlier versions of the product if this is not the first model of the product. *See* 19 CFR 351.225(c)(2)(iv).

Insert narrative history.

5. The volume of annual production of the product for the most recently completed fiscal year. *See* 19 CFR 351.225(c)(2)(v).

Insert annual production volume and specify units of measurement.

6. A description of how the product is advertised, displayed, and packaged for sale.

Insert narrative description and references to relevant exhibits that are attached to the application.

7. Pursuant to 19 CFR 351.225(c)(2)(viii), a statement as to whether the product is covered by the scope of the order:
 - a. Referencing 19 CFR 351.225(j) and 19 CFR 351.225(k), this product **is/is not** covered by the scope of the order because . . .

Insert statement with specific reference to 19 CFR 351.225(j) and 19 CFR 351.225(k), as appropriate, as to whether the applicant believes the products are covered by the order. 19 CFR 351.225(j) concerns the product's country of origin. In determining the country of origin, Commerce considers relevant factors that arise on a case-by-case basis. Those factors are listed in Section III of this scope ruling application, and an applicant must provide that information, along with its position on the country of origin of the product.

19 CFR 351.225(k)(1)(i) lists primary interpretive sources that Commerce may take into account in interpreting the language of the scope and if a product is covered by an Order, such as:

- A. *The descriptions of the merchandise contained in the petition pertaining to the order at issue;*
- B. *The descriptions of the merchandise contained in the initial investigation pertaining to the order at issue;*
- C. *Previous or concurrent determinations of the Secretary, including, but not limited to, prior scope rulings, memoranda or clarifications pertaining to both the order at issue, as well as other orders with same or similar language as that of the order at issue; and*
- D. *Determinations of the U.S. International Trade Commission (Commission) pertaining to the order at issue, including reports issued pursuant the Commission's initial investigation.*

19 CFR 351.225(k)(1)(ii) lists secondary interpretive sources that Commerce may also consider, such as any other determinations of the Secretary or the Commission not identified above, Customs rulings or determinations, industry usage, dictionaries, and any other relevant record evidence. However, in the event of a conflict between these secondary interpretive sources and the primary interpretive sources under paragraph (k)(1)(i), the primary interpretive sources will normally govern in determining whether a product is covered by the scope of the order at issue.

If Commerce determines that the sources under 19 CFR 351.225(k)(1) are not dispositive, Commerce will then further consider the following factors under 19 CFR 351.225(k)(2)(i):

- A. *The physical characteristics (including chemical, dimensional, and technical characteristics) of the product;*
- B. *The expectations of the ultimate users;*
- C. *The ultimate use of the product;*
- D. *The channels of trade in which the product is sold; and*
- E. *The manner in which the product is advertised and displayed.*

If the applicant's merchandise contains or consists of two or more components and the product at issue in the scope inquiry is a component of that merchandise as a whole, Commerce may conduct additional analysis. Please see 19 CFR 351.225(k)(3) for additional factors that your response to question 7a of this section should address.

- b. **The following legal authorities support the above statement:**

Insert citations to any applicable legal authority.

8. Factual information, including full copies of relevant prior determinations by Commerce (including scope rulings) and the Commission, Customs rulings or determinations, industry usage, dictionaries, and any other relevant record evidence along with a narrative explanation regarding how each document supports the above position are provided as attachments with accompanying descriptions of the attachments. *See* 19 CFR 351.225(c)(2)(ix).

Insert narrative descriptions of and references to the relevant attachment.

Section III: Country of Origin Information

NOTE: If you believe that the country of origin differs from that declared upon entry to Customs, please provide information in response to the following questions, as well as relevant supporting documentation. ***If you believe that the country of origin declared upon entry to Customs is correct, skip this section and go to Section IV.***

Pursuant to 19 CFR 351.225(c)(2)(viii), to the extent reasonably available, this scope ruling application includes the following information as to the product's country of origin.

1. Whether the processed downstream product is a different class or kind of merchandise than the upstream product.

Insert narrative statement as to whether the product subject to the scope ruling request is a different class or kind of merchandise than the upstream product. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

2. The physical characteristics (including chemical, dimensional, and technical characteristics) of the product.

Insert narrative statement as to how the physical characteristics of the product subject to the scope ruling request impact the product's country of origin. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

3. The intended end-use of the downstream product.

Insert narrative statement as to how the intended end-use of the product subject to the scope ruling request impacts the product's country of origin. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

4. The cost of production/value added of further processing in the third country or countries.

Insert narrative statement as to how the cost of production/value added of further processing in a third country(ies) of the product subject to the scope ruling request impacts the product's country of origin. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

5. The nature and sophistication of processing in the third country or countries.

Insert narrative statement as to how the nature and sophistication of processing in the third country(ies) of the product subject to the scope ruling request impacts the product's country of origin. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

6. The level of investment in the third country or countries.

Insert narrative statement as to how the level of investment in the third country(ies) of the product subject to the scope ruling request impacts the product's country of origin. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

7. A description, accompanied by supporting documentation, of where the essential component of the product is produced or the country or countries where the essential characteristics of the product are imparted under certain scenarios, in accordance with 19 CFR 351.225(j)(2).

Insert narrative description that includes an explanation as to the reason a component or characteristic is "essential" to the product. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

8. An explanation of whether the product undergoes any additional processing in the United States after importation, or in a third country before importation.

Insert explanation concerning further processing. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

9. An explanation of the relevance of additional processing to the scope of the order.

Insert explanation concerning the relevance of further processing vis-à-vis the scope of the order. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

10. An explanation as to whether the product is a standalone product that is able to operate without another component.

Insert explanation as to whether the product is a standalone product or a component of another product. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

11. As applicable, if the product is a component or part of another component or product, a detailed identification and description of the other components, the country of origin of those components (if known), the finished product, and the country in which the finished product was completed.

As applicable, insert explanation as requested above. As available, submit supporting documentation accompanied by narrative descriptions of and references to the relevant attachments.

12. A statement as to whether the applicant has any knowledge that the product was sold to the United States through a third country.

Insert a statement as to whether the product was resold to the United States through a third country.

Section IV: Product Importation

To the extent reasonably available, we declare the following concerning the product's importation:

1. This product **has/has not** been imported into the United States Customs Territory by the date of the filing of this application. *See* 19 CFR 351.225(c)(2)(vi).

Insert statement as to whether the product subject to the scope ruling has been imported into the United States Customs Territory by the date of the filing of this application.

2. If the product has been imported into the United States Customs Territory:

- a. Indicate if one or more entries of the product **have/have not** been declared by an importer or determined by U.S. Customs and Border Protection (CBP) as subject to an order. *See* 19 CFR 351.225(c)(2)(vi)(A).

Insert statement as to whether the product subject to the scope ruling has been declared by an importer or determined by CBP as subject to an antidumping duty or countervailing duty order.

- b. Provide the following documentation, including dated copies of the CBP entry summary forms (or electronic entry processing system documentation) identifying the product upon importation and other related commercial documents, such as bills of lading, packing lists, commercial invoices, receipts of payment, and contracts, which reflect the details surrounding the sale and purchase of that imported product and support the above statements concerning importation. *See* 19 CFR 351.225(c)(2)(vi)(B). If certain documents are unavailable, please provide a complete description of those documents and the efforts taken to acquire those documents in Appendix A below.

Insert narrative descriptions of and references to the relevant documentation. All the documents must pertain to the same sale. If the product has not yet been imported into the United States Customs Territory, state "Not Applicable" in response to this item.

- c. The following narrative explains how the documents submitted in response to item 2b. relate to one another and what the specific links are among the documents.

Insert narrative explanation concerning the relation of each document submitted in response to item 2b above. If volumes or values do not exactly match from one document to the next, the applicant must provide in this narrative a clear explanation of any apparent discrepancies among the documents. The applicant must also provide and explain additional documentation necessary to corroborate its explanation in this regard. For example, if the invoice and payment amount do not match, the applicant must explain the difference and provide documentary support for this explanation.

Section V: Interested Party Status

The following information is being provided to demonstrate the applicant's interested party status.

1. The scope ruling applicant's full and exact name and contact information (including address, telephone, fax, and e-mail address).

Insert full name and contact information requested above

2. Any other names, such as trade names or "doing-business-as" ("d.b.a.") names, as a legal matter in the home market, in third countries, or in the United States.

Complete the chart below in full, with all trade names and/or d.b.a. names, when and under what circumstances they are used, and confirm whether the business license/registration documents include each of these or other alternative names. Add rows to the chart, as necessary. If not applicable, so state.

	Identified on the Business License (Y/N)	Capacity in which the trade name/DBA used
Trade Name/DBA		(e.g., producer, exporter, importer)
Trade Name/DBA		(e.g., producer, exporter, importer)
Trade Name/DBA		(e.g., producer, exporter, importer)

3. An explanation of any trade name that is not listed on the company's business license/registration documents and supporting evidence as to how the company is permitted to use that trade name.

Insert explanation as requested above. Supporting documents should be referenced in the explanation.

4. The applicant certifies the accuracy of and can document the following statements:

- The applicant is the producer of the product in the country of the order;
- The applicant is the exporter of the product from the country of the order;
- The applicant is the exporter of the product from a third country;
- The applicant is the United States importer of the product;
- The applicant is a United States producer of the domestic like product;
- The applicant is a third-country processor of the product;
- The applicant's relationship to the product is other (provide a full explanation).

List any above statements concerning the applicant's relationship to the product's production, exportation, importation, or processing, as requested above. As necessary, supporting documents that illustrate or further explain the applicant's relationship to the product should be attached.

APPENDIX A

Appendix A must be completed by all firms who provided some supporting documentation, but were unable to provide all documentation requested in this application in a complete, legible, and unaltered format.

If this section applies, identify the document or documents which you were unable to provide. Examples of potential documentation are listed below. Please note that this list is illustrative and may not include every document relevant to your application:

- Photographs
- Schematic Drawings
- Specifications
- Product Standards
- Marketing Materials
- Other exemplars providing a visual depiction of the product
- Copies of the Customs Service entry summary forms (or electronic processing system documentation)
- Invoices
- Contracts
- Other related commercial documents
- Other non-commercial documents not specifically referenced above

In addition to identifying the missing or incomplete supporting documentation, please provide a detailed explanation for the reasons that you were unable to provide the missing documentation and a description of the efforts taken to acquire that data for purposes of this application.

Insert description of missing complete, legible, or unaltered documents, reasoning for its absence and narrative description of efforts taken to acquire it.

Notwithstanding, Commerce may reject an application if Commerce determines the missing information is necessary to conduct a scope ruling or that the explanation for the information's absence is insufficient.

APPENDIX B

CERTIFICATIONS OF FACTUAL ACCURACY AND CERTIFICATE OF SERVICE

CERTIFICATIONS OF FACTUAL ACCURACY

For scope ruling applications, in accordance with 19 CFR 351.303(g):

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

(1) For the **person(s)** officially responsible for presentation of the factual information, a company must provide the following certification for scope ruling applications:

COMPANY CERTIFICATION:*

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

Signature: _____

Date: _____

* For multiple person certifications, all persons should be listed in the first sentence of the certification and all persons should sign and date the certification. In addition, singular pronouns

and possessive adjectives should be changed accordingly, *e.g.*, “I” should be changed to “we” and “my knowledge” should be changed to “our knowledge.”

(2) For the **legal counsel or other representative**:

REPRESENTATIVE CERTIFICATION:***

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

Signature: _____

Date: _____

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

CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of the foregoing submission
(name of certifying official)

on behalf of _____, dated _____,
(company name)

was served by first class mail or by hand delivery (indicate the method used) on the following parties:

On Behalf of
Name and address

(Signature of Certifying Official)