Innovative Controls Inc. (Innovative Controls) filed a scope inquiry in which it requested that the Department of Commerce (the Department) determine whether the side mount valve control (SMVC) which it imports is within the scope of the Orders. On September 24, 2012, the Department of Commerce (the Department) issued the initiation and preliminary scope ruling on side mount valve control (SMVCs) at issue in the above-referenced AD and CVD proceedings. In the Preliminary Scope Ruling, the Department found that the SMVC described in the Scope Request meets the exclusion for “finished goods kits.” Accordingly, we preliminarily determined that that the SMVC at issue is not subject to the scope of the Orders pursuant to 19 CFR 351.225(k)(1), based on the language of the scope of the Orders.
Pursuant to 19 CFR §351.225(f)(3), the Department notified all parties on the scope service list of the Preliminary Scope Ruling, and invited comment on the Preliminary Scope Ruling. The Department invited interested parties to submit comments to the Department by close of business on October 4, 2012. No parties submitted comments on the Preliminary Scope Ruling.

Therefore, for the reasons described in the Preliminary Scope Ruling, we find that the SMVC described in the Scope Request meets the exclusion for “finished goods kits” and, thus, is not subject to the scope of the Orders.

Department’s Recommendation

We recommend finding that the SMVC at issue is not subject to the scope of the Orders pursuant to 19 CFR 351.225(k)(1) based on the language of the scope of the Orders. We further recommend that this scope ruling constitutes a final ruling as provided under 19 CFR 351.225(f)(4).

If the recommendation in this memorandum is accepted, we will serve a copy of this memorandum to all interested parties on the scope service list via first class mail.

Agree

Disagree

Christian Marsh
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

Date

See Preliminary Scope Ruling at 6-8.