




A-570-106
Scope Inquiry
From Vietnam
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MEMORANDUM TO: The File

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THROUGH: Nancy Decker 
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RE: Scope Inquiry of Wooden Cabinets and Vanities and Components
Thereof from the People's Republic of China

SUBJECT: Initiation of Scope Inquiry

On April 22, 2022, the Department of Commerce (Commerce) received a scope ruling application filed by the American Kitchen Cabinet Alliance (petitioner), requesting that Commerce determine if wooden cabinets and vanities and components thereof from the People's Republic of China, which were further processed in Vietnam, are covered by the scope of the antidumping and countervailing duty orders on wooden cabinets and vanities and components thereof from the People's Republic of China.¹

On May 13, 2022, Commerce asked the petitioner to clarify the product in question, and the petitioner responded on May 17, 2022.² In its Supplemental Questionnaire Response, the petitioner explained that the products covered in the application:

¹ See Petitioner's Letter, "Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China – Scope Ruling Application and Request for Circumvention Inquiry Concerning Imports of Wooden Cabinets and Vanities and Components Thereof from Vietnam," dated April 22, 2022 (Scope Application).

² See Commerce's Letter, "Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China – Scope Ruling Application and Request for Circumvention Inquiry Concerning Imports of Wooden Cabinets and Vanities and Components Thereof from Vietnam: Questionnaire," dated May 13, 2022. See also Petitioner's Letter, "Wooden Cabinets and Vanities and Components Thereof from the People's Republic of China – Response to Request for Additional Information," dated May 17, 2022 (Supplemental Questionnaire Response).

- are any and all merchandise that meets the scope of the orders that are further processed in Vietnam and that continue to meet the scope of the orders after further processing in Vietnam and upon entry into the United States;
- include but are not limited to the following components of wooden cabinets and vanities if they are made in China and further processed in Vietnam: (1) wooden cabinet and vanity frames (2) wooden cabinet and vanity boxes (which typically include a top, bottom, sides, back, base blockers, ends/end panels, stretcher rails, toe kicks, and/or shelves), (3) wooden cabinet or vanity doors, (4) wooden cabinet or vanity drawers and drawer components (which typically include sides, backs, bottoms, and faces), (5) back panels and end panels, and (6) desks, shelves, and tables that are attached to or incorporated in the subject merchandise; and,
- include all unassembled, assembled and/or “ready to assemble” (RTA) wooden cabinets and vanities, also commonly known as “flat packs,” if they are made in China and further processed in Vietnam, except to the extent such merchandise is already covered by the scope of the orders.³

The petitioner also explained that the further processing in Vietnam that is covered by the scope application includes any processing that does not remove the merchandise from the scope of the orders had that processing been performed in China.⁴ The petitioner states that the processing may, in some scenarios:

- involve only Chinese-made components (finished and semifinished) of wooden cabinets and vanities but
- can also involve scenarios where components (finished and semifinished) made in China are combined with components made in Vietnam.

Further, the petitioner illustrated the type of processing covered by the scope application by providing a non-exhaustive list of scenarios in which Chinese-origin and Vietnamese origin components are combined in Vietnam:

- finished wooden doors, drawer fronts, and frames produced in China are combined in Vietnam with wooden cabinet and vanity boxes and drawers produced in Vietnam;
- semifinished wooden doors, drawer fronts, and frames produced in China are further processed in Vietnam (by, for example trimming, cutting, notching, punching,

³ See Supplemental Questionnaire Response at 3-4.

⁴ This processing may include, but is not limited to one or more of the following: (1) trimming, cutting, notching, punching, drilling, painting, staining, or finishing wooden cabinets and vanities components; (2) assembling Chinese-origin wooden cabinets and vanities components into full units that are ready for installation; (3) grouping together and packaging wooden cabinets and vanities components into “ready to assemble” flat packs; or (4) repackaging wooden cabinets and vanities components into “ready to assemble” flat packs that give the appearance the merchandise was manufactured in Vietnam.

drilling, painting, staining, or other finishing processes), and combined in Vietnam with wooden cabinet and vanity boxes and drawers produced in Vietnam;

- semifinished parts of wooden cabinet and vanity doors, drawer fronts, and frames (including the rails, stiles, and panels) produced in China are further processed in Vietnam (by, for example trimming, cutting, notching, punching, drilling, painting, staining, or other finishing processes, including the assembly of the parts to produce fully finished WCV doors, drawer fronts, and frames) and combined in Vietnam with wooden cabinet and vanity boxes and drawers produced in Vietnam; and
- finished wooden toe kicks produced in China combined in Vietnam with all other components necessary for a complete cabinet or vanity that are produced in Vietnam.⁵

On May 19, 2022, we received comments from American Home Furnishings Alliance (AHFA).⁶ AHFA requests that Commerce (1) confirm at initiation that cabinets that are not for permanent installation, are outside the scope of the orders, (2) determine at initiation that no importer or exporter certifications will be required for entry of cabinets that are not for permanent installation from Vietnam into the United States, and (3) identify potential recipients of any quantity and value questionnaires by using HTSUS 9403.40.9060 (Wooden furniture of a kind used in the kitchen: Other: Cabinets designed for permanent installation) because using other HTSUS numbers would yield grossly inaccurate results. It is not appropriate to address any of these comments before Commerce issues a decision regarding the scope application.

In accordance with 19 CFR 351.225(d)(1), Commerce accepts the Scope Application, as clarified by the Supplemental Questionnaire Response, and initiates a scope inquiry based upon it. Further, pursuant to 19 CFR 351.225(m)(2), we are initiating and conducting this scope inquiry only on the record of the antidumping duty proceeding, and when we issue a final scope ruling, we will include a copy of the scope ruling on the record of the countervailing duty proceeding.

We request that interested parties comment on the products subject to this scope inquiry, and in particular, the illustrative processing scenarios identified by the petitioner in the scope application. Interested parties may also identify other specific production scenarios occurring in Vietnam and may address the factors Commerce typically evaluates in its substantial transformation analysis.

Interested parties are notified that, in accordance with 19 CFR 351.225(f)(2), an interested party other than the applicant is permitted one opportunity to submit comments and factual information to rebut, clarify, or correct factual information contained in the scope ruling application within 30 days of the initiation of a scope inquiry.⁷ Further, in accordance with 19

⁵ *Id.* at 5-6.

⁶ See AHFA's Letter, "Antidumping and Countervailing Duty Orders on Wooden Cabinets and Vanities from the People's Republic of China: Pre-initiation Comments," dated May 19, 2022.

⁷ For clarity, Commerce acknowledges that 19 CFR 351.225(f)(2) contains an errant cross-reference to 19 CFR 351.225(d)(2). The correct cross-reference should be to 19 CFR 351.225(d)(1). See *Regulations to Improve*

CFR 351.225(f)(2), if an interested party has filed comments and factual information to rebut, clarify, or correct factual information in the scope ruling application, the applicant will have 14 days from the date of that interested party's submission to submit comments and factual information to rebut, clarify, or correct factual information contained in the interested party's submission.

Interested parties should refer to Commerce's regulations at 19 CFR 351.225 for further information regarding the conduct of the scope inquiry.

Administration and Enforcement of Antidumping and Countervailing Duty Laws, 86 FR 52300, 52318 (Sept. 20, 2021) (*Final Rule*) (explaining changes adopted in the *Final Rule* to reflect that, under paragraph (f)(2), parties will have 30 days to submit comments and factual information after Commerce initiates a scope inquiry pursuant to a scope application).