

Title: Update on U.S. Department of Commerce Scope Rulings on Wooden Bedroom Furniture Chests and CSMS #15-000103

Date: 01/04/2017

On May 27, 2014, in response to a request by Ethan Allen Operations, Inc. (Ethan Allen), the Department of Commerce (Commerce) issued a final scope determination that Ethan Allen's four chests (i.e. the Marlene chest, the Nadine Chest, the Serpentine chest, and the Vivica chest) were within the scope of the antidumping duty order (A-570-890) on wooden bedroom furniture from the People's Republic of China (China). See Commerce AD/CVD message 4156302, which is available in ACE and ADD/CVD Search on CBP.gov.

On February 18, 2015, CSMS #15-000103 was issued regarding Commerce's decision that the Marlene, Nadine, Serpentine, and Vivica chests were within the scope of the antidumping duty order (A-570-890) on wooden bedroom furniture from the People's Republic of China (China).

On February 29, 2016, the United States Court of International Trade (CIT) sustained the Final Redetermination issued by Commerce pursuant to *Ethan Allen Operations, Inc. v. United States* (CIT No. 14-00147, Slip Op. 16-19). As a result, on March 16, 2016, Commerce published in the Federal Register (81 FR 14086) the Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision with an effective date of March 10, 2016.

As a result of the CITs decision, Commerce determined that the Marlene, Nadine, Serpentine and Vivica chests are outside the scope of the antidumping duty order (A-570-890) on wooden bedroom furniture from the People's Republic of China (China). See Commerce AD/CVD message 6081322, which is available in ACE and ADD/CVD Search on CBP.gov.

Importers should review their imports of wooden chests from China, including those under HTSUS subheadings 9403.50 and 9403.60, to determine whether the chests fall under the scope of the order. If you determine that your imported merchandise is subject to this AD/CVD order and your entry paperwork was filed incorrectly, please contact the Center of Excellence and Expertise for guidance on how to correct the discrepancy, either through the post entry amendment (PEA)/post summary correction (PSC) or prior disclosure process. In the case AD/CVD was paid in error, a PEA/PSC or protest may be filed within the appropriate time frames.

Importers may request a scope ruling from the Department of Commerce to determine whether products fall under the scope of an AD/CVD order. Only the Department of Commerce can make scope determinations, making a scope ruling advisable for all questionable merchandise that may be subject to an AD/CVD order. Information on requesting a scope ruling is available at:

<http://enforcement.trade.gov/scope/Request-Scope-Ruling.html>.

If you have reason to suspect that someone may be importing wooden bedroom furniture without paying the appropriate AD/CVD, it can be reported confidentially through e-Allegations. The website is: <https://eallegations.cbp.gov>.