

4. U.S. Tariff Classification

Snow throwers that are the subject of this Petition are generally classified under the statistical reporting number in Chapter 84 of the Harmonized Tariff Schedule of the United States (“HTSUS”) 8430.20.0060, as reported in **Exhibit I-4**. The HTSUS subheading encompasses electric or gas-powered snow throwers (also known as snow blowers), not snow thrower or snow plow attachments. To the Petitioner’s knowledge, while riding snow throwers may exist and/or enter under this HTSUS number, they do not make up a significant share of imports under this classification.

1. Proposed Scope Language for Placement in the Federal Register Notice

The merchandise covered by this investigation consists of gas-powered, walk-behind snow throwers (also known as snow blowers), which are snow moving machines that are powered by internal combustion engines and primarily pedestrian-controlled. The scope of the investigation covers certain snow throwers, whether self-propelled or non-self-propelled, whether finished or unfinished, whether assembled or unassembled, and whether containing any additional features that provide for functions in addition to snow throwing.

Walk-behind snow throwers subject to the scope of this investigation are powered by internal combustion engines which are typically spark ignition, single or multiple cylinder, and air-cooled with power take off shafts.

For purposes of this investigation, an unfinished and/or unassembled snow thrower means at a minimum, a sub-assembly comprised of an engine, auger housing (i.e., intake frame), and an auger (or “auger paddle”) packaged or imported together. An intake frame is the portion of the snow thrower – typically of aluminum or steel – that houses and protects an operator from a rotating auger and is the intake point for the snow. Importation of the subassembly whether or not accompanied by, or attached to, additional components including, but not limited to, handle(s), impeller(s), chute(s), track tread(s), or wheel(s) constitutes an unfinished snow thrower for purposes of this investigation. The inclusion in a third-country of any components other than the snow thrower sub-assembly does not remove the snow thrower from the scope. A snow thrower is within the scope of this investigation regardless of the origin of its engine.

Specifically excluded is merchandise covered by the scope of the antidumping and countervailing duty orders on Certain Vertical Shaft Engines Between 225cc and 999cc, and Parts Thereof from the People’s Republic of China, 86 FR 12623, 86 FR 12619 (March 4, 2021).

The snow throwers subject to this investigation are typically entered under Harmonized Tariff Schedule of the United States (HTSUS) subheading 8430.20.0060. Certain parts of snow throwers subject to this investigation may also enter under HTSUS 8407.90.9040, 8407.90.9060, 8431.49.9090, and 8431.49.9095. The HTSUS subheadings are provided for convenience and customs purposes only, and the written description of the merchandise under investigation is dispositive.

D. Targeted Countries Concerned (19 C.F.R. § 351.202(b)(6))

Snow throwers that are described in the scope in this Petition are produced in and exported from China.

E. Foreign Producers and Exporters of Subject Merchandise (19 C.F.R. § 351.202(b)(7)(i)(A))

Pursuant to 19 C.F.R. § 351.202(b)(7)(i)(A) of the Department's regulations, Petitioner identified known producers and/or exporters of the subject merchandise from the countries concerned through insider knowledge and shipment data retrieved from Datamyne. Based on this research, Petitioner provided the names of all known producers and exporters of snow throwers that are reasonably available. *See Exhibit I-5*. To the extent specific contact information is not available, Petitioner has so indicated.

F. Calculations of Export Price and Normal Value of the Subject Merchandise (19 C.F.R. § 351.202(b)(7)(i)(B))

Petitioner provided a separate volume that contains information reasonably available from public sources, demonstrating that snow throwers from China are being sold in the U.S. at less than fair value within the meaning of section 731 of the Act. The calculations of export price and normal value to arrive at the preliminary antidumping duty margin calculations required by regulation are provided in **Volumes II and III** of this Petition.

G. U.S. Import Volume and Value (19 C.F.R. § 351.202(b)(8))

The volume and value data of subject imports from China covered by the tariff classifications are provided in **Exhibit I-7** for calendar years 2018, 2019, and 2020. The source