

The scope of this investigation covers freestanding vertical metal file cabinets containing extendable file storage elements, having a width of 25 inches or less⁹ and having a height that is greater than its width (“vertical metal file cabinets”).

The subject vertical metal file cabinets have bodies made of carbon and/or alloy steel and or other metals, regardless of whether painted, powder coated, galvanized or otherwise coated for corrosion protection or aesthetic appearance. The subject vertical metal file cabinets must have two to five extendable elements for file storage (e.g., file drawers) of a height that permits hanging files of either letter (8.5” x 11”) or legal (8.5” x 14”) sized documents.

An “extendable element” is defined as a movable load-bearing storage component including, but not limited to, drawers and filing frames. Extendable elements typically have suspension systems, consisting of glide blocks or ball bearing glides, to facilitate opening and closing.

The subject vertical metal file cabinets typically come in models with two, three, four, or five-file drawers. The inclusion of an additional non-file-sized extendable storage element, not sized for storage files (e.g., a box or pencil drawer), does not remove an otherwise in-scope product from the scope. The inclusion of an integrated storage area that is 6” or less in height that is not extendable, (i.e., a cubby), also does not remove a subject vertical metal file cabinet from the scope. Accessories packaged with a subject vertical file cabinet, such as separate printer stands or shelf kits that sit on top of the in-scope vertical file cabinet are not considered integrated storage.

“Freestanding” means the unit has a solid top rather than an open top and is not designed to be attached to, be hung from or to support a desktop or other work surface. The ability to anchor a vertical file cabinet to a wall for stability or to prevent it from tipping over does not exclude the unit from the scope.

Subject vertical file cabinets may have different handle styles including plastic, metal, recessed or otherwise integrated handles. The addition of mobility elements such as casters or wheels, a dolly or other mobility elements does not remove the product from the scope. Packaging a subject vertical metal file cabinet with other accessories, including, but not limited to, locks, leveling glides, caster kits, drawer accessories (e.g., including but not limited to follower wires, follower blocks, file compressors, hanger rails, pencil trays, and hanging file

⁹ Vertical file cabinets are defined by the Business and Institutional Furniture Manufacturers Association (“BIFMA”) X5.9 testing standard as having a depth greater than its width and all imported vertical metal filing cabinets currently meet this standard. To prevent circumvention of the scope, Petitioner has set a width limitation. Because the narrowest lateral file sold in the market is over 29 inches wide, Petitioner has set the maximum width for an in-scope vertical file at 25 inches.

folders), printer stand, shelf kit and magnetic hooks, also does not remove the product from the scope.

Excluded from the scope are vertical file cabinets with bodies made of plastic, wood, or other non-metallic substances.

Also excluded from the scope are lateral file cabinets. Lateral file cabinets typically have a body that is more than 25 inches wide and have a width that is greater than the body depth.

Also excluded from the scope are pedestal file cabinets. Pedestal file cabinets are metal file cabinets with body depths that are greater than or equal to their width, are under 31” in height, and have the following characteristics: (1) an open top or the means for the cabinet to be attached to or hung from a desktop or other work surface (*i.e.*, not freestanding); or (2) freestanding file cabinets that have: (a) at least a 90 percent drawer extension for all extendable storage elements; (b) a central locking system; (c) a minimum weight density of 9.5 lbs/cubic foot; and (d) casters or leveling glides. A “central locking system” locks all drawers in a unit.

Also excluded from the scope are fire proof or fire resistant file cabinets that meet Underwriters Laboratories (“UL”) fire protection standard 72, class 350, which covers the test procedures applicable to fire-resistant equipment intend to protect paper records.

The merchandise subject to the investigation is classified under harmonized Tariff System of the United States (“HTSUS”) category 9403.10.0020. While HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope of the investigation is dispositive.

F. Names of Subject Countries and Any Intermediate Country Through Which the Merchandise is Transshipped

The Vertical Files that are the subject of this Petition are produced in and exported from the People’s Republic of China. Petitioner has no knowledge that the subject merchandise is currently being transshipped through any third country to the United States.

G. Producers and Exporters of the Subject Merchandise

A list of known and suspected exporters and producers of Vertical Files from China is provided in **Exhibit GEN-8**. In compiling this exhibit, Petitioner relied on information from a subscription database of import shipments, additional research of publicly-available sources, and