

E. **Scope of the Investigation and a Detailed Description of the Subject Merchandise (19 C.F.R. § 351.202(b)(5))**

1. **Scope of Investigation**

This investigation pertains to certain shopping carts and parts thereof. The physical characteristics of the covered products, which define the scope, are as follows:

The merchandise covered by this investigation consists of certain shopping carts regardless of size, finished or unfinished, whether assembled or unassembled, and certain components and parts thereof. The scope includes shopping carts with baskets that are primarily constructed of metal including, but not limited to, wire mesh, as well as shopping carts with baskets that are primarily constructed of plastic or a combination of metal and plastic.

Shopping carts covered by this investigation have the following physical characteristics:

- **Frame structure or base:** Comprised of welded steel wire or steel tube;
- **Basket(s):** One or more baskets constructed primarily of metal, including wire mesh, and/or plastic;
- **Lower tray or grill:** With or without a tray or grill located underneath the basket(s); and
- **Component Features:** Including, but not limited to, shopping carts fitted with plastic handle units, child seats, and polyurethane or rubber wheels.

The scope also covers the main components and parts of shopping carts, including the frame structure or base, basket(s), basket walls whether shaped or flat, basket floors/bottoms whether shaped or flat, the upright tubing that supports the basket(s), lower trays or grills, back rests, child seats, gates, and handles, when imported together or separately. Shopping cart baskets are capable of nesting, by which the front end of one basket can slide into the back end of another basket.

Subject merchandise includes shopping carts that have been further processed or further assembled in a third country. Further processing and further assembly

include, but are not limited to, welding, pressing, shaping, cleaning, plating, coating, bolting, painting, machining, and assembly of parts.

Specifically excluded are shopping carts for individuals with disabilities or special needs (often referred to as Ben's carts, Caroline's carts, and Wheelchair-accessible carts). To qualify for this scope exclusion, the shopping cart must be equipped with a built-in restraint system (e.g., five-point harness, trunk/head supports, abductor), specialized seating for children or adults with physical or development disabilities, or a variable coupling mechanism that forms a single, fixed unit between the wheelchair and shopping cart. A five-point harness is a strap with five parts that goes over both shoulders, around the waist, and between the legs. Trunk and head supports are soft, padded pieces on the back and sides of the seat of the shopping cart. An abductor is a padded block that sits between the thighs. Motorized shopping carts equipped with electric motors and navigational controls are excluded from the scope.

Shopping carts that have an infant carrier permanently or semi-permanently affixed to the cart in place of a standard child seat are excluded from the scope of the investigation. Yokes, casters, and wheels, when imported alone, are excluded from the scope of the investigation. Fully collapsable shopping carts are excluded.

Also excluded from the scope are material handling carts, which are wheeled transport devices that are constructed for heavy-duty commercial logistics applications. To qualify for this exclusion, the merchandise must meet at least three of the following structural or design characteristics:

- **Load Capacity:** Possess a certified or rated maximum load-bearing weight capacity of 1,000 pounds (453.6 kg) or greater.
- **Chassis Construction:** Feature a frame or deck constructed primarily of heavy-gauge structural steel tube, steel angle, or continuous solid welded steel plate, rather than bent wire mesh or plastic baskets.
- **Deck Configuration:** Consisting of a flat, open platform, flush deck.
- **Caster and Wheel Specifications:** Be equipped with industrial-grade casters featuring solid rubber, polyurethane, or pneumatic tires with a wheel diameter of 6 inches or greater, and utilizing precision ball or roller bearings.
- **Lack of Consumer Amenities:** Lack consumer-oriented retail features including, but not limited to, integrated child seats, plastic corner bumpers, grocery bag hooks, or nesting geometries designed for nested front-to-back storage lines.

Excluded from the scope of this investigation are heavy-duty logistics transport trolleys and warehouse fulfillment/picking carts. To qualify for this exclusion, the

merchandise must meet at least three of the following physical or structural characteristics:

- **Non-Nesting Design:** Possess a rigid, non-collapsible frame architecture that does not feature a tapered basket or a hinged rear gate, rendering the units completely incapable of nesting front-to-back with one another.
- **Ergonomic Upright Handlebars:** Feature one or more continuous, heavy-gauge steel vertical or horizontal push-bars integrated directly into the structural frame posts, rather than a top-mount plastic retail handle unit.
- **Multi-Tiered Open Shelving:** Utilize a multi-shelf configuration consisting of two or more open, flat shelves or wire decks that completely lack a deep-walled, fully enclosed perimeter basket structure.
- **Fixed Industrial Casters:** Equipped with a wheel configuration consisting of two rigid (fixed) casters and two swivel casters to facilitate heavy-duty straight-line tracking in warehouse aisles, rather than four omnidirectional or full-swivel retail casters.

The merchandise subject to this investigation is classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical subheading 8716.80.5090. Merchandise subject to this investigation may also be imported under subheadings 8716.80.5010 or 8716.90.5020. Although the HTSUS subheadings are provided for convenience and customs purposes only, the written description of the scope of this investigation is dispositive.