



DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-124, C-570-125]

Certain Vertical Shaft Engines Between 99cc and 225cc, and Parts Thereof, From the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping and Countervailing Duty Orders

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that imports of models 5C65M0 and BC70M0 vertical shaft engines produced by Chongqing Zongshen General Power Machine Co., Ltd. (Zongshen) in, and exported from, the People's Republic of China (China) constitute later-developed merchandise that circumvent the antidumping duty (AD) and countervailing duty (CVD) orders on certain vertical shaft engines between 99cc and up to 225cc, and parts thereof (small vertical shaft engines), from China.

DATES: Applicable May 12, 2026.

FOR FURTHER INFORMATION CONTACT: Zachary Shaykin, AD/CVD Operations, Office II, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2638.

SUPPLEMENTARY INFORMATION:

Background

On May 4, 2021, Commerce published the AD and CVD *Orders* on small vertical shaft engines from China.¹ On June 18, 2025, in response to a request from Briggs & Stratton, LLC (Briggs & Stratton, a domestic interested party), Commerce initiated a circumvention inquiry to determine if models 5C65M0 and BC70M0 of vertical shaft engines produced by Zongshen in,

¹ See *Certain Vertical Shaft Engines Between 99cc and Up To 225cc, and Parts Thereof from the People's Republic of China: Antidumping and Countervailing Duty Orders*, 86 FR 23675 (May 4, 2021) (*Orders*).

and exported from, China are “later-developed merchandise,” and whether these two models are circumventing the *Orders*, such that they should be considered subject to the *Orders*.² Briggs & Stratton alleges that such merchandise produced in, and exported from, China, and imported into the United States may circumvent the *Orders*. The period of the circumvention inquiry is January 1, 2018, through July 11, 2025.

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceeding by 47 days,³ and, due to a backlog of documents that were electronically filed via Enforcement and Compliance’s Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.⁴ On January 9, 2026, we extended the deadline for the preliminary determination of this inquiry by 83 days.⁵ On May 8, 2026, we extended the deadline for the preliminary determination of this inquiry by 4 days.⁶

For a complete description of the events that followed the initiation of this inquiry, *see* the Preliminary Decision Memorandum.⁷ The Preliminary Decision Memorandum is a public document and is on file electronically via ACCESS. ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly at <https://access.trade.gov/frnotices>.

Scope of the *Orders*

The products subject to the *Orders* are small vertical shaft engines from China. For a

² *See Certain Vertical Shaft Engines Between 99cc and 225cc, and Parts Thereof, from the People’s Republic of China: Initiation of Circumvention Inquiry on the Antidumping and Countervailing Duty Orders*, 90 FR 30874 (July 11, 2025) (*Initiation Notice*); *see also* Petitioner’s Letter, “Request for Anti-Circumvention Inquiry Pursuant to Section 781(d) of the Tariff Act of 1930,” dated June 18, 2025.

³ *See* Memorandum, “Deadlines Affected by the Shutdown of the Federal Government,” dated November 14, 2025.

⁴ *See* Memorandum, “Tolling of all Case Deadlines,” dated November 24, 2025.

⁵ *See* Memorandum, “Extension of Deadline for the Preliminary Determination,” dated January 9, 2026.

⁶ *See* Memorandum, “Extension of Deadline for the Preliminary Determination,” dated May 8, 2026.

⁷ *See* Memorandum, “Certain Vertical Shaft Engines Between 99cc and 225cc from the People’s Republic of China: Preliminary Decision Memorandum in the Circumvention Inquiry – 5C65M0 and BC70M0 Engines,” dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

complete description of the scope of the *Orders*, see the Preliminary Decision Memorandum.⁸

Merchandise Subject to the Circumvention Inquiry

The merchandise subject to this circumvention inquiry are the vertical shaft engine models 5C65M0 and BC70M0 produced by Zongshen.

Methodology

Commerce is conducting this circumvention inquiry pursuant to section 781(d) of the Tariff Act of 1930, as amended (the Act), and 19 CFR 351.226(k). A list of topics discussed in the Preliminary Decision Memorandum is included as an appendix to this notice.

Affirmative Preliminary Determination of Circumvention

As detailed in the Preliminary Decision Memorandum, Commerce preliminarily determines that imports of models 5C65M0 and BC70M0 of small vertical shaft engines produced by Zongshen in, and exported from, China constitute later-developed merchandise that circumvent the *Orders*, pursuant to section 781(d) of the Act and 19 CFR 351.226(k).

Suspension of Liquidation and Cash Deposit Requirements

In accordance with 19 CFR 351.226(l)(2), we will direct U.S. Customs and Border Protection (CBP) to continue the suspension of liquidation of previously suspended entries and to suspend liquidation of all entries of models 5C65M0 and BC70M0 of vertical shaft engines produced by Zongshen in, and exported from, China that are entered, or withdrawn from warehouse, for consumption on or after July 11, 2025 (*i.e.*, the date of the publication of the *Initiation Notice*).⁹ Pursuant to 19 CFR 351.226(l)(2), we will also instruct CBP to require cash deposits of estimated ADs and CVDs equal to the cash deposit rates in effect for Zongshen.

These suspension of liquidation instructions and cash deposit requirements will remain in effect until further notice.

Public Comment

⁸ *Id.* at 3-4.

⁹ See *Initiation Notice*, 90 FR at 30874-76.

Pursuant to 19 CFR 351.226(f)(4), case briefs or other written comments should be submitted to the Assistant Secretary for Enforcement and Compliance no later than 14 days after the date of the publication of this notice.¹⁰ Rebuttal briefs, limited to issues raised in case briefs, may be submitted no later than seven days after the deadline for case briefs.¹¹ Parties who submit case or rebuttal briefs in this inquiry are encouraged to submit with each argument: (1) a statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹²

As provided under 19 CFR 351.309(c)(2) and (d)(2), we request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.¹³ Further, we request that interested parties limit their executive summary of each issue to no more than 450 words, not including citations. We intend to use the executive summaries as the basis of the comment summaries included in the issues and decision memorandum that will accompany the final determination in this inquiry. We request that interested parties include footnotes for relevant citations in the executive summary of each issue. Note that Commerce has amended certain of its requirements pertaining to the service of documents in 19 CFR 351.303(f).¹⁴

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing must submit a written request to the Assistant Secretary for Enforcement and Compliance, U.S. Department of Commerce, within 30 days after the date of publication of this notice in the *Federal Register*, filed electronically via ACCESS. Hearing requests should contain: (1) the party's name, address, and telephone number; (2) the number of participants and whether any participant is a foreign national; and (3) a list of the issues to be discussed. Issues raised in the hearing will be limited to issues raised in the respective comments.¹⁵ If a request for a hearing is

¹⁰ See 19 CFR 351.309(f)(4).

¹¹ See 19 CFR 351.309(d); see also *Administrative Protective Order, Service, and Other Procedures in Antidumping and Countervailing Duty Proceedings*, 88 FR 67069, 67077 (September 29, 2023) (*APO and Service Final Rule*).

¹² See 19 CFR 351.309(c)(2)(d)(2).

¹³ We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

¹⁴ See *APO and Service Final Rule*.

¹⁵ See 19 CFR 351.310.

made, Commerce intends to hold the hearing at a date and time to be determined and will notify the parties through ACCESS.¹⁶ Parties should confirm the date, time, and location of the hearing two days before the scheduled date.

All submissions, including affirmative and rebuttal comments, as well as hearing requests, should be filed using ACCESS. An electronically-filed document must be received successfully in its entirety by ACCESS by 5:00 p.m. Eastern Time on the established deadline.

U.S. International Trade Commission Notification

Commerce, consistent with section 871(e) of the Act, will notify the U.S. International Trade Commission (ITC) of this preliminary determination to include the merchandise subject to this circumvention inquiry within the *Orders*. Pursuant to section 781(e) of the Act, the ITC may request consultations concerning Commerce's proposed inclusion of the inquiry merchandise. If, after consultations, the ITC believes that a significant injury issue is presented by the proposed inclusion, it will have 60 days from the date of notification by Commerce to provide written advice.

Notification to Interested Parties

This determination is published in accordance with section 781(d) of the Act and 19 CFR 351.226(k).

Dated: May 12, 2026.

Christopher Abbott,
*Deputy Assistant Secretary
for Policy and Negotiations,
performing the non-exclusive functions and duties
of the Assistant Secretary for Enforcement and Compliance.*

¹⁶ See 19 CFR 351.310(d).

Appendix

List of Topics in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the *Orders*
- IV. Merchandise Subject to the Circumvention Inquiry
- V. Statutory and Regulatory Framework
- VI. Comments and Analysis
- VII. Preliminary Circumvention Determination
- VIII. Recommendation

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