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: 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-489-839]

Common Alloy Aluminum Sheet from the Republic of Türkiye: Notice of Court Decision Not in Harmony with the Final Determination of Antidumping Investigation; Notice of Amended Final Determination

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

SUMMARY: On June 17, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Assan Aluminyum Sanayi ve Ticaret A.S. v. United States*, Consol. Court No. 21-00246, sustaining the U.S. Department of Commerce's (Commerce) third remand redetermination pertaining to the antidumping duty (AD) investigation of common alloy aluminum sheet from the Republic of Türkiye (Türkiye) covering the period of investigation from January 1, 2019, through December 31, 2019.[1] Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final determination in the investigation and that Commerce is amending the final determination and the resulting AD order with respect to the dumping margin assigned to Assan Aluminyum Sanayi ve Ticaret A.S. (Assan).

DATES: Applicable June 27, 2026

FOR FURTHER INFORMATION CONTACT: Nathan Depew, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-5823.

SUPPLEMENTARY INFORMATION:

Background

[1] *See Common Alloy Aluminum Sheet From Turkey: Final Affirmative Determination of Sales at Less Than Fair Value*, 86 FR 13326 (March 8, 2021) (*Final Determination),* and accompanying Issues and Decision Memorandum.

On March 8, 2021, Commerce published its *Final Determination* in the AD investigation of common alloy aluminum sheet from Türkiye. Commerce calculated weighted-average dumping margins of 2.02 percent for Assan, 13.56 percent for Teknik Aluminyum Sanayi A.S. (Teknik), and 4.85 percent for all other producers and exporters.[2] Commerce subsequently published the AD order on common alloy aluminum sheet from Türkiye.[3]

Assan and the Aluminum Association[4] both appealed the *Final Determination*. On July 27, 2021, the CIT consolidated the actions challenging the determination. On March 1, 2023, the CIT remanded the *Final Determination* for Commerce to reconsider or further explain, among other issues, Commerce's duty drawback adjustment methodology in light of recent precedent given by the U.S. Court of Appeals for the Federal Circuit (Federal Circuit).[5] In its first remand redetermination, issued on May 31, 2023, Commerce recalculated Assan's dumping margin to be below the *de minimis* level of two percent.[6]

The Aluminum Association challenged Commerce's method of calculating the duty drawback adjustment in the *First Remand Results*. On April 11, 2024, the CIT remanded the first remand redetermination for Commerce to reconsider or further explain its duty drawback methodology and respond to the Aluminum Association's arguments.[7] On July 31, 2024, Commerce issued its second remand redetermination, in which Commerce accepted Assan's June 6 and June 20, 2024, submissions, granted a duty drawback adjustment for sales associated

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[2] *Id.*
[3] *See Common Alloy Aluminum Sheet From Bahrain, Brazil, Croatia, Egypt, Germany, India, Indonesia, Italy, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan and the Republic of Turkey: Antidumping Duty Orders*, 86 FR 22139, 22142 (April 27, 2021) (*Order*).
[4] The Aluminum Association Common Alloy Aluminum Sheet Trade Enforcement Working Group and its Individual Members, Aleris Rolled Products, Inc., Arconic, Inc., Constellium Rolled Products Ravenswood, LLC, JW Aluminum Company, Novelis Corporation, and Texarkana Aluminum, Inc. (collectively, Aluminum Association).
[5] *See Assan Aluminyum Sanayi ve Ticaret A.S. v. United States*, 624 F. Supp. 3d 1343, 1362 (CIT 2023) (*Assan*).
[6] *See* Final Results of Redetermination Pursuant to Court Remand, (Dep't Commerce May 31, 2023), ECF No. 94 (*First Remand Results*), discussed in *Assan Aluminyum Sanayi ve Ticaret A.S. v. United States*, Consol. Court No. 21-00246, 701 F. Supp. 3d 1321, 1326 (CIT 2024) (*Assan II*).
[7] *See Assan II*, 701 F. Supp. 3d at 1326.

with IPC 7905 and IPC 7734, and again found a *de minimis* dumping margin for Assan.[8] On May 21, 2025, the CIT remanded the second remand redetermination for Commerce to address remaining arguments concerning Assan's drawback eligibility, including arguments regarding the timeliness of Assan's June 20 submission and verification.[9]

On September 9, 2025, Commerce issued its third remand redetermination. In the third remand redetermination, Commerce determined that Assan's June 20 submission was untimely, concluded that although IPC 7734 was closed there was insufficient support on the record to grant a per unit duty drawback adjustment for that IPC, and found that further verification was unwarranted. In this remand redetermination, Commerce recalculated Assan's dumping margin to 2.14 percent.[10] On June 17, 2026, the CIT sustained Commerce's third remand redetermination.

Timken Notice

In its decision in *Timken*,[11] as clarified by *Diamond Sawblades*,[12] the Federal Circuit held that, pursuant to sections 516A(c) and (e) of the Tariff Act of 1930, as amended (the Act), Commerce must publish a notice of court decision that is not "in harmony" with a Commerce determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's June 17, 2026, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Determination

[8] *See* Final Results of Second Redetermination Pursuant to Court Remand, (Dep't Commerce July 31, 2024), ECF No. 122 (Second Remand Results),discussed in *Assan Aluminyum Sanayi ve Ticaret A.S. v. United States*, 789 F. Supp. 3d 1257, 1269 (CIT 2025) (*Assan III*).
[9] *See Assan III*, 789 F. Supp. 3d at 1269.
[10] *See* Final Results of Third Redetermination Pursuant to Court Remand, (Dep't Commerce September 9, 2025), ECF no. 158, 159 (Third Remand Results); *Assan Aluminyum Sanayi ve Ticaret A.S. v. United States*, Consol. Court No. 21-00246, Slip Op. 26-65 (CIT June 17, 2026) (*Assan IV*) (sustaining Commerce's Third Remand Results).
[11] *See Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).
[12] *See Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

Because there is now a final court judgment, Commerce is amending its *Final Determination* with respect to Assan as follows:

Exporter or Producer	Final Determination Weighted-Average Dumping Margin[13] (percent)	Amended Final Determination Weighted-Average Dumping Margin[14] (percent)
Assan Aluminyum Sanayi ve Ticaret A.S	2.02	2.14
Teknik Aluminyum Sanayi A.S	13.56	13.56
All Others	4.85	4.85

Cash Deposit Requirements

Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

Because Assan has a superseding cash deposit rate, *i.e.,* there have been final results published in a subsequent administrative review, this notice will not affect the current cash deposit rate for Assan. For all other producers and exporters that do not have a superseding cash deposit rate, Commerce will issue revised deposit instructions to CBP.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e), and 777(i)(1) of the Act.

Dated: June 30, 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.

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[13] *See Final Determination*; *see also Order*.
[14] *See* Third Remand Results.