3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-549-502]

Circular Welded Carbon Steel Pipes and Tubes from Thailand: Notice of Court Decision Not in Harmony with the Results of Antidumping Duty Administrative Review; Notice of Amended Final Results

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

SUMMARY: On July 17, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Saha Thai Steel Pipe Public Company Limited v. United States*, Court no. 21-00627, sustaining the U.S. Department of Commerce (Commerce)'s third remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded carbon steel pipes and tubes from Thailand covering the period of review March 1, 2019, through February 29, 2020. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the review, and that Commerce is amending the final results with respect to the dumping margin assigned to Saha Thai Steel Pipe Public Co., Ltd. (Saha Thai) and Thai Premium Pipe Co., Ltd. (Thai Premium).

DATES: Applicable July 27, 2026.

FOR FURTHER INFORMATION CONTACT: Alexander Stephens, AD/CVD Operations, Office I, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0114.

SUPPLEMENTARY INFORMATION:

Background

On December 8, 2021, Commerce published its *Final Results* of this administrative review. Commerce calculated a weighted-average dumping margin of 36.97 percent for Saha Thai and Thai Premium.[1]

Saha Thai challenged Commerce's *Final Results* and Thai Premium intervened in the litigation as a plaintiff-intervenor. On October 11, 2022, the CIT remanded the *Final Results* to Commerce to revisit its cost-based particular market situation adjustment in light of intervening Federal Circuit precedent.[2]

In its first remand redetermination, filed with the CIT on November 28, 2022, Commerce recalculated the weighted average dumping margin without making a cost-based particular market situation adjustment.[3]

On November 13, 2023, the CIT remanded the *Final Results*.[4] The CIT remanded the issue of whether sales of dual-stenciled pipe should be included in the margin calculation due to ongoing litigation in a separate proceeding involving the scope of the order, and also the issue of application of partial adverse facts available to find affiliation between Saha Thai and one of its home market customers.[5]

In its second remand redetermination, filed with the CIT on October 10, 2024, Commerce continued to include sales of dual-stenciled pipe in its calculations following the resolution of the separate scope litigation, and Commerce also found that the sharing of a single human resources manager without further record evidence showing affiliation would be insufficient to determine

---

[1] *See Circular Welded Carbon Steel Pipes and Tubes from Thailand: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2019-2020*, 86 FR 69620 (December 8, 2021) (*Final Results*), and accompanying Issues and Decision Memorandum.
[2] *See Saha Thai Steel Pipe Public Company Limited v. United States*, Consolidated Court No. 21-00627 (CIT October 11, 2022) (First Remand Order).
[3] *See Final Results of Redetermination Pursuant to Court Remand*; *Saha Thai Steel Pipe Public Company Limited v. United States*, Consolidated Court No. 21-00627 (CIT October 11, 2022), dated November 28, 2022 (*First Final Results of Redetermination*).
[4] *See Saha Thai Steel Pipe Public Company Ltd. v. United States*, 663 F.Supp.3d 1356 (CIT 2023) (*Second Remand Order*).
[5] *Id.* at 1376.

that Saha Thai and BNK were affiliated within the meaning of section 771(33) of the Tariff Act of 1930, as amended (the Act). Therefore, Commerce treated Saha Thai and BNK as unaffiliated entities and recalculated the weighted-average dumping margin for Saha Thai accordingly.[6]

On June 5, 2025, the CIT remanded for a third time, holding that Commerce had changed its position without acknowledging the change in its rationale and identification of the specific question to Saha Thai that Commerce based its application of partial adverse facts available.[7] The CIT sustained Commerce's inclusion of the sales of dual-stenciled pipe in its calculations.[8]

In its third final results of redetermination, issued on August 11, 2025, Commerce again applied an adverse inference to determine that Saha Thai and BNK are affiliated and recalculated the dumping margin to be applied to Saha Thai and Thai Premium of 14.74 percent. Commerce stated that in the final determination it inadvertently cited the incorrect supplemental questionnaire question as the basis to apply partial adverse facts available, and that Commerce was changing its position on remand, including by correcting Commerce's citation to supporting documentation to accurately reflect Commerce's analysis.[9]

On July 17, 2026, the CIT sustained Commerce's *Third Final Results of Redetermination* holding that Commerce's determination that Saha Thai failed to report necessary information and that Saha Thai failed to cooperate by not acting to the best of its ability were supported by substantial evidence, and that Commerce otherwise complied with its statutory obligations in applying partial adverse facts available.[10]

<u>Timken Notice</u>

---

[6] *See Final Results of Redetermination Pursuant to Court Remand; Saha Thai Steel Pipe Public Company Limited v. United States*, Consolidated Court No. 21-00627, Slip Op. 23-158 (CIT November 13, 2023), dated October 9, 2024 (*Second Final Results of Redetermination*).
[7] *See Saha Thai Steel Pipe Public Company Ltd. v. United States*, 789 F.Supp.3d 1293, 1308 (CIT 2025).
[8] *Id.* at 1303.
[9] *See Final Results of Redetermination Pursuant to Court Remand*; *Saha Thai Steel Pipe Public Company Limited v. United States*, Consolidated Court No. 21-00627, Slip Op. 25-71 (CIT June 5, 2025), dated August 11, 2025 (*Third Final Results of Redetermination*).
[10] *See Saha Thai Steel Pipe Public Company Limited v. United States*, Ct. No. 21-00627, Slip Op. 26-76 (CIT July 17, 2026).

In its decision in *Timken*,[11] as clarified by *Diamond Sawblades*,[12] the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of 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 July 17, 2026, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to Saha Thai and Thai Premium as follows:

Exporter or Producer	**Amended Final Results Weighted-Average Dumping Margin (percent)**
Saha Thai Steel Pipe Public Co., Ltd.	14.74
Thai Premium Pipe Co., Ltd.	14.74

Cash Deposit Requirements

Because Saha Thai and Thai Premium have a superseding cash deposit rate, *i.e.*, there have been final results published in a subsequent administrative review,[13] we will not issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP). This notice will not affect the current cash deposit rate.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were produced by Saha Thai and exported by Blue Pipe Steel Center Company Ltd.; were produced and exported by Saha Thai; and were produced and/or exported by Thai Premium, and were entered, or withdrawn from warehouse, for consumption during the period March 1, 2019,

---

[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*).
[13] *See Circular Welded Carbon Steel Pipes and Tubes from Thailand: Final Results of Antidumping Duty Administrative Review; 2023-2024*, 90 FR 29529, 29530 (July 3, 2025).

through February 29, 2020. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

In the event the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise described above in accordance with 19 CFR 351.212(b). We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific *ad valorem* assessment rate is not zero or *de minimis*. Where an import-specific *ad valorem* assessment rate is zero or *de minimis*,[14] we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

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: July 28, 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.

[FR Doc. 2026-15561 Filed: 7/30/2026 8:45 am; Publication Date: 7/31/2026]

---

[14] *See* 19 CFR 351.106(c)(2).