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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-814]

Certain Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China: Notice of Court Decision Not in Harmony with Final Covered Merchandise Determination and Notice of Amended Covered Merchandise Determination Pursuant to Court Decision

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

SUMMARY: On July 29, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, Consol. Court No. 23-00231, sustaining the U.S. Department of Commerce (Commerce)'s second remand redetermination pertaining to the covered merchandise inquiry (CMI) for the antidumping duty (AD) order on certain carbon steel butt-weld pipe fittings (butt-weld pipe fittings) from the People's Republic of China (China).

Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's CMI determination, and that Commerce is amending the CMI determination to find that products cut to length and formed into the rough shape of a butt-weld pipe fitting in China represent "unfinished" fittings, which are covered by the scope of the *Order*, and that when such products are further processed in the Socialist Republic of Vietnam (Vietnam), they remain subject to the AD order on butt-weld pipe fittings from China.

DATES: Applicable August 8, 2026.

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SUPPLEMENTARY INFORMATION:

Background

On October 20, 2023, Commerce found that products formed in the rough shape of a butt-weld pipe fitting in China, and then further processed in Vietnam into either an unfinished butt-weld pipe fitting (*i.e.*, referred to as the “second stage” of production) or a finished butt-weld pipe fitting (*i.e.*, referred to as the “third stage” of production), to be excluded from the scope of the *Order* because such products are not yet considered “unfinished” fittings, as contemplated by the *Order*.¹ In the same determination, Commerce also found that rough shapes from China that undergo the second stage of production in China and that then undergo the third and final stage of production in Vietnam are subject to the scope *Order*.²

Tube Forgings of America, Inc. and Mills Iron Works, Inc. appealed Commerce’s *Final Determination* with respect to the exclusion of rough shapes transformed into unfinished and/or finished butt-weld pipe fittings in Vietnam. On January 2, 2025, the CIT remanded the *Final Determination* to Commerce, finding that Commerce’s *Final Determination* was not supported by substantial evidence and that Commerce deviated

¹ See *Certain Carbon Steel Butt-Weld Pipe Fittings from the People’s Republic of China: Final Determination of Covered Merchandise Inquiry*, 88 FR 69909 (October 10, 2023) (*Final Determination*); see also *Antidumping Duty Order and Amendment to the Final Determination of Sales at Less Than Fair Value; Certain Carbon Steel Butt-Weld Pipe Fittings from the People’s Republic of China*, 57 FR 29702 (July 6, 1992) (*Order*). We hereinafter refer to these products as “rough shapes.”

² See *Final Determination*, 91 FR at 69909.

from its prior practice of considering products in the rough shape of a fitting, which were not heated or formed, to be in-scope butt-weld pipe fittings.³

In its first remand redetermination, issued in May 2025, Commerce continued to find rough shapes formed in China and then further processed in Vietnam into unfinished or finished butt-weld pipe fittings to be excluded from the scope of the *Order*, based on an analysis under 19 CFR 351.225(k)(1).⁴

In April 2026, the CIT remanded Commerce's determination for a second time, finding that the sources enumerated in 19 CFR 351.225(k)(1) were non-dispositive and directing Commerce to perform an analysis of the factors in 19 CFR 351.225(k)(2).⁵ In its second remand redetermination, Commerce found, based on an analysis of the factors in 19 CFR 351.225(k)(2), rough shapes formed in China and then further processed in Vietnam to be included in the scope of the *Order*.⁶ The CIT sustained Commerce's final redetermination.⁷

Timken Notice

In its decision in *Timken*,⁸ as clarified by *Diamond Sawblades*,⁹ the U.S. Court of Appeals for the Federal Circuit held that, pursuant to sections 516A(c) and (e) of the

³ See *Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, 750 F.Supp.3d 1364, 1383 (CIT 2025).

⁴ See *Final Results of Redetermination Pursuant to Court Remand in Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, Court No. 23-00231, Slip Op. 25-1 (CIT January 2, 2025), dated May 2, 2025.

⁵ See *Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, 813 F.Supp.3d 1304, 1318 (CIT 2025).

⁶ See *Final Results of Redetermination Pursuant to Court Remand in Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, Court No. 23-00231, Slip Op. 25-156 (CIT December 16, 2025), dated April 16, 2026.

⁷ See *Tube Forgings of America, Inc. and Mills Iron Works, Inc. v. United States*, Court No. 23-00231, Slip Op. 26-83 (CIT July 29, 2026).

⁸ See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

⁹ See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

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 July 29, 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

In accordance with the CIT’s July 26, 2026, final judgment, Commerce is amending its *Final Determination* and finds that the scope of the *Order* covers rough shapes of butt-weld pipe fittings that were formed in China and which constitute unfinished butt-weld pipe fittings within the meaning of the scope of the *Order*. We also find that these unfinished butt-weld pipe fittings which were further processed in Vietnam are within the scope of the *Order*.

Liquidation of Suspended Entries

Commerce will instruct U.S. Customs and Border Protection (CBP) to suspend liquidation of finished and unfinished butt-weld pipe fittings which were: (1) formed in China from rough shapes of butt-weld pipe fittings; and (2) further processed in Vietnam and to require cash deposits at the appropriate rate.¹⁰ In the event that the CIT’s ruling is not appealed or is upheld on appeal, Commerce will instruct CBP to liquidate entries of unfinished butt-weld pipe fittings formed in China that were further processed in Vietnam appropriately.

¹⁰ See *Order*, 57 FR at 29703.

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: August 26, 2026.

Scot Fullerton,

Acting Deputy Assistant Secretary

for Antidumping and Countervailing Duty Operations.

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