



DEPARTMENT OF COMMERCE

International Trade Administration

[C-552-857]

Stationary and Portable Air Compressors from the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination with Final Antidumping Duty Determination

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

SUMMARY: The U.S. Department of Commerce (Commerce) preliminarily determines that countervailable subsidies are being provided to producers and exporters of stationary and portable air compressors (air compressors) from the Socialist Republic of Vietnam (Vietnam). The period of investigation (POI) is January 1, 2025, through December 31, 2025. Interested parties are invited to comment on this preliminary determination.

DATES: Applicable [Insert date of publication in the *Federal Register*].

FOR FURTHER INFORMATION CONTACT: Henry Wolfe or Laurel Smalley, AD/CVD Operations, Office VIII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0574 or (202) 482-3456, respectively.

SUPPLEMENTARY INFORMATION:

Background

This preliminary determination is made in accordance with section 703(b) of the Tariff Act of 1930, as amended (the Act). Commerce published the notice of initiation of this investigation on May 27, 2026.¹ On July 17, 2026, Commerce postponed the preliminary

¹ See *Stationary and Portable Air Compressors from the People's Republic of China, Malaysia, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations*, 91 FR 31425 (May 27, 2026) (*Initiation Notice*).

determination of this investigation.² Accordingly, the deadline for this preliminary determination is now September 28, 2026.³

For a complete description of the events that followed the initiation of this investigation, *see* the Preliminary Decision Memorandum.⁴ A list of topics discussed in the Preliminary Decision Memorandum is included as Appendix II to this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS), which 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 Investigation

The products covered by this investigation are air compressors from Vietnam. For a complete description of the scope of this investigation, *see* Appendix I.

Scope Comments

In accordance with the *Preamble* to Commerce's regulations,⁵ the *Initiation Notice* set aside a period of time for parties to raise issues regarding product coverage (*i.e.*, scope).⁶ Certain interested parties commented on the scope of this investigation as it appeared in the *Initiation Notice*. For a summary of the product coverage comments and rebuttal responses submitted to the record for this preliminary determination, and accompanying discussion and analysis of all

² *See Stationary and Portable Air Compressors from the People's Republic of China, Malaysia, and the Socialist Republic of Vietnam: Postponement of Preliminary Determinations in Countervailing Duty Investigations*, 91 FR 44808 (July 17, 2026).

³ Commerce's practice dictates that where a deadline falls on a weekend or federal holiday, the appropriate deadline is the next business day. *See Notice of Clarification: Application of "Next Business Day" Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, as Amended*, 70 FR 24533 (May 10, 2005).

⁴ *See* Memorandum, "Decision Memorandum for the Preliminary Affirmative Determination in the Countervailing Duty Investigation of Stationary and Portable Air Compressors from the Socialist Republic of Vietnam," dated concurrently with, and hereby adopted by, this notice (Preliminary Decision Memorandum).

⁵ *See Antidumping Duties; Countervailing Duties, Final Rule*, 62 FR 27296, 27323 (May 19, 1997) (*Preamble*).

⁶ *See Initiation Notice*, 91 FR 31425.

comments timely received, *see* the Preliminary Scope Decision Memorandum.⁷ Commerce is not preliminarily modifying the scope language as it appeared in the *Initiation Notice*. *See* the scope of this investigation in Appendix I.

Methodology

Commerce is conducting this investigation in accordance with section 701 of the Act. For each of the subsidy programs found countervailable, Commerce preliminarily determines that there is a subsidy, *i.e.*, a financial contribution by an “authority” that gives rise to a benefit to the recipient, and that the subsidy is specific.⁸

In making these findings, Commerce relied, in part, on facts available and, because it finds that one or more respondents did not act to the best of their ability to respond to Commerce’s requests for information, it drew an adverse inference where appropriate in selecting from among the facts otherwise available.⁹ For further information, *see* the “Use of Facts Otherwise Available and Adverse Inferences” section in the Preliminary Decision Memorandum.

Alignment

In accordance with section 705(a)(1) of the Act and 19 CFR 351.210(b)(4), Commerce is aligning the final countervailing duty (CVD) determination in this investigation with the final determination in the companion less-than-fair-value (LTFV) investigation of air compressors from Vietnam based on a request made by MAT Industries, LLC. (the petitioner).¹⁰ Consequently, the final CVD determination will be issued on the same date as the final LTFV

⁷ *See* Memorandum, “Less-Than-Fair-Value and Countervailing Duty Investigations of Stationary and Portable Air Compressors from the People’s Republic of China, Malaysia, and the Socialist Republic of Vietnam: Scope Comments Decision Memorandum for the Preliminary Determinations,” dated concurrently with this notice (Preliminary Scope Decision Memorandum).

⁸ *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

⁹ *See* sections 776(a) and (b) of the Act.

¹⁰ *See* Petitioner’s Letter, “Petitioner’s Request to Align Countervailing Duty Investigation Final Determinations with Antidumping Duty Investigation Final Determinations,” dated September 2, 2026.

determination, which is currently scheduled to be issued no later than February 10, 2027, unless postponed.

All-Others Rate

Sections 703(d) and 705(c)(5)(A) of the Act provide that in the preliminary determination, Commerce shall determine an estimated all-others rate for companies not individually examined. This rate shall be an amount equal to the weighted average of the estimated subsidy rates established for those companies individually examined, excluding any zero and *de minimis* rates and any rates based entirely under section 776 of the Act. Pursuant to section 705(c)(5)(A)(ii) of the Act, if the individual estimated countervailable subsidy rates established for all exporters and producers individually examined are zero, *de minimis*, or determined based entirely on facts otherwise available, Commerce may use any reasonable method to establish the estimated subsidy rate for all other producers and/or exporters.

In this investigation, Commerce has preliminarily calculated a *de minimis* individual estimated countervailable subsidy rate for Hybest-Vietnam, Limited Liability Company (Hybest Vietnam) and an estimated countervailable subsidy rate based entirely under section 776 of the Act for Hongkong Sun Rise Trading Limited (HK Sunrise). Because the only individually calculated rates in this proceeding are zero, *de minimis*, or based entirely on facts otherwise available under section 776 of the Act, we are preliminarily assigning the estimated simple average rate calculated for Hybest Vietnam and HK Sunrise to all other producers and exporters of the subject merchandise, pursuant to section 705(c)(5)(A)(i) of the Act.

For a full description of the methodology underlying Commerce's analysis, *see* the Preliminary Decision Memorandum.

Preliminary Determination

Commerce preliminarily determines that the following estimated countervailable subsidy rates exist:

Company	Subsidy Rate (percent <i>ad valorem</i>)
Faraday Products Co., Ltd.	74.39*
Fusheng Da Nang Branch (Production & Sales)	74.39*
Fusheng (Vietnam) Industrial Co., Ltd.	74.39*
Jinfeida (Viet Nam) Co., Ltd.	74.39*
Hongkong Sun Rise Trading Limited	74.39*
Hybest-Vietnam, Limited Liability Company	0.35**
TTI (Vietnam)	74.39*
Tu-Seiki Air Compressor Joint Stock Company	74.39*
Victor Auto Appliance Company Limited	74.39*
All Others	37.20

*This rate is based on facts available with an adverse inference.

** *De minimis*.

Suspension of Liquidation

With the exception of entries from Hybest Vietnam, in accordance with section 703(d)(2) of the Act, Commerce will direct U.S. Customs and Border Protection (CBP) to suspend liquidation of entries of subject merchandise as described in Appendix I to this notice entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the *Federal Register*. Further, pursuant to 19 CFR 351.205(d), Commerce will instruct CBP to require a cash deposit equal to the rates indicated above. Because we preliminarily determine that the CVD rate in this investigation for Hybest Vietnam is *de minimis*, we will not direct CBP to suspend liquidation of Hybest Vietnam's entries of the subject merchandise from Vietnam.

Pursuant to section 703(d)(1)(B) of the Act and 19 CFR 351.107(e), Commerce will instruct CBP to require a cash deposit equal to the estimated company-specific countervailable subsidy rate or the estimated all-others rate, as follows: (1) the cash deposit rate for the respondents listed above will be equal to the company-specific estimated individual countervailable subsidy rates determined in this preliminary determination; (2) if both the producer and exporter of the subject merchandise have company-specific estimated subsidy rates

determined in this preliminary determination, and their rates differ, then the applicable cash deposit rate will be the higher of these two rates; (3) if either the producer or the exporter, but not both, of the subject merchandise have a company-specific estimated subsidy rate determined in this preliminary determination, the applicable cash deposit rate will be that company's company-specific rate; and (4) the cash deposit rate for all other producers and exporters will be equal to the estimated all-others subsidy rate.

Disclosure

Commerce intends to disclose to parties to the proceeding its calculations and analysis performed in this preliminary determination within five days of its public announcement of the preliminary determination, or if there is no public announcement, within five days of the date of publication of this notice in the *Federal Register* in accordance with 19 CFR 351.224(b).

Consistent with 19 CFR 351.224(e), Commerce will analyze and, if appropriate, correct any timely allegations of significant ministerial errors by amending the preliminary determination. However, consistent with 19 CFR 351.224(d), Commerce will not consider incomplete allegations that do not address the significance standard under 19 CFR 351.224(g) following the preliminary determination. Instead, Commerce will address such allegations in the final determination together with issues raised in the case briefs or other written comments.

Verification

As provided in section 782(i)(1) of the Act, Commerce intends to verify the information relied upon in making its final determination.

Public Comment

All interested parties will have the opportunity to submit scope case and rebuttal briefs on the preliminary decision regarding the scope of the LTFV and CVD investigations. The deadlines to submit scope case and rebuttal briefs are provided in the Preliminary Scope Decision Memorandum. For all scope case and rebuttal briefs, parties must file identical documents simultaneously on the records of the ongoing LTFV and CVD investigations. No

new factual information or business proprietary information may be included in either scope case or rebuttal briefs.

Non-scope related case briefs or other written comments may be submitted to the Assistant Secretary for Enforcement and Compliance no later than seven days after the date on which the last verification report is issued in this investigation.¹¹ A timeline for the submission of case briefs and written comments will be notified to interested parties at a later date. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than five days after the date for filing case briefs.¹² Interested parties who submit case or rebuttal briefs in this proceeding must submit: (1) a table of contents listing each issue; and (2) a table of authorities.¹³

As provided under 19 CFR 351.309(c)(2)(iii) and (d)(2)(iii), we request that interested parties provide at the beginning of their briefs a public, executive summary for each issue raised in their briefs.¹⁴ 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 investigation. 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).¹⁵

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, limited to issues raised in the case and rebuttal briefs, 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*. Requests should contain: (1) the

¹¹ See 19 CFR 351.309(c)(1)(i); see also 19 CFR 351.303 (for general filing requirements).

¹² 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*).

¹³ See 19 CFR 351.309(c)(2) and (d)(2).

¹⁴ We use the term “issue” here to describe an argument that Commerce would normally address in a comment of the Issues and Decision Memorandum.

¹⁵ See *APO and Service Final Rule*.

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. If a request for a hearing is made, Commerce intends to hold the hearing at a time and date to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

U.S. International Trade Commission (ITC) Notification

In accordance with section 703(f) of the Act, Commerce will notify the ITC of its determination. If the final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after the final determination whether imports of air compressors from Vietnam are materially injuring, or threaten material injury to, the U.S. industry.

Notification to Interested Parties

This determination is issued and published pursuant to sections 703(f) and 777(i) of the Act, and 19 CFR 351.205(c).

Dated: September 28, 2026.

Scot Fullerton,
Acting Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations.

Appendix I

Scope of the Investigation

The merchandise covered by this investigation consists of certain stationary and portable air compressors, whether electric, gas, or battery powered, including electric motor and gasoline engine powered air compressors with either oil free or oil lubricated reciprocating pumps, and with an integrated pressure vessel that ranges in size from 1 to 80 gallons. The compressors may be either direct drive or belt driven.

Direct drive air compressors included in the scope have a motor connected directly to the compressor element. Belt driven air compressors included in the scope have a motor connected to the compressor crankshaft with a belt. Direct drive air compressors are more often portable but can be stationary, while belt driven air compressors are either portable or stationary.

Covered air compressors have a power level designation between 373 watts (0.5 HP) and 22.37 kilowatts (30 HP). Specifically, portable air compressors often range in power from 0.5HP (373 watts) to 15HP (11.19KW). Reciprocating stationary air compressors range in power from 0.5HP (373 watts) to 25HP (18.64KW). However, a portable or stationary air compressor with a different power level, within the range of 373 watts to 22.37 KW, and otherwise meeting the language of the scope, is covered by the scope. The scope includes only certain reciprocating (piston) compressors, which use a piston moving back and forth in a cylinder to compress the air. The scope also includes unfinished compressors exported from the subject countries. Subject merchandise also includes finished and unfinished compressors that are further processed in a third country or in the United States, including, but not limited to, assembly or any other processing that would not otherwise remove the merchandise from the scope of the investigation if performed in the country of manufacture of the in-scope air compressors. The additional parts used to complete “unfinished compressors” in a third country are subject to the scope of the investigation.

For the purposes of this scope, “unfinished compressors” are compressors which require additional fabrication such as labeling, and packaging, and kitting operations adding accessories.

Specifically included in the scope are compressors which are imported as part of a package with accessories or other products, or kit. Such accessories include but are not limited to hoses, fittings, tool kits, oils, nail guns, pneumatic paint sprayers, air ratchet wrenches, air grease guns, air drills, air hammers, air sanders, air inflators, and air impact drivers. If such accessories or other products are imported separately from the air compressor, such products are not subject to the scope of the investigation.

Specifically excluded from the scope are AC, DC, and battery powered inflators without an integrated air tank or air reservoir that have an output of 1 CFM or less.

The scope excludes rotary compressors. Types of rotary compressors excluded from the scope are rotary screw, rotary vane, and scroll compressors. The scope also excludes dynamic compressors. Types of dynamic compressors excluded from the scope are centrifugal compressors and axial compressors, where rotating impellers or blades compress air.

The in-scope stationary air compressors are classified under subheadings 8414.80.1615, 8414.80.1625, and 8414.80.1635 of the Harmonized Tariff Schedule of the United States (HTSUS). The in-scope portable air compressors are classified under subheading 8414.80.1685

of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the covered merchandise is dispositive.

Appendix II

List of Topics Discussed in the Preliminary Decision Memorandum

- I. Summary
- II. Background
- III. Scope Comments
- IV. Alignment
- V. Injury Test
- VI. Use of Facts Otherwise Available and Adverse Inferences
- VII. Subsidies Valuation
- VIII. Benchmarks and Interest Rates
- IX. Analysis of Programs
- X. Recommendation

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