

the Tariff Act of 1930, as amended, on behalf of NJOY, LLC of Scottsdale, Arizona. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain vaporizer devices, cartridges used therewith, and components thereof by reason of the infringement of certain claims of U.S. Patent No. 11,497,864 (“the ‘864 patent”) and U.S. Patent No. 10,334,881 (“the ‘881 patent”). The complaint further alleges that an industry in the United States exists or is in the process of being established as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and a cease and desist order.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205–2000. General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia M. Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205–2560.

SUPPLEMENTARY INFORMATION:

Authority: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10 (2023).

Scope of Investigation: Having considered the complaint, the U.S. International Trade Commission, on September 21, 2023, ordered that—

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of

infringement of one or more of claims 1–48 of the ‘864 patent and claims 1, 3, 4, 6–9, 11, 12, 14–17, 19, 20, 22, 23, and 25–27 of the ‘881 patent, and whether an industry in the United States exists or is in the process of being established as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission’s Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is “electronic nicotine delivery systems (“ENDS”), cartridges or pods used therewith, and components thereof (cartridge housings, atomizers, subassemblies, devices subassemblies, chargers)”;

(3) Pursuant to Commission Rule 210.50(b)(1), 19 CFR 210.50(b)(1), the presiding administrative law judge shall take evidence or other information and hear arguments from the parties or other interested persons with respect to the public interest in this investigation, as appropriate, and provide the Commission with findings of fact and a recommended determination on this issue, which shall be limited to the statutory public interest factors set forth in 19 U.S.C. 1337(d)(1), (f)(1), (g)(1);

(4) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is: NJOY, LLC, 9977 N. 90th Street, Suite 160, Scottsdale, Arizona 85258.

(b) The respondent is the following entity alleged to be in violation of section 337, and is the party upon which the complaint is to be served: JUUL Labs, Inc., 1000 F Street NW, Washington, DC 20004.

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street SW, Suite 401, Washington, DC 20436; and

(5) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondent in accordance with section 210.13 of the Commission’s Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of

investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of the respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

Issued: September 21, 2023.

Katherine Hiner,

Supervisory Attorney.

[FR Doc. 2023–20936 Filed 9–25–23; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[USITC SE–23–046]

Sunshine Act Meetings

AGENCY HOLDING THE MEETING: United States International Trade Commission.

TIME AND DATE: October 2, 2023 at 11:00 a.m.

PLACE: Room 101, 500 E Street SW, Washington, DC 20436, Telephone: (202) 205–2000.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

1. Agendas for future meetings: none.
2. Minutes.
3. Ratification List.
4. Commission vote on Inv. Nos. 701–TA–382 and 731–TA–800, 801 and 803 (Fourth Review) (Stainless Steel Sheet and Strip from Japan, South Korea, and Taiwan). The Commission currently is scheduled to complete and file its determinations and views of the Commission on October 16, 2023.
5. Outstanding action jackets: none.

CONTACT PERSON FOR MORE INFORMATION: Sharon Bellamy, Supervisory Hearings and Information Officer, 202–205–2595.

The Commission is holding the meeting under the Government in the Sunshine Act, 5 U.S.C. 552(b). In accordance with Commission policy, subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

By order of the Commission.

Issued: September 21, 2023.

Sharon Bellamy,

Supervisory Hearings and Information Officer.

[FR Doc. 2023-20983 Filed 9-22-23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-860 (Final)]

Tin- and Chromium-Coated Steel Sheet From Japan; Denial of Request To Institute a Section 751(b) Review Concerning the Commission's Affirmative Determination

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it has declined to institute a review pursuant to section 751(b) of the Tariff Act of 1930.

DATES: September 19, 2023.

FOR FURTHER INFORMATION CONTACT:

Alejandro Orozco (202-205-3177), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for this matter may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background.—In August 2000, the Commission determined that a U.S. industry was materially injured by reason of imports of tin- and chromium-coated steel sheet ("TCCSS") from Japan found by the U.S. Department of Commerce (Commerce) to be sold in the United States at less than fair value. *Tin- and Chromium-Coated Steel Sheet from Japan*, Inv. No. 731-TA-860 (Final), USITC Pub. 3337 (August 2000). The Commission's affirmative determination was the subject of several appeals and three remand proceedings. Ultimately, in accordance with the Federal Circuit's mandate, the U.S. Court of International Trade (CIT) affirmed the Commission's second remand determination and thus reinstated the Commission's affirmative

material injury determination. *See Nippon Steel Corporation, et al. v. United States*, 31 CIT 1588, 433 F. Supp. 2d 1336 (Ct. Int'l Trade 2007).

In the first, second, and third full five-year reviews, the Commission found that revocation of the antidumping duty order on TCCSS from Japan would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *Tin- and Chromium-Coated Steel Sheet from Japan*, Inv. No. 731-TA-860 (Review), USITC Pub. 3860 (June 2006); *Tin- and Chromium-Coated Steel Sheet from Japan*, Inv. No. 731-TA-860 (Second Review), USITC Pub. 4325 (May 2012); *Tin- and Chromium-Coated Steel Sheet from Japan*, Inv. No. 731-TA-860 (Third Review), USITC Pub. 4795 (June 2018).

On August 5, 2022, a request for a changed circumstances review of the Commission's affirmative determination regarding TCCSS from Japan was filed by the Can Manufacturers Institute ("CMI"), Silgan Containers, LLC ("Silgan"), Sonoco Product Company ("Sonoco"), Trivium Packaging USA Inc. ("Trivium"), Crown Holdings, Inc. ("Crown"), and Nippon Steel Corporation ("NSC") (collectively, "CMI"). CMI's request alleges that there have been significant changed circumstances since the Commission's affirmative determination in the third five-year review. Specifically, CMI claims that there has been a dramatic reduction in the domestic industry's production capacity for TCCSS since 2018. CMI further contends that subject producers in Japan have reduced their TCCSS capacity since the last reviews and no longer possess excess capacity.

On October 28, 2022, the Commission published a **Federal Register** notice inviting comments from the public on whether changed circumstances exist sufficient to warrant the institution of a changed circumstances review (87 FR 65248, Oct. 28, 2022). Comments in response to this notice were filed on December 15, 2022. The Commission received separate submissions opposing the institution of a changed circumstances review filed on behalf of Cleveland-Cliffs Inc. and U.S. Steel Corporation. The Commission also received separate submissions in favor of instituting a changed circumstances review on behalf of The Consumer Brands Association ("CBA"), the Steel Tinplate Against Tariffs Coalition ("STAT"), and U.S. Representative Claudia Tenney. U.S. Representatives Salud Carbajal, Jim Costa, Mark DeSaulnier, and John Garamendi filed

joint comments in support of initiating a changed circumstances review.

On January 15, 2023, the Commission voted unanimously to waive its 45-day rule for determining whether to institute a changed circumstances review.

On June 1, 2023, Commerce initiated, and the Commission instituted, the fourth five-year sunset review of the antidumping duty order on TCCSS from Japan. 88 FR 35832; 88 FR 35920. On September 5, 2023, the Commission voted unanimously to conduct a full review of the antidumping duty order on TCCSS from Japan. 88 FR 64464 (Sept. 19, 2023).

On September 19, 2023, the Commission determined not to institute a changed circumstances review of the antidumping duty order on TCCSS from Japan. The Commission found that conducting a changed circumstances review was unwarranted because it would be duplicative of the pending full five-year review. *See Eveready Battery Co. Inc., v. United States*, 77 F. Supp. 2d 1327, 1334 (Ct. Int'l Trade, Nov. 23, 1999) (finding that a request for a changed circumstances review was rendered moot by the Commission's institution of a full five-year review); *see also Diamond Sawblades and Parts Thereof from China*, 79 FR 35568-69 (June 23, 2014) (denying request for changed circumstances review because it would be duplicative of the ongoing full five-year review).

Authority: This notice is published pursuant to section 207.45 of the Commission's Rules of Practice and Procedure.

By order of the Commission.

Issued: September 20, 2023.

Katherine Hiner,

Supervisory Attorney.

[FR Doc. 2023-20817 Filed 9-25-23; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 731-TA-1374-1376 (Review)]

Citric Acid and Certain Citrate Salts From Belgium, Colombia, and Thailand; Notice of Commission Determinations to Conduct Full Five-Year Reviews

AGENCY: United States International Trade Commission.

ACTION: Notice.

SUMMARY: The Commission hereby gives notice that it will proceed with full reviews pursuant to the Tariff Act of 1930 to determine whether revocation of