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ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศขอแจ้งกรณีคณะกรรมการการค้าระหว่างประเทศสหรัฐฯ (U.S. International Trade Commission: USITC) ได้ออกประกาศ Federal Register Vol. 89 No. 144 ลงวันที่ ๒๖ กรกฎาคม ๒๕๖๗ เรื่อง ประกาศแจ้งผลการพิจารณาความเสียหายเบื้องต้น กรณีการไต่สวนการนำเข้ามาตรการตอบโต้การทุ่มตลาด (Anti-Dumping: AD) สินค้าตู้เย็น (Large Top Mount Combination Refrigerator - Freezers) ที่นำเข้าจากประเทศไทย โดย USITC พบว่าการนำเข้าสินค้านี้จากประเทศไทยก่อให้เกิดความเสียหายแก่อุตสาหกรรมภายในของสหรัฐฯ (Affirmative Determinations) ส่งผลให้กระทรวงพาณิชย์สหรัฐฯ (U.S. Department of Commerce : DOC) จะดำเนินการไต่สวนการทุ่มตลาดเบื้องต้น (Preliminary Determination) ต่อไป โดยสามารถศึกษาข้อมูลเพิ่มเติมได้ที่เว็บไซต์ <https://thaitr.dft.go.th> หรือ สามารถดาวน์โหลดประกาศดังกล่าวได้ตาม QR Code ที่แนบ



กรมการค้าต่างประเทศ  
กองปกป้องและตอบโต้ทางการค้า  
โทร ๐-๒๕๔๗-๔๗๓๙  
โทรสาร ๐-๒๕๔๗-๔๗๔๑

รับเอกสารแล้ว  
ชื่อผู้รับ กน.(นักทศศ)  
วันที่ 16 ส.ค. ๒๕๖๗/ช.๕๗๖.  
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notice in the **Federal Register** on March 6, 2024 (89 FR 16026). The Commission conducted its in-person hearing on May 9, 2024. All persons who requested the opportunity were permitted to participate.

On May 15, 2024, Commerce issued final affirmative antidumping duty determinations with respect to mattresses from Bosnia and Herzegovina (89 FR 42448), Bulgaria (89 FR 42443), Burma (89 FR 42427), Italy (89 FR 42429), Philippines (89 FR 42432), Poland (89 FR 42435), Slovenia (89 FR 42437), and Taiwan (89 FR 42439). The Commission subsequently issued its final determinations that an industry in the United States was materially injured by reason of imports of mattresses from Bosnia and Herzegovina, Bulgaria, Burma, Italy, Philippines, Poland, Slovenia, and Taiwan provided for in subheadings 9404.21.00, 9404.29.10, and 9404.29.90 of the Harmonized Tariff Schedule of the United States (“HTSUS”) that were found by Commerce to be sold in the United States at less than fair value. (89 FR 55657, July 5, 2024).

On July 22, 2024, Commerce’s final negative countervailing duty determination with respect to imports of mattresses from Indonesia (89 FR 59050) and final affirmative antidumping duty determinations with respect to imports of mattresses from India (89 FR 59047), Kosovo (89 FR 59043), Mexico (89 FR 59062), and Spain (89 FR 59059) were published in the **Federal Register**. Accordingly, the Commission currently is issuing a supplemental schedule for its antidumping duty investigations on imports of mattresses from India, Kosovo, Mexico, and Spain.

This supplemental schedule is as follows: the deadline for filing supplemental party comments on Commerce’s final antidumping duty determinations is 5:15 p.m. on August 2, 2024. Supplemental party comments may address only Commerce’s final antidumping duty determinations regarding imports of mattresses from India, Kosovo, Mexico, and Spain. These supplemental final comments may not contain new factual information and may not exceed five (5) pages in length. The supplemental staff report in the final phase of the current investigations will be placed in the nonpublic record on August 9, 2024, and a public version will be issued thereafter.

For further information concerning this proceeding see the Commission’s notice cited above and the Commission’s Rules of Practice and Procedure, part 201, subparts A and B

(19 CFR part 201), and part 207, subparts A and C (19 CFR part 207).

Additional written submissions to the Commission, including requests pursuant to section 201.12 of the Commission’s rules, shall not be accepted unless good cause is shown for accepting such submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission staff.

In accordance with sections 201.16(c) and 207.3 of the Commission’s rules, each document filed by a party to the investigations must be served on all other parties to the investigations (as identified by either the public or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a document for filing without a certificate of service.

Please note the Secretary’s Office will accept only electronic filings during this time. Filings must be made through the Commission’s Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice.

*Authority:* This proceeding is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.21 of the Commission’s rules.

By order of the Commission.

Issued: July 23, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024–16515 Filed 7–25–24; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 731–TA–1696 (Preliminary)]

### Large Top Mount Combination Refrigerator-Freezers From Thailand Determination

On the basis of the record<sup>1</sup> developed in the subject investigation, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of large top mount combination refrigerator-freezers from Thailand, provided for in subheading 8418.10.00 of the Harmonized Tariff Schedule of the United States, that are alleged to be

<sup>1</sup> The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

sold in the United States at less than fair value (“LTFV”).<sup>2</sup>

### Commencement of Final Phase Investigation

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigation. The Commission will issue a final phase notice of scheduling, which will be published in the **Federal Register** as provided in section 207.21 of the Commission’s rules, upon notice from the U.S. Department of Commerce (“Commerce”) of an affirmative preliminary determination in the investigation under § 733(b) of the Act, or, if the preliminary determination is negative, upon notice of an affirmative final determination in that investigation under § 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigation need not enter a separate appearance for the final phase of the investigation. Any other party may file an entry of appearance for the final phase of the investigation after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation. As provided in section 207.20 of the Commission’s rules, the Director of the Office of Investigations will circulate draft questionnaires for the final phase of the investigation to parties to the investigation, placing copies on the Commission’s Electronic Document Information System (EDIS, <https://edis.usitc.gov>), for comment.

### Background

On May 30, 2024, Electrolux Consumer Products, Inc., Charlotte, North Carolina filed a petition with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of large top mount combination refrigerator-freezers from Thailand. Accordingly, effective May 30, 2024, the Commission instituted antidumping duty investigation No. 731–TA–1696 (Preliminary).

Notice of the institution of the Commission’s investigation and of a public conference to be held in

<sup>2</sup> 89 FR 57860, July 16, 2024.

connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of June 5, 2024 (89 FR 48190). The Commission conducted its conference on June 21, 2024. All persons who requested the opportunity were permitted to participate.

The Commission made this determination pursuant to § 733(a) of the Act (19 U.S.C. 1673b(a)). It completed and filed its determination in this investigation on July 22, 2024. The views of the Commission are contained in USITC Publication 5528 (July 2024), entitled *Large Top-Mount Combination Refrigerator-Freezers from Thailand: Investigation No. 731-TA-1696 (Preliminary)*.

By order of the Commission.

Issued: July 22, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024-16418 Filed 7-25-24; 8:45 am]

**BILLING CODE 7020-02-P**

## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1360]

### **Certain Portable Battery Jump Starters and Components Thereof (III); Notice of Commission Determination To Review in Part and, on Review, To Affirm With Modification a Final Initial Determination Finding No Violation of Section 337; Termination of the Investigation**

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to review in part and, on review, to affirm with modification the presiding administrative law judge's ("ALJ") final initial determination ("FID") finding no violation of section 337 of the Tariff Act of 1930, as amended. The investigation is terminated with a finding of no violation.

**FOR FURTHER INFORMATION CONTACT:**

Lynde Herzbach, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205-3228. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email

[EDIS3Help@usitc.gov](mailto:EDIS3Help@usitc.gov). General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205-1810.

**SUPPLEMENTARY INFORMATION:** On April 18, 2023, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 ("section 337"), based on a complaint filed by The NOCO Company of Glenwillow, Ohio ("NOCO"). *See* 88 FR 23688 (Apr. 18, 2023). The complaint, as amended, 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 portable battery jump starters and components thereof by reason of the infringement of certain claims of U.S. Patent Nos. 9,770,992; 10,328,808; 10,981,452; 11,254,213; and 11,447,023. *Id.* The complaint also alleges violations of section 337 based upon the importation into the United States, or in the sale of certain portable battery jump starters and components thereof by reason of common law trade dress infringement, false designation of origin, and false advertising and unfair competition, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The complaint also alleges that a domestic industry exists. *Id.* The Commission severed the complaint into two separate investigations: the present investigation directed to the trade dress infringement, false designation of origin, false advertising, and unfair competition allegations; and a related investigation, Inv. No. 337-TA-1359, involving the patent infringement allegations.

The notice of investigation names seven respondents, including: Shenzhen Carku Technology Co., Ltd. of Guangdong, China; Aukey Technology Co., Ltd. of Shenzhen, China; Metasee LLC of Pearland, Texas ("Metasee"); Ace Farmer LLC of Houston, Texas; Shenzhen Konghui Trading Co., Ltd., d/b/a Hulkman Direct of Guangdong, China ("Hulkman Direct"); HULKMAN LLC of Santa Clara, California; and Shenzhenshi Daosishangmao Youxiangongsi, d/b/a/Fanttik Direct of Guangdong, China ("Fanttik Direct") (collectively, "Respondents"). *Id.* The Office of Unfair Import Investigations is also named as a party. *Id.*

On May 17, 2024, the presiding ALJ issued the FID, finding no violation of section 337 in the importation into the

United States, or in the sale of certain portable battery jump starters and components thereof. Specifically, the FID finds that: (1) Respondents did not engage in false advertising under 15 U.S.C. 1125(a)(1); (2) Respondents did not falsely designate the origin of their products or cause unfair competition; (3) Respondents do not infringe the X Design Trade Dress; (4) NOCO has demonstrated that it has a domestic industry; and (5) NOCO has not demonstrated substantial injury or a threat of substantial injury to its domestic industry.

The FID includes the ALJ's recommended determination ("RD") on remedy, the public interest, and bonding should the Commission find a violation of section 337. Specifically, the RD recommends, if the Commission finds a violation, issuing a limited exclusion order directed to certain portable battery jump starts and components thereof imported, sold for importation, and/or sold after importation by respondents. The RD also recommends issuing cease and desist orders directed to Metasee, Hulkman Direct, and Fanttik Direct. The RD recommends that a one hundred percent (100%) bond be set for any importations of Respondents' products, which are found to violate section 337, during the period of Presidential review.

On May 28, 2024, the Commission published its post-RD **Federal Register** notice seeking submissions on public interest issues raised by the relief recommended by the ALJ should the Commission find a violation. 89 FR 46160-61 (May 28, 2024). No responses were submitted in response to the notice. The parties did not file any public interest submissions pursuant to Commission Rule 210.50(a)(4), 19 CFR 210.50(a)(4).

On May 31, 2024, Respondents filed a contingent petition for review contending that the FID is correct in all material respects and solely contesting the RD, should it become relevant. Neither NOCO nor OUII filed a petition for review. NOCO's failure to file a petition for review constitutes abandonment of all issues decided adversely to it in the FID. 19 CFR 210.43(b)(2), (b)(4). On June 5, 2024, prior to the deadline for the filing of responses, Respondents withdrew their contingent petition. *See* June 5, 2024 letter from Kevin J. Patariu (EDIS Doc. ID 823040).

The Commission, having reviewed the record in this investigation, has determined to review in part and, on review, to affirm with modification the FID's finding of no violation. In particular, the Commission has