

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-552-801]

#### Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Notice of Court Decision Not in Harmony With the Final Results of New Shipper Review; and Notice of Amended Final Results

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

**SUMMARY:** On January 8, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Catfish Farmers of Am., et al. v. United States*, Court No. 24-00126, sustaining the U.S. Department of Commerce (Commerce)'s remand results pertaining to the new shipper review of the antidumping duty (AD) order on certain frozen fish fillets from the Socialist Republic of Vietnam (Vietnam) covering the period of review (POR) August 1, 2022, through January 31, 2023. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results in the new shipper review, and that Commerce is amending the final results with respect to Co May Import-Export Company Limited (Co May).

**DATES:** Applicable January 18, 2026.

**FOR FURTHER INFORMATION CONTACT:** Javier Barrientos, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2243.

#### SUPPLEMENTARY INFORMATION:

##### Background

On June 25, 2024, Commerce published the *Final Results*.<sup>1</sup> In the

<sup>1</sup> See *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam: Final Results of Antidumping Duty New Shipper Review; 2022-2023*, 89 FR 53043

*Final Results*, Commerce determined that, based on the factors listed in section 751(a)(2)(B)(iv) of the Tariff Act of 1930, as amended (the Act), and the totality of the circumstances surrounding Co May's sale of subject merchandise during the POR, the sale underlying this new shipper review was *bona fide*.<sup>2</sup> With respect to one statutory factor—*i.e.*, “whether the subject merchandise involved in such sales was resold in the United States at a profit”—we found that Co May's customer resold the merchandise at a profit.<sup>3</sup> As part of this decision, we (1) did not treat the customer's AD cash deposit as an expense when considering whether the resale was profitable, and (2) determined that the relationship between the customer and its own downstream customers did not undermine our determination regarding profitability, despite the record being unclear regarding the potential affiliation between these parties. In the *Final Results*, Commerce calculated an individual weighted-average dumping margin of \$0.00 per kilogram for Co May.<sup>4</sup>

The petitioners<sup>5</sup> appealed the *Final Results*. On June 5, 2025, the CIT remanded two aspects of Commerce's *Final Results*. First, the Court remanded for further explanation Commerce's treatment of AD cash deposits in evaluating the profitability of the resale (*i.e.*, Co May's customer's resale to downstream customers).<sup>6</sup> Second, the CIT remanded Commerce's determination regarding the significance of the relationship between Co May's customer and its resale customers, and ordered Commerce to provide further explanation as to how profitability should be determined when the unaffiliated U.S. customer is closely

(June 25, 2024) (*Final Results*), and accompanying Issues and Decision Memorandum (IDM).

<sup>2</sup> See *Final Results* IDM at Comment 1.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> The petitioners are the Catfish Farmers of America, America's Catch, Inc., Alabama Catfish, LLC d/b/a Harvest Select Catfish, Inc., Consolidated Catfish Companies, LLC d/b/a Country Select Catfish, Delta Pride Catfish, Inc., Guidry's Catfish, Inc., Heartland Catfish Company, Magnolia Processing, Inc. d/b/a Pride of the Pond, and Simmons Farm Raised Catfish, Inc. (collectively, the petitioners)

<sup>6</sup> See *Catfish Farmers of America, et al. v. United States*, Ct. No. 24-00126; Slip Op. 25-70 (CIT June 5, 2025) (*Remand Opinion and Order*) at 14.

affiliated with its downstream customers.<sup>7</sup>

In its remand redetermination, issued on November 17, 2025, Commerce reconsidered its *Final Results* pursuant to the CIT's *Remand Opinion and Order*, and provided additional discussion regarding: (1) its treatment of AD cash deposits in determining resale profitability under the circumstances of this case; and (2) Co May's reporting regarding the relationship between its U.S. customer and the downstream customers as part of its resale profitability analysis.<sup>8</sup> In light of these considerations, Commerce revisited its finding that Co May's single sale was resold at a profit. Further, Commerce also reconsidered its broader *bona fide* analysis and, instead, found that Co May's sale was not *bona fide*.<sup>9</sup> Commerce stated that, if this finding is affirmed, Commerce would rescind this new shipper review.<sup>10</sup> On January 8, 2026, the CIT sustained Commerce's final remand redetermination.<sup>11</sup>

#### Timken Notice

In its decision in *Timken*,<sup>12</sup> as clarified by *Diamond Sawblades*,<sup>13</sup> the U.S. Court of Appeals for the Federal Circuit held that, pursuant to sections 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 January 8, 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*.

<sup>7</sup> *Id.* at 15.

<sup>8</sup> See *Final Results of Redetermination Pursuant to Court Remand, Catfish Farmers of America, et al. v. United States*, Ct. No. 24-00126, Slip Op. 25-70 (CIT June 5, 2025), *Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, dated November 17, 2025.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> See *Catfish Farmers of Am., et al. v. United States*, Court No. 24-00126, Slip Op. 26-2 (January 8, 2026).

<sup>12</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>13</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

## Amended Final Results

Because there is now a final court judgment, Commerce is amending its *Final Results* with respect to Co May as follows: (1) we now find that Co May's sale was not *bona fide*, and (2) we are, accordingly, rescinding the 2022–2023 new shipper review.

## Cash Deposit Requirements

Because we are rescinding this new shipper review, Co May is no longer eligible for separate rate consideration. Accordingly, Commerce is treating Co May as part of the Vietnam-wide entity and is revising the cash deposit rate for Co May. As such, the Vietnam-wide entity rate of \$2.39 per kilogram will now apply to Co May. Commerce will issue revised cash deposit instructions to U.S. Customs and Border Protection (CBP).

## Liquidation of Suspended Entries

At this time, Commerce remains enjoined by CIT order from liquidating entries that: were exported by Co May, and were entered, or withdrawn from warehouse, for consumption during the period August 1, 2022, through January 31, 2023. 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 exported by Co May in accordance with 19 CFR 351.212(b). We will instruct CBP to assess duties on all appropriate entries covered by this review at the Vietnam-wide rate of \$2.39 per kilogram.

## 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: February 6, 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. 2026–02783 Filed 2–11–26; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–351–842]

### Certain Uncoated Paper From Brazil: Rescission of Antidumping Duty Administrative Review; 2024–2025

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) is rescinding the administrative review of the antidumping duty (AD) order on certain uncoated paper (uncoated paper) from Brazil covering the period of review (POR) March 1, 2024, through February 28, 2025. We are rescinding this administrative review with respect to Suzano S.A. (Suzano) because all review requests for the company have been withdrawn. Additionally, we are rescinding this administrative review with respect to Sylvamo do Brasil Ltda. and Sylvamo Exports Ltda. (collectively, Sylvamo), as it had no reviewable entries of subject merchandise during the POR.

**DATES:** Applicable February 12, 2026.

**FOR FURTHER INFORMATION CONTACT:** Brittany Bauer, AD/CVD Operations, Office V, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3860.

### SUPPLEMENTARY INFORMATION:

#### Background

On March 3, 2016, Commerce published in the *Federal Register* the *Order* on uncoated paper from Brazil.<sup>1</sup> On March 4, 2025, Commerce published in the *Federal Register* a notice of opportunity to request an administrative review of the *Order* for the POR.<sup>2</sup> On March 31, 2025, Domtar Corporation (the petitioner) and Suzano S.A. (Suzano) submitted timely requests that Commerce conduct an administrative review.<sup>3</sup> On April 28, 2025, Commerce published in the *Federal Register* a notice of initiation of an administrative

<sup>1</sup> See *Certain Uncoated Paper from Australia, Brazil, Indonesia, the People's Republic of China, and Portugal: Amended Final Affirmative Antidumping Determinations for Brazil and Indonesia and Antidumping Duty Orders*, 81 FR 11174 (March 3, 2016) (*Order*).

<sup>2</sup> See *Antidumping and Countervailing Duty Order, Finding or Suspended Investigation; Opportunity to Request Administrative Review and Join Annual Inquiry Service List*, 90 FR 11155 (March 4, 2025).

<sup>3</sup> See Petitioner's Letters, "Request for Administrative Review," dated March 31, 2025; see also Suzano's Letter, "Request for Administrative Review," dated March 31, 2025.

review with respect to imports of uncoated paper from Brazil in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).<sup>4</sup>

On June 5, 2025, Commerce placed on the record U.S. Customs and Border Protection (CBP) entry data for the companies subject to the review.<sup>5</sup> On June 12, 2025, Sylvamo filed comments on these entries stating that none of the shipments were attributable to Sylvamo.<sup>6</sup>

On July 28, 2025, Suzano withdrew its request for a review of itself.<sup>7</sup> Also on July 28, 2025, the petitioner withdrew its review request with respect to Suzano.<sup>8</sup> On January 9, 2026, Commerce issued a notice of intent to rescind the 2024–2025 administrative review with respect to Sylvamo and invited interested parties to comment.<sup>9</sup> No party filed comments in opposition and Sylvamo filed comments in agreement with the Notice of Intent to Rescind.<sup>10</sup>

Due to the lapse in appropriations and Federal Government shutdown, on November 14, 2025, Commerce tolled all deadlines in administrative proceedings by 47 days.<sup>11</sup> Additionally, due to a backlog of documents that were electronically filed via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS) during the Federal Government shutdown, on November 24, 2025, Commerce tolled all deadlines in administrative proceedings by an additional 21 days.<sup>12</sup> Accordingly the deadline for the preliminary results of this review is now February 9, 2026.

#### Rescission of Review

Pursuant to 19 CFR 351.213(d)(1), Commerce will rescind an administrative review, in whole or in

<sup>4</sup> See *Initiation of Antidumping and Countervailing Duty Administrative Reviews*, 90 FR 17568, 17572 (April 28, 2025).

<sup>5</sup> See Memorandum, "Release of Customs and Border Protection Data," dated June 5, 2025.

<sup>6</sup> See Sylvamo's Letter, "Comments on US Customs and Border Protection Data and Request for Rescission of Administrative Review," dated June 12, 2025.

<sup>7</sup> See Suzano's Letter, "Withdrawal of Request for Administrative Review," dated July 28, 2025.

<sup>8</sup> See Petitioner's Letter, "Partial Withdrawal of Request for Administrative Review," dated July 28, 2025.

<sup>9</sup> See Memorandum, "Notice of Intent to Rescind Review," dated January 9, 2026 (Notice of Intent to Rescind).

<sup>10</sup> See Sylvamo's Letter, "Comments on Notice of Intent to Rescind Review," dated January 16, 2026.

<sup>11</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>12</sup> See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.