

obtained by contacting the Commission's TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Essex Solutions Inc. and Essex Solutions USA LLC on September 29, 2026. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain extrusion-coated magnet wire. The complaint names as respondents: Wellascent Electronic (Ganzhou) Co., Ltd. of China; and Wellascent Technologies USA LLC. of Grand Prairie, TX. The complainant requests that the Commission issue a limited exclusion order, cease and desist orders and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business (5:15 p.m.),¹ eight calendar days after publication of this notice in the **Federal Register**.

Complainant(s) may file replies to any written submissions no later than three calendar days after the date on which the written submissions were due. Notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure, the deadlines for written submissions and replies shall be counted by calendar days starting with the first calendar day following the **Federal Register** publication date or the due date for written submissions, respectively. The provisions of § 201.14(a) regarding the last day of the period still apply concerning the due date of any filings. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number ("Docket No. 3940") in a prominent place on the cover page and/or the first page. (See Handbook for Electronic Filing Procedures, Electronic Filing Procedures.² Please note the Secretary's Office will accept only electronic filings unless an exemption is granted. Filings must be made through the Commission's Electronic Document Information System (EDIS, <https://edis.usitc.gov>.) Persons with questions regarding filing should contact the Secretary at EDIS3Help@usitc.gov.

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the

Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel,³ solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.⁴

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: September 29, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026-20188 Filed 10-1-26; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1409]

Certain Storage Containers and Toolboxes, Organizers, Component Boxes, and Coolers; Notice of a Commission Determination To Find a Violation of Section 337; Issuance of Remedial Orders; Continued Proceedings as to One Patent; Extension of Target Date

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to find a violation of section 337 of the Tariff Act of 1930, as amended, with respect to U.S. Patent Nos. 11,365,026 ("the '026 patent") and 11,794,952 ("the '952 patent"). The Commission has determined that the appropriate remedy is the issuance of a limited exclusion

¹ See 19 CFR 201.3(c).

² Handbook for Electronic Filing Procedures: https://www.usitc.gov/secretary/documents/handbook_on_filing_procedures.pdf.

³ All contract personnel will sign appropriate nondisclosure agreements.

⁴ Electronic Document Information System (EDIS): <https://edis.usitc.gov>.

order (“LEO”) and a cease and desist order (“CDO”) with respect to those patents.

The Commission has further determined to set a bond in the amount of eighteen percent (18%) of entered value for covered articles imported or sold during the period of Presidential review. The Commission has not reached a final determination with respect to U.S. Patent No. 11,952,167 (“the ‘167 patent”). The target date for completion of the above-captioned investigation is extended to November 2, 2026.

FOR FURTHER INFORMATION CONTACT: Panyin A. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–3042. 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. 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: The Commission instituted this investigation on July 19, 2024, based upon a complaint filed on behalf of Milwaukee Electric Tool Corporation of Brookfield, Wisconsin and Keter Home and Garden Products Ltd. of Israel (collectively, “Complainants”). 89 FR 58764–65 (July 19, 2024). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“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 storage containers and toolboxes, organizers, component boxes, and coolers by reason of infringement of certain claims of the ‘026 patent, the ‘952 patent, and the ‘167 patent. The Commission’s notice of investigation named as the respondent Klein Tools, Inc. of Lincolnshire, Illinois (“Klein”). The Office of Unfair Import Investigations is not a party to this investigation.

Over the course of the investigation, Complainants withdrew their allegations as to certain asserted claims. *See* Order No. 15 (Jan. 24, 2025), *unreviewed by* Comm’n Notice (Feb. 18, 2025); Order No. 19 (Feb. 11, 2025),

unreviewed by Comm’n Notice (Feb. 24, 2025); Order No. 20 (Feb. 27, 2025), *unreviewed by* Comm’n Notice (Mar. 13, 2025). The asserted claims that remain are claims 4 and 8 of the ‘026 patent; claims 3, 4, 8, and 16 of the ‘952 patent; and claims 2, 5, 8, 14, and 15 of the ‘167 patent. *See* Order No. 20 at 2 n.1.

On August 1, 2025, the Chief Administrative Law Judge (“CALJ”) issued a final initial determination (“FID”), which finds a violation of section 337. Specifically, the FID finds that claims 4 and 8 of the ‘026 patent; claims 3, 4, 8, and 16 of the ‘952 patent; and claims 2, 5, 8, 14, and 15 of the ‘167 patent are infringed and not invalid. The FID also finds that the domestic industry requirement has been satisfied for each of the Asserted Patents pursuant to section 337(a)(3)(A) and (B). The FID declines to make findings as to whether Complainants have satisfied the domestic industry requirement under section 337(a)(3)(C). The FID also includes the CALJ’s Recommended Determination, which recommends that, if the Commission finds a violation of section 337, then the Commission should issue a limited exclusion order, a cease and desist order against Klein, and impose a bond of 63 percent of the entered value of infringing articles imported during the period of Presidential review.

On August 15, 2025, Klein filed a petition for Commission review of the FID as to the economic and technical prongs of the domestic industry requirement, and invalidity based on certain prior art. On August 28, 2025, Complainants filed a response to the petition.

On September 2, 2025, Complainants filed a public interest submission pursuant to Commission Rule 210.50(a)(4)(i), 19 CFR 210.50(a)(4)(i). The Commission did not receive any submissions pursuant to the **Federal Register** notice published after issuance of the RD. *See* 90 FR 38175–76 (Aug. 7, 2025).

On January 21, 2026, the Commission determined to review “the FID’s findings concerning the economic prong of the domestic industry requirement, patent invalidity, and the technical prong of the domestic industry requirement, as well as any underlying claim construction findings.” 91 FR 3220 (Jan. 26, 2026). The Commission determined not to review the remainder of the FID’s findings.

The Commission also sought briefing from the parties on certain issues under review and from the parties, interested government agencies, and other interested parties on the issues of

remedy, the public interest, and bonding. *Id.*

On February 4, 2026, the Commission received initial submissions from the parties. On February 11, 2026, the Commission received reply submissions from the parties. The Commission received no other submissions.

Having examined the record of this investigation, including the FID, petition, response, and other submissions from the parties, the Commission has determined to find a violation of section 337 with respect to the ‘952 and ‘026 patents. Specifically, the Commission has determined to: (1) set aside the FID’s finding as to date of the Auer Catalog, but otherwise affirm the FID’s finding that Klein failed to show by clear and convincing evidence that any asserted claim was invalid; (2) vacate the FID’s alternative reasoning that the technical prong would be satisfied even under Klein’s claim construction proposal for “rib extending [away] from the back wall,” but otherwise affirm the FID’s finding that the technical prong of the domestic industry requirement is satisfied for each asserted claim; and (3) affirm under modified reasoning the FID’s finding that the economic prong requirement is satisfied under subsection 337(a)(3)(B) with respect to the ‘026 and ‘952 patents. The Commission has not reached a final determination with respect to the ‘167 patent.

For remedy, the Commission has determined to issue an LEO and a CDO against Klein prohibiting further importation and sale of covered products. The Commission has determined that the public interest factors do not counsel against issuing remedial orders. The Commission has determined that a bond in the amount of eighteen percent (18%) of entered value for covered articles is required for covered products imported or sold during the period of Presidential review.

The investigation is hereby terminated with respect to the ‘952 and ‘026 patents. The ‘167 patent remains pending at the Commission. A Commission opinion issued concurrently with this notice.

The target date for completion of the investigation is extended to November 2, 2026.

The Commission vote for this determination took place on September 29, 2026.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in part 210 of the Commission’s Rules of

Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: September 29, 2026.

Lisa Barton,

Secretary to the Commission.

[FR Doc. 2026–20208 Filed 10–1–26; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

By Grace Inc. Counseling Services; Decision and Order

I. Introduction

On October 29, 2024, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to By Grace Inc. Counseling Services of Baltimore, Maryland (Respondent). OSC, at 1. The OSC proposed the revocation of Respondent's DEA registration, No. RB0369733, alleging that Respondent, a narcotic treatment program (NTP), “demonstrated a lack of effective controls and procedures to guard against the diversion of controlled substances” and committed numerous recordkeeping violations that rendered DEA unable to determine an accurate and complete inventory of the controlled substances on hand. *Id.* at 2–4 (citing 21 U.S.C. 823(g); 21 U.S.C. 824(a);¹ 21 CFR 1304.11(a)–(c), 1304.11(c), 1304.21(a), (d), 1304.04(a), (f)(2), 1304.24(a), 1305.05). The Government additionally alleged in its Prehearing Statement that Respondent materially falsified its application for a DEA registration by falsely responding “no” to Liability Question 4—which asks whether any officer of the corporation has ever been convicted of a crime in connection with controlled substances—and by failing to disclose that its owner was convicted of unlawful possession of controlled substances in Maryland. Administrative Law Judge Exhibit (ALJX) 6, at 2–3.²

¹ In addition to alleging that Respondent violated 21 U.S.C. 823(h) by failing to maintain adequate records of its dispensing of controlled substances, the OSC alleged that Respondent's recordkeeping violations rendered its registration inconsistent with the public interest under 21 U.S.C. 824(a). OSC, at 2. Because the Government's Post-Hearing Brief discussed Respondent's recordkeeping violations in the context of 21 U.S.C. 823(h) rather than analyzing the public interest factors, the Agency treats the public interest allegation as abandoned and does not consider it.

² The Government also alleged that Respondent ordered controlled substances when it lacked state authority. The Agency agrees with the ALJ that the Government did not provide notice in the OSC of the laws violated by this conduct, nor did the Government demonstrate through substantial

After conducting a hearing, Administrative Law Judge Paul E. Soeffing (ALJ) issued his Recommended Rulings, Findings of Fact, Conclusions of Law, and Decision of the Administrative Law Judge (Recommended Decision or RD) on May 14, 2025. The RD recommended that the Agency revoke Respondent's registration. RD, at 28. On June 3, 2025, the Government timely filed exceptions. The Agency adopts and hereby incorporates by reference the ALJ's credibility findings,³ findings of fact, conclusions of law related to the Government's recordkeeping allegations, sanctions analysis, and recommended sanction, and summarizes and clarifies portions thereof herein. The Agency does not adopt the ALJ's conclusions of law related to the Government's material falsification allegation. Specifically, the Agency disagrees with the ALJ's conclusion that the Agency does not have authority to revoke an NTP's registration based on the material falsification of a DEA application and the Agency finds that the Government's material falsification allegation is supported by substantial evidence.

II. Respondent's Recordkeeping Violations

A. Applicable Law

Congress enacted the Controlled Substances Act (CSA) “to conquer drug abuse and control the legitimate and illegitimate traffic in controlled substances.” *Gonzales v. Raich*, 545 U.S. 1, 12 (2005). A particular concern of Congress was “the need to prevent the diversion of drugs from legitimate to illicit channels,” and it “devised a closed regulatory system making it unlawful to manufacture, distribute, dispense, or possess any controlled substance except in a manner authorized by the CSA.” *Id.* at 12–13.

The CSA's requirements under this closed regulatory system include that “every person who dispenses, or who proposes to dispense, any controlled substance, shall obtain from the [DEA] a registration.” 21 U.S.C. 822(a)(2); *see also Gonzales v. Raich*, 545 U.S. at 27–28. To protect the American people and ensure compliance with the CSA, Congress empowered the Agency to deny, suspend, or revoke a DEA registration if the registrant failed to comply with the CSA's recordkeeping

evidence that Respondent lacked state authority when it ordered the controlled substances. RD, at 18–19.

³ The Agency adopts the ALJ's summary of each witness's testimony, as well as the ALJ's assessment of each witness's credibility. *See* RD, at 2–13.

requirements. 21 U.S.C. 824(a); 21 U.S.C. 823(h); *Gonzales v. Oregon*, 546 U.S. 243, 251 (2006).

The Respondent in this case is registered as an NTP under 21 U.S.C. 823(h). Under Section 304 of the CSA, “a registration pursuant to section 823(h)[] of this title to dispense a narcotic drug for maintenance treatment or detoxification treatment may be suspended or revoked by the Attorney General upon a finding that the registrant has failed to comply with any standard referred to in section 823(h)[]⁴ of this title.” 21 U.S.C. 824(a). Section 823(h) outlines three prerequisites for a practitioner applying for a registration to dispense narcotic drugs for maintenance treatment or detoxification treatment:

(1) “the applicant . . . is determined by the Secretary to be qualified . . . to engage in the treatment with respect to which registration is sought;”

⁴ The subsection of 21 U.S.C. 823 applicable to narcotic treatment programs was modified on December 2, 2022, and again on December 28, 2022. Prior to the modifications, the relevant subsection applicable to narcotic treatment programs was designated as 21 U.S.C. 823(g)(1), and it had three subparts, A–B, which outlined the prerequisites for registration as a narcotic treatment program. On December 2, 2022, the subsection was redesignated as 21 U.S.C. 823(h)(1), and it retained the same three subparts as the previous version, A–B. On December 28, 2022, the subsection was again redesignated as 21 U.S.C. 823(h), and the three subparts outlining the registration prerequisites were redesignated as 1–3. The December 28, 2022, citation is used throughout this decision.

21 U.S.C. 824(a), which authorizes the Attorney General to suspend or revoke the registration of a narcotic treatment if the registration prerequisites are not met, references back to the relevant subsections of 21 U.S.C. 823. Prior to December 2, 2022, the revocation provisions of § 824(a) referred to the registration prerequisites in § 823(g)(1)(A–B). On December 2, 2022, 21 U.S.C. 824(a) was modified to reference the registration prerequisites in § 823(h)(1)(A–B). However, 21 U.S.C. 824(a) was not modified again to reflect the December 28, 2022 redesignation from 823(h)(1) to 823(h). As explained below, this was clearly an unintentional technical error.

As currently written, 21 U.S.C. 824(a) would only authorize the Attorney General to revoke a registration if the applicant is not “qualified . . . to engage in the treatment with respect to which registration is sought,” because it only references 823(h)(1), and not (h)(2) or (h)(3). However, there have not been any substantive changes to § 823 or § 824 that reflect an intent to limit the Attorney General's authority to revoke or suspend. Section 823(h) continues to clearly state that a registrant is not qualified to possess a registration unless all three subparts are met. Therefore, the Agency concludes that the failure to modify § 824(a) on December 22, 2022, was an oversight, and that Congress intended for the Attorney General to retain authority to suspend or revoke a registration if a registrant fails to adhere to any of the three registration prerequisites or standards referred to in section 823(h). *See Dept. of Def., Army Air Force Exchange Serv. v. Fed. Labor Relations Auth.*, 659 F.2d 1140, 1160 (D.C. Cir. 1981), cert. denied, 455 U.S. 945 (1982) (A statute should be read in a “manner which effectuates rather than frustrates the major purpose of the legislative draftsmen.”).