

## Disclosure

Commerce intends to disclose to the interested parties the calculations and analysis performed for these final results within five days of any public announcement or, if there is no public announcement, within five days of the date of publication of the notice of final results in the **Federal Register**, in accordance with 19 CFR 351.224(b).

## Assessment

Pursuant to section 751 (a)(2)(C) of the Act and 19 CFR 351.212(b)(2), Commerce has determined, and U.S. Customs and Border Protection (CBP) shall assess, countervailing duties on all appropriate entries of subject merchandise in accordance with the final results of this review, for the above-listed companies at the applicable *ad valorem* assessment rates. Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the publication of the final results of this review in the **Federal Register**. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

## Cash Deposit Instructions

In accordance with section 751(a)(2)(C) of the Act, Commerce also intends to instruct CBP to collect cash deposits of estimated countervailing duties in the amounts shown for each company above on shipments of subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review, except where the rate calculated in the final results is zero or *de minimis*. For all non-reviewed firms, we will instruct CBP to collect cash deposits of estimated countervailing duties at the most recent company specific or all-others rate applicable to the company, as appropriate. These cash deposit requirements, effective upon publication of these final results, shall remain in effect until further notice.

## Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely written notification of the return or destruction of APO materials or conversion to judicial protective order, is hereby requested. Failure to comply

with the regulations and terms of an APO is a sanctionable violation.

## Notification to Interested Parties

Commerce is issuing the final results and publishing this notice in accordance with sections 751(a)(l) and 777(i)(l) of the Act, and 19 CFR 351.221(b)(5).

Dated: December 17, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

## Appendix

### List of Topics Discussed in the Issues and Decision Memorandum

- I. Summary
- II. Background
- III. Scope of the Order
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- VI. Analysis of Programs
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- VIII. Programs Determined to Be Not Used
- IX. Changes Since the *Preliminary Results*
- X. Discussion of the Issues
  - Comment 1: Whether Commerce Should Attribute Certain Countervailable Assistance Received by Yinbang's Wholly-Owned Subsidiary
  - Comment 2: Whether Commerce Should Correct Value-Added Tax Paid by Yinbang on Certain Primary Aluminum Purchases
  - Comment 3: Whether Commerce Should Select a Different Basic-Fee Benchmark to Calculate Yinbang's Benefit from the Electricity for Less Than Adequate Remuneration Program
  - Comment 4: Whether Commerce Should Revise Yinbang's Grant Calculations
- XI. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A–570–108, C–570–109]

### Ceramic Tile From the People's Republic of China: Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision

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

**SUMMARY:** On October 20, 2025, the U.S. Court of International Trade (CIT) issued its final judgment in *Elysium Tiles, Inc. et al v. United States*, Court No. 23–00041, sustaining the U.S.

Department of Commerce (Commerce)'s second remand redetermination pertaining to the scope ruling for the antidumping duty and countervailing duty orders on ceramic tile from the People's Republic of China. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's scope ruling, and that Commerce is amending the scope ruling to find that Elysium Tiles, Inc. and Elysium Tile Florida, Inc. (collectively, Elysium)'s composite tile is not covered by the scope of the *Orders*.<sup>1</sup>

**DATES:** Applicable October 30, 2025.

### FOR FURTHER INFORMATION CONTACT:

George McMahon, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–1167.

### SUPPLEMENTARY INFORMATION:

#### Background

On January 25, 2023, Commerce found Elysium's composite tile to be covered by the scope of the *Orders*.<sup>2</sup> On July 18, 2024, the CIT remanded Commerce's final scope ruling as unsupported by substantial evidence and not in accordance with law.<sup>3</sup>

The CIT held that Commerce: (1) failed to provide an adequate summary of an *ex parte* meeting; and (2) failed to show with substantial evidence that either, under 19 CFR 351.225(k)(1), the *Orders*' scope language contemplates products such as marble composite tile, or that, under 19 CFR 351.225(k)(2), the marble composite tile truly is considered a form of ceramic tile in purpose, function, advertising, and use.<sup>4</sup> In its first remand redetermination,<sup>5</sup> Commerce supplemented the *ex parte* memorandum to provide a more detailed summary, and Commerce continued to find that Elysium's composite tile was within the scope

<sup>1</sup> See *Ceramic Tile from the People's Republic of China: Antidumping Duty Order*, 85 FR 33089 (June 1, 2020); and *Ceramic Tile from the People's Republic of China: Countervailing Duty Order*, 85 FR 33119 (June 1, 2020) (collectively, the *Orders*).

<sup>2</sup> See Memorandum, "Final Scope Ruling on Elysium's Composite Tile," dated January 25, 2023 (Final Scope Ruling).

<sup>3</sup> See *Elysium Tiles, Inc. v. United States*, 719 F. Supp. 3d 1289 (CIT 2024) (*Remand Order*).

<sup>4</sup> See *Remand Order* at 18–19 and 11 n.5 (noting that because Elysium submitted its scope application prior to Commerce's recent revisions to the scope regulation, all citations are to the prior regulations); see also 19 CFR 351.225(k) (2023).

<sup>5</sup> See *Final Results of Redetermination Pursuant to Court Remand, Elysium Tiles, Inc., and Elysium Tile Florida, Inc., v. United States*, Court No. 23–00041, Slip. Op. 24–80 (CIT July 18, 2024), dated October 29, 2024 (*First Remand Redetermination*), available at: <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

based upon the plain language of the scope, which included ceramic tile with decorative features.

On March 11, 2025, the CIT sustained, in part, and remanded, in part, Commerce's *First Remand Redetermination*.<sup>6</sup> In the *Second Remand Order*, the CIT held that the summary of the *ex parte* meeting was adequate.<sup>7</sup> However, the CIT remanded Commerce's *First Remand Redetermination*, instructing Commerce to consider the five additional factors set out in 19 CFR 351.225(k)(2)(i).<sup>8</sup> Pursuant to the *Second Remand Order*, in its final remand redetermination, Commerce analyzed the factors set out in 19 CFR 351.225(k)(2)(i) and determined, based on those factors, that Elysium's composite tile is not covered by the scope of the *Orders*.<sup>9</sup> The CIT sustained Commerce's final redetermination.<sup>10</sup>

#### Timken Notice

In its decision in *Timken*,<sup>11</sup> as clarified by *Diamond Sawblades*,<sup>12</sup> the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of 1930, as amended (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 October 20, 2025, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's Final Scope Ruling. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

#### Amended Final Scope Ruling

In accordance with the CIT's October 20, 2025, final judgment, Commerce is amending its Final Scope Ruling and finds that the scope of the order does not cover the products addressed in the Final Scope Ruling.

#### Liquidation of Suspended Entries

Commerce will instruct U.S. Customs and Border Protection (CBP) that, pending any appeals, the cash deposit rate will be zero percent for Elysium's composite tile. In the event that the CIT's final judgment is not appealed or is upheld on appeal, Commerce will instruct CBP to liquidate entries of ceramic tile without regard to antidumping and countervailing duties and to lift suspension of liquidation of such entries.

At this time, Commerce remains enjoined by the CIT from liquidating entries not covered by the scope of the *Orders* by the Final Scope Ruling. These entries will remain enjoined pursuant to the terms of the injunction during the pendency of any appeals process.

#### 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: December 18, 2025.

**Christopher Abbott,**

*Deputy Assistant Secretary for Policy and Negotiations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.*

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#### DEPARTMENT OF COMMERCE

##### International Trade Administration

##### Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Inclusions to the Section 232 National Security Adjustments to Automobile Parts Imports

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice of information collection, request for comment.

**SUMMARY:** The Department of Commerce, in accordance with the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. The purpose of this notice is to allow for 60 days of public comment preceding submission of the collection to OMB.

**DATES:** To ensure consideration, comments regarding this proposed information collection must be received on or before February 23, 2026.

**ADDRESSES:** Interested persons are invited to submit written comments to Julien Tuya, International Trade Specialist, Office of Transportation and Machinery, International Trade Administration, by email to [AutoInclusions@trade.gov](mailto:AutoInclusions@trade.gov) or [PRA@trade.gov](mailto:PRA@trade.gov). Please reference OMB Control Number 0625–0284 in the subject line of your comments. Do not submit Confidential Business Information or otherwise sensitive or protected information.

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or specific questions related to collection activities should be directed to Julien Tuya, International Trade Specialist, Office of Transportation and Machinery, International Trade Administration, by email to [AutoInclusions@trade.gov](mailto:AutoInclusions@trade.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

On March 26, 2025, the President issued Proclamation 10908, "Adjusting Imports of Automobiles and Automobile Parts Into the United States," 90 FR 14705 (April 3, 2025) (Automobile Proclamation), which finds that imports of automobiles and certain automobile parts continue to threaten to impair the national security of the United States and imposes specified tariffs to adjust imports of automobiles and certain automobile parts so that such imports will not threaten to impair national security pursuant to Section 232 of the Trade Expansion Act of 1962 ("Section 232"). Section 232 authorizes the President to adjust the imports of an article and its derivatives that are being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security of the United States so that such imports will not threaten to impair national security. The Automobile Proclamation imposed a 25 percent tariff on certain imports of automobiles, effective April 3, 2025, and certain imports of automobile parts, effective May 3, 2025.

The Automobile Proclamation also required the Secretary of Commerce (Secretary) to establish a process for including additional automobile parts articles within the scope of the tariffs imposed by the President in the Automobile Proclamation. In addition to inclusions made by the Secretary, the process is to provide for including additional automobile parts articles at the request of a domestic producer of an automobile or automobile parts article, or an industry association representing one or more such producers, where the request establishes that imports of

<sup>6</sup> See *Elysium Tiles, Inc. v. United States*, 762 F. Supp. 3d 1352 (CIT 2025) (*Second Remand Order*).

<sup>7</sup> See *Second Remand Order* at 2 and 4.

<sup>8</sup> *Id.* at 12.

<sup>9</sup> See "Final Results of Redetermination Pursuant to Court Remand," Court No. 23–00041, Slip. Op. 25–25 (CIT March 11, 2025), dated June 6, 2024 (*First Remand Redetermination*), available at: <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>10</sup> See *Elysium Tiles, Inc. v. United States*, No. 23–00041, Slip. Op. 25–138, 2025 Ct. Int'l Trade LEXIS 145 (Ct. Int'l Trade October 20, 2025).

<sup>11</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>12</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).