

hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

#### Notification to Interested Parties

This final determination and notice are issued and published in accordance with sections 735(d) and 777(i) of the Act, and 19 CFR 351.210(c).

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.*

#### Appendix I

##### Scope of the Investigation

The merchandise subject to the scope of this investigation is hard empty capsules, which are comprised of two prefabricated, hollowed cylindrical sections (cap and body). The cap and body pieces each have one closed and rounded end and one open end, and are constructed with different or equal diameters at their open ends.

Hard empty capsules are unfilled cylindrical shells composed of at least 80 percent by weight of a water soluble polymer that is considered non-toxic and appropriate for human or animal consumption by the United States Pharmacopeia—National Formulary (USP–NF), Food Chemical Codex (FCC), or equivalent standards. The most common polymer materials in hard empty capsules are gelatin derived from animal collagen (including, but not limited to, pig, cow, or fish collagen), hydroxypropyl methylcellulose (HPMC), and pullulan.

Hard empty capsules may also contain water and additives, such as opacifiers, colorants, processing aids, controlled release agents, plasticizers, and preservatives. Hard empty capsules may also be imprinted or otherwise decorated with markings.

Hard empty capsules are covered by the scope of these investigations regardless of polymer material, additives, transparency, opacity, color, imprinting, or other markings.

Hard empty capsules are also covered by the scope of these investigations regardless of their size, weight, length, diameter, thickness, and filling capacity.

Cap and body pieces of hard empty capsules are covered by the scope of these investigations regardless of whether they are imported together or separately, and regardless of whether they are imported in attached or detached form.

Hard empty capsules covered by the scope of these investigations are those that disintegrate in water, simulated intestinal fluid, simulated gastric fluid, or other similar water-based (*i.e.*, aqueous) fluids within 2 hours under tests specified in Chapter 701 of the USP–NF, or equivalent disintegration tests.

Hard empty capsules are classifiable under subheadings 9602.00.1040 and 9602.00.5010 of the Harmonized Tariff Schedule of the United States (HTSUS). In addition, hard empty capsules may be imported under HTSUS subheading 1905.90.9090; gelatin hard empty capsules may be imported under

HTSUS subheading 3503.00.5510; HPMC hard empty capsules may be imported under HTSUS subheading 3923.90.0080; and pullulan hard empty capsules may be imported under HTSUS subheading 2106.90.9998. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise covered by these investigations is dispositive.

#### Appendix II

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

###### I. Summary

###### II. Background

###### III. Changes Since the Preliminary Determination

###### IV. Discussion of the Issues

Comment 1: Whether Commerce Should Correct Certain Errors in Its Calculation of ACG's Estimated Weighted-Average Dumping Margin

Comment 2: Whether Commerce Should Apply Adverse Facts Available (AFA) in Calculating ACG's Final Estimated Weighted-Average Dumping Margin

Comment 3: Whether Commerce Improperly Rejected ACG North America LLC (ACG NA)'s Minor Correction of the Reported U.S. Duty Expenses

Comment 4: Whether Commerce Should Apply AFA in Calculating HIL's Inland Freight from Warehouse to Customer Expenses

Comment 5: Whether Commerce Has a Statutory Basis to Depart from the Average-to-Average (A-to-A) Comparison Method

###### V. Recommendation

[FR Doc. 2025–23826 Filed 12–23–25; 8:45 am]

**BILLING CODE 3510–DS–P**

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A–570–954, C–570–955]

##### **Certain Magnesia Carbon Bricks From the People's Republic of China: Notice of Court Decision Not in Harmony With the Final Determination in Covered Merchandise Inquiry; and Notice of Amended Final Covered Merchandise Inquiry Determination**

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

**SUMMARY:** On October 9, 2025, the U.S. Court of International Trade (CIT) issued its final judgment in *Fedmet Resources Corporation v. United States*, Court No. 23–00117, sustaining the U.S. Department of Commerce (Commerce)'s remand redetermination pertaining to the covered merchandise inquiry (CMI) related to refractory bricks with added alumina. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final

determination in that CMI, and that Commerce is amending the final CMI determination to find that refractory bricks with added alumina are excluded from the orders.

**DATES:** Applicable October 19, 2025.

##### **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 May 4, 2023, Commerce published its *Final CMI Determination*, which found that refractory bricks with less than five percent added alumina were magnesia carbon bricks (MCBs) and were, thus, covered by the scope of the *Orders*.<sup>1</sup>

Fedmet Resources Corporation appealed Commerce's *Final CMI Determination*. On December 12, 2024, the CIT remanded the *Final CMI Determination* to Commerce, holding that precedent from the U.S. Court of Appeals for the Federal Circuit (Federal Circuit) interpreted the scope to not specify a cut-off percentage for low alumina versus high alumina refractory bricks, such that the addition of any alumina to an MCB renders the brick outside the scope of the *Orders*.<sup>2</sup>

In its final remand redetermination, issued in March 2025, Commerce found, under protest, that MCBs with any added alumina were excluded from the scope of the *Orders*.<sup>3</sup> The CIT sustained Commerce's final redetermination.<sup>4</sup>

<sup>1</sup> See *Certain Magnesia Carbon Bricks from the People's Republic of China: Final Determination in Covered Merchandise Inquiry*, 88 FR 28495 (May 4, 2023), and accompanying Issues and Decision Memorandum (*Final CMI Determination*); see also *Certain Magnesia Carbon Bricks from Mexico and the People's Republic of China: Antidumping Duty Orders*, 75 FR 57257 (September 20, 2010); and *Certain Magnesia Carbon Bricks from the People's Republic of China: Countervailing Duty Order*, 75 FR 57442 (September 21, 2010) (collectively, *Orders*).

<sup>2</sup> See *Fedmet Resources Corporation v. United States*, Slip Op. 24–136 (CIT December 12, 2024); see also *Fedmet Resources Corp. v. United States*, 755 F. 3d 912 (Fed. Cir. 2014).

<sup>3</sup> See *Final Results of Redetermination Pursuant to Court Remand, Fedmet Resources Corporation v. United States*, Court No. 23–00117, Slip Op. 24–136 (CIT December 12, 2024), dated March 12, 2025, available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>4</sup> See *Fedmet Resources Corporation v. United States*, Court No. 23–00117, Slip Op. 25–136 (CIT October 9, 2025).

**Timken Notice**

In its decision in *Timken*,<sup>5</sup> as clarified by *Diamond Sawblades*,<sup>6</sup> the Federal Circuit held that, pursuant to sections 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 9, 2025, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final CMI Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

**Amended Final Determination**

Commerce will instruct U.S. Customs and Border Protection (CBP) that, pending any appeals, the cash deposit rate will be zero percent for refractory bricks with any added alumina. In the event that the CIT’s final judgment is upheld on appeal, Commerce will instruct CBP to liquidate entries of refractory bricks with added alumina without regard to antidumping and countervailing duties and to lift suspension of liquidation of such entries.

**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 19, 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.*

[FR Doc. 2025–23772 Filed 12–23–25; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[A–428–850]

**Thermal Paper From Germany: Notice of Court Decision Not in Harmony With the Final Determination of Antidumping Investigation; Notice of Amended Final Determination; Notice of Amended Order, In Part**

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

**SUMMARY:** On November 20, 2025, the U.S. Court of International Trade (CIT) issued its final judgment in *Matra Americas, LLC et al. v. United States*, Slip Op. 25–145, Consol. Court No. 21–00632, sustaining the U.S. Department of Commerce (Commerce)’s final remand redetermination pertaining to the antidumping duty (AD) investigation of thermal paper from Germany covering the period of investigation October 1, 2019, through September 30, 2020. Commerce is notifying the public that the CIT’s final judgment is not in harmony with Commerce’s final determination in that investigation, and that Commerce is amending the final determination and the resulting AD order with respect to the dumping margin assigned to Koehler Paper SE (Koehler) and all other producers and/or exporters.

**DATES:** Applicable December 1, 2025.

**FOR FURTHER INFORMATION CONTACT:** Anne Entz, AD/CVD Operations, Office IX, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3845.

**SUPPLEMENTARY INFORMATION:****Background**

On September 30, 2021, Commerce published its *Final Determination* in the AD investigation of thermal paper from Germany. Commerce: (1) applied the Cohen’s *d* test as part of its differential pricing analysis;<sup>1</sup> (2) accepted Koehler’s reporting of the static sensitivity product characteristic in its sales and cost databases for all but one product in the final determination;<sup>2</sup> and (3) recalculated Koehler’s reported financial expense ratio to include the interest expenses accrued on Koehler’s unpaid antidumping duties from the revoked *LWTP Order*.<sup>3</sup> Commerce subsequently published the AD order on thermal paper from Germany.<sup>4</sup>

Certain parties appealed Commerce’s *Final Determination*. On February 8, 2024, the CIT remanded the *Final Determination* to Commerce to

reconsider or explain: (1) its application of the Cohen’s *d* test to Koehler’s U.S. sales; (2) the coding of the static sensitivity product characteristic; and (3) the decision not to treat Koehler’s accrued interest expenses related to unpaid antidumping duties as part of indirect selling expenses.<sup>5</sup>

In its final remand redetermination, issued in August 2025, Commerce: (1) reconsidered its application of the Cohen’s *d* test as part of its differential pricing analysis; (2) reopened the record to provide Koehler with an opportunity to remedy its reporting of the static sensitivity product characteristic; and (3) provided further explanation of the inclusion of Koehler’s accrued interest expenses related to unpaid antidumping duties as part of the financial expense ratio in the calculation of the cost of production, instead of as U.S. indirect selling expenses.<sup>6</sup> The CIT sustained Commerce’s final redetermination.<sup>7</sup>

**Timken Notice**

In its decision in *Timken*,<sup>8</sup> as clarified by *Diamond Sawblades*,<sup>9</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 November 20, 2025, judgment constitutes a final decision of the CIT that is not in harmony with Commerce’s *Final Determination*. Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

**Amended Final Determination**

Because there is now a final court judgment, Commerce is amending its *Final Determination* as follows:

<sup>5</sup> See *Matra Americas, LLC et al. v. United States*, 681 F. Supp. 3d 1339, 1382 (CIT 2024) (*Remand Order*).

<sup>6</sup> See *Final Results of Redetermination Pursuant to Court Remand, Matra Americas, LLC v. United States*, 681 F. Supp. 3d 1339 (CIT 2024), dated August 28, 2025 (*Final Remand*), available at <https://access.trade.gov/public/FinalRemandRedetermination.aspx>.

<sup>7</sup> See *Matra Americas, LLC et al. v. United States*, Slip Op. 25–145, Consol. Court No. 21–00632 (CIT 2025).

<sup>8</sup> See *Timken Co. v. United States*, 893 F. 2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>9</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>5</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>6</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>1</sup> See *Thermal Paper from Germany: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*, in Part, 86 FR 54152 (September 30, 2021) (*Final Determination*), and accompanying Issues and Decision Memorandum at Comment 1.

<sup>2</sup> *Id.* at Comments 3 and 4.

<sup>3</sup> *Id.* at Comment 5; see also *Antidumping Duty Orders: Lightweight Thermal Paper from Germany and the People’s Republic of China*, 73 FR 70959 (November 24, 2008) (*LWTP Order*).

<sup>4</sup> See *Thermal Paper from Germany, Japan, the Republic of Korea, and Spain: Antidumping Duty Orders*, 86 FR 66284 (November 22, 2021) (*Order*).