

from the *Order* but is merely intended to clarify and inform the public that entries of fresh tomatoes imported into the United States for processing must be accompanied by SC-6<sup>3</sup> and the “Processing Tomatoes Certification Form.”<sup>4</sup>

Furthermore, with respect to the FPAA’s request that Commerce work with CBP to modify the ACE system, Commerce will require that importers file the SC-6 and the Processing Tomatoes Certification Form to be uploaded into the ACE document imaging system at the time of filing an entry summary, as explained in the “Certification Requirements” section below.

### Certification Requirements

Importers are required to complete and maintain the applicable certifications and retain all supporting documentation. As of the date of publication of this **Federal Register** notice, the importer certifications must be completed, signed, and dated by the time the entry summary is filed for the relevant entry.

The importer, or the importer’s agent, must submit the importer’s certifications at the time of entry summary by uploading these documents into the document imaging system (DIS) in ACE. Where the importer uses a broker to facilitate the entry process, the importer should obtain the entry summary number from the broker. Agents of the importer, such as brokers, however, are not permitted to certify on behalf of the importer. Consistent with CBP’s procedures, importers shall identify certified entries by using importers’ additional declaration (record 54) AD/CVD Certification Designation (type code 06) when filing entry summary.<sup>5</sup> These certifications and declarations must be maintained by the importer and presented to CBP upon request and both the importer or importer’s agent, as applicable, and the processor must maintain copies of these forms for five years. The claims made in the certifications and declarations and any supporting documentation are

subject to verification by Commerce and/or CBP.

### Scope of the Order

The merchandise subject to the *Order* is fresh tomatoes from Mexico. For a complete description of the revised scope of the *Order*, see the appendix to this notice.

### Notification to Interested Parties

This notice is issued and published in accordance with 19 CFR 351.225(q).

Dated: February 11, 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.*

### Appendix

#### Scope of the Order

The merchandise subject to the *Order* is all fresh or chilled tomatoes (fresh tomatoes) which have Mexico as their origin, except for those tomatoes which are for processing. For purposes of the *Order*, processing is defined to include preserving by any commercial process, such as canning, dehydrating, drying, or the addition of chemical substances, or converting the tomato product into juices, sauces, or purees. Further, imports of fresh tomatoes for processing must be accompanied by an “Importer’s Exempt Commodity Form” (SC-6) (within the meaning of 7 CFR 980.501(a)(2) and 980.212(i)) and must be accompanied by the “Processing Tomatoes Certification Form.” Fresh tomatoes that are imported for cutting up, not further processing (e.g., tomatoes used in the preparation of fresh salsa or salad bars) are covered by the *Order*, whether or not accompanied by an SC-6 form.

Commercially grown tomatoes, both for the fresh market and for processing, are classified as *Lycopersicon esculentum*. Important commercial varieties of fresh tomatoes include common round, cherry, grape, plum, greenhouse, and pear tomatoes, all of which are covered by the *Order*.

Tomatoes imported from Mexico covered by the *Order* are classified under the following subheading of the Harmonized Tariff Schedule of the United States (HTSUS), according to the season of importation: 0702. Although the HTSUS numbers are provided for convenience and customs purposes, the written description of the scope of the *Order* is dispositive.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–122–874]

### Fresh Mushrooms From Canada: Postponement of Preliminary Determination in the Countervailing Duty Investigation

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

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

**FOR FURTHER INFORMATION CONTACT:** Gene H. Calvert, Office II, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482–3586.

#### SUPPLEMENTARY INFORMATION:

#### Background

On January 2, 2026, the U.S. Department of Commerce (Commerce) initiated a countervailing duty (CVD) investigation of imports of fresh mushrooms from Canada.<sup>1</sup> Currently, the preliminary determination is due no later than March 9, 2026.<sup>2</sup>

#### Postponement of Preliminary Determination

Section 703(b)(1) of the Tariff Act of 1930, as amended (the Act), requires Commerce to issue the preliminary determination in a CVD investigation within 65 days after the date on which Commerce initiated the investigation. However, section 703(c)(1) of the Act permits Commerce to postpone the preliminary determination in a CVD investigation until no later than 130 days after the date on which Commerce initiated the investigation if: (A) the petitioner makes a timely request for a postponement; or (B) Commerce concludes that the parties concerned are cooperating, that the investigation is extraordinarily complicated, and that additional time is necessary to make a preliminary determination. Under 19 CFR 351.205(e), the petitioner must submit a request for postponement 25 days or more before the scheduled date of the preliminary determination and

<sup>1</sup> See *Fresh Mushrooms from Canada: Initiation of Countervailing Duty Investigation*, 91 FR 668 (January 8, 2026).

<sup>2</sup> Because the actual deadline for the preliminary determination falls on a weekend (i.e., Sunday, March 8, 2026), the deadline becomes the next business day (i.e., Monday, March 9, 2026). See *Notice of Clarification: Application of “Next Business Day” Rule for Administrative Determination Deadlines Pursuant to the Tariff Act of 1930, As Amended*, 70 FR 24533 (May 10, 2005).

<sup>3</sup> The sample of SC-6 is available at: <https://www.ams.usda.gov/sites/default/files/media/SC6ImportersExemptCommodityForm.pdf>.

<sup>4</sup> The “Processing Tomatoes Certification Form” is available at the Enforcement and Compliance website at: <https://www.trade.gov/fresh-tomatoes-forms>.

<sup>5</sup> See Cargo System Messaging Service #59384253, dated February 12, 2024; see also *Announcing an Importer’s Additional Declaration in the Automated Commercial Environment Specific to Antidumping/Countervailing Duty Certifications*, 89 FR 7372 (February 2, 2024).

must state the reasons for the request. Commerce will grant the request unless it finds compelling reasons to deny the request.

On February 10, 2026, the Fresh Mushrooms Fair Trade Coalition and its individual members (*i.e.*, the petitioners) timely requested that Commerce postpone the preliminary CVD determination.<sup>3</sup> The petitioners stated a postponement is warranted to provide Commerce with additional time to review and to analyze the questionnaire responses submitted by the Government of Canada and by the respondents, and to issue supplemental questionnaires.<sup>4</sup>

In accordance with 19 CFR 351.205(e), the petitioners have timely stated the reasons for requesting a postponement of the preliminary determination, and Commerce finds no compelling reason to deny this request. Therefore, in accordance with section 703(c)(1)(A) of the Act, Commerce is postponing the deadline for the preliminary determination to no later than 130 days after the date on which this investigation was initiated, *i.e.*, May 12, 2026.

Pursuant to section 705(a)(1) of the Act and 19 CFR 351.210(b)(1), the deadline for the final determination of this CVD investigation will continue to be 75 days after the date of the preliminary determination.

#### Notification to Interested Parties

This notice is issued and published pursuant to section 703(c)(2) of the Act and 19 CFR 351.205(f)(1).

Dated: February 12, 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.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-549-502]

#### Circular Welded Carbon Steel Pipes and Tubes From Thailand: Notice of Court Decision Not in Harmony With the Results of Antidumping Duty Administrative Review; Notice of Amended Final Results

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

**SUMMARY:** On February 4, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Saha Thai Steel Pipe Public Company Limited v. United States*, Court No. 21-00049, sustaining the Department of Commerce (Commerce)'s first remand results pertaining to the administrative review of the antidumping duty (AD) order on circular welded carbon steel pipes and tubes from Thailand covering the period March 1, 2018, through February 28, 2019. Commerce is notifying the public that the CIT's final judgment is not in harmony with Commerce's final results of the administrative review, and that Commerce is amending the final results with respect to the dumping margin assigned to Saha Thai Steel Pipe Public Company Limited (Saha Thai).

**DATES:** Applicable February 14, 2026.

**FOR FURTHER INFORMATION CONTACT:** Thomas Cloyd, AD/CVD Operations, Office VII, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-1246.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 27, 2021, Commerce published in the *Federal Register* the *Final Results* of the 2018-2019 AD administrative review of circular welded carbon steel pipes and tubes from Thailand.<sup>1</sup> Commerce found that Saha Thai did not provide requested information with respect to a substantial portion of its U.S. sales and failed to act to the best of its ability.<sup>2</sup> As a result, Commerce reached its final determination based on facts otherwise available, including the application of adverse inferences.<sup>3</sup>

<sup>1</sup> See *Circular Welded Carbon Steel Pipes and Tubes from Thailand: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments, In Part; 2018-2019*, 86 FR 7259 (January 29, 2021) (*Final Results*).

<sup>2</sup> *Id.*

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

Saha Thai appealed Commerce's *Final Results*. On December 2, 2022, the CIT remanded the *Final Results* to Commerce, holding that Commerce had failed to provide notice and an opportunity to remedy as required by law and that it had failed to explain adequately in the record the reason that it chose to draw and adverse inference.<sup>4</sup> The CIT found that Commerce's decision was not supported by substantial evidence or in accordance with the law and remanded the issue to Commerce for further proceedings.<sup>5</sup>

In its final remand redetermination, issued in July 2025, Commerce reopened the record of the administrative review, solicited a full revised questionnaire response from Saha Thai, and recalculated Saha Thai's weighted-average dumping margin by including all sales of dual-stenciled pipe.<sup>6</sup> Commerce also analyzed a particular market situation (PMS) in its final remand redetermination, finding that the nature of Saha Thai's costs of producing subject merchandise was outside the ordinary course and trade and indicated an extraordinary circumstance that warrants a PMS adjustment.<sup>7</sup> The CIT sustained Commerce's final remand redetermination.<sup>8</sup>

#### Timken Notice

In its decision in *Timken*,<sup>9</sup> as clarified by *Diamond Sawblades*,<sup>10</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 February 4, 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>4</sup> See *Saha Thai Steel Pipe Public Co., Ltd., v. United States*, 605 F. Supp. 3d 1348 (CIT 2022) (*Remand Order*).

<sup>5</sup> *Id.*

<sup>6</sup> See *Final Results of Redetermination Pursuant to Court Remand, Saha Thai Steel Pipe Public Co., Ltd., v. United States*, 605 F. Supp. 3d 1348 (CIT 2022), dated July 31, 2025 (*Final Remand*).

<sup>7</sup> See *Final Remand*.

<sup>8</sup> See *Saha Thai Steel Pipe Public Company Limited v. United States*, Ct. No. 21-00049, Slip Op. 26-9 (CIT February 4, 2026).

<sup>9</sup> See *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).

<sup>10</sup> See *Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

<sup>3</sup> See Petitioners' Letter, "Petitioners' Request for Postponement of Preliminary Determination," dated February 10, 2026.

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