

company excluded from a CVD order, the burden is on the company to request a CCR pursuant to section 751 of the Act in these circumstances. Additionally, we are providing notice that importers must identify merchandise produced and/or exported by the restructured company as subject to CVDs (e.g., type 03) as of the date on which the changed circumstances subject to the request occurred. For further discussion, see the Issues and Decision Memorandum at Comment 1.

#### Administrative Protective Order (APO)

This notice also serves as a final reminder to parties subject to an APO of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. 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

We are issuing and publishing these final results of a CCR and notice in accordance with sections 751(b)(1) and 777(i)(1) and (2) of the Act, and 19 CFR 351.216(e), 351.221(b), and 351.221(c)(3).

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.*

#### Appendix

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

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Issues
  - Comment 1: Whether Commerce Should Set an Effective Date to Collect Cash Deposits and Assign a Cash Deposit Rate for Subject Merchandise Produced by Dongkuk CM
  - Comment 2: Whether Commerce Articulated a Clear Standard of Analysis for SII Determinations for Companies Previously Excluded from a CVD Order
  - Comment 3: Whether the Preliminary Results Are Supported by Substantial Evidence
  - Comment 4: Whether Commerce Applied the Correct Standard for a CCR

(September 15, 2009), unchanged in *Certain Pasta from Turkey: Final Results of Countervailing Duty Changed Circumstances Review*, 74 FR 54022 (October 21, 2009)).

#### V. Recommendation

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[C–570–054]

#### Certain Aluminum Foil From the People's Republic of China: Final Results of Countervailing Duty Administrative Review; 2023

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

**SUMMARY:** The U.S. Department of Commerce (Commerce) determines that countervailable subsidies were provided to certain exporters/producers of certain aluminum foil (aluminum foil) from the People's Republic of China (China) during the period of review (POR) January 1, 2023, through December 31, 2023.

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

**FOR FURTHER INFORMATION CONTACT:** Natasia Byrd, 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) 482–1240.

#### SUPPLEMENTARY INFORMATION:

##### Background

On August 8, 2025, Commerce published the *Preliminary Results* of this administrative review in the **Federal Register** and invited comments from interested parties.<sup>1</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>2</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>3</sup> Accordingly, the

<sup>1</sup> See *Certain Aluminum Foil from the People's Republic of China: Preliminary Results and Rescission, in Part, of Countervailing Duty Administrative Review; 2023*, 90 FR 38442 (August 8, 2025) (*Preliminary Results*), and accompanying Preliminary Decision Memorandum.

<sup>2</sup> See Memorandum, "Deadlines Affected by the Shutdown of the Federal Government," dated November 14, 2025.

<sup>3</sup> See Memorandum, "Tolling of all Case Deadlines," dated November 24, 2025.

deadline for these final results is now February 12, 2026.

For a complete description of the events that occurred since the *Preliminary Results*, see the Issues and Decision Memorandum.<sup>4</sup> The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed directly at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Scope of the Order<sup>5</sup>

The product covered by the scope of the *Order* is aluminum foil from China. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.

#### Analysis of Comments Received

All issues raised by the interested parties in their case and rebuttal briefs are addressed in the Issues and Decision Memorandum. A list of topics discussed in the Issues and Decision Memorandum is provided in Appendix I to this notice.

#### Changes Since the Preliminary Results

Based on our analysis of comments from interested parties and the evidence on the record, we made certain changes from the *Preliminary Results* to the countervailable subsidy calculations for Jiangsu Zhongji Lamination Materials Co., Ltd. (Zhongji). As a result, we have also revised the rate applicable to companies not selected for individual review. In addition, we have made certain changes to the selection methodology of the adverse facts available (AFA) rates used in the *Preliminary Results*. For a discussion of these changes, see the Issues and Decision Memorandum.

<sup>4</sup> See Memorandum, "Issues and Decision Memorandum for the Final Results of the Countervailing Duty Administrative Review of Certain Aluminum Foil from the People's Republic of China; 2023," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<sup>5</sup> See *Certain Aluminum Foil from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83 FR 17360 (April 19, 2018); see also *Certain Aluminum Foil from the People's Republic of China: Notice of Court Decision Not in Harmony With the Amended Final Determination in the Countervailing Duty Investigation, and Notice of Amended Final Determination and Amended Countervailing Duty Order*, 85 FR 47730 (August 6, 2020) (collectively, *Order*).

**Methodology**

Commerce conducted this administrative review in accordance with section 751(a)(1)(A) of the Tariff Act of 1930, as amended (the Act). For each of the subsidy programs found to be countervailable, we find that there is a subsidy, *i.e.*, a government-provided financial contribution that gives rise to a benefit to the recipient, and that the subsidy is specific.<sup>6</sup> For a complete description of the methodology underlying all of Commerce’s conclusions, including our reliance, in part, on facts otherwise available, including adverse facts available, pursuant to sections 776(a) and (b) of the Act, *see* the Issues and Decision Memorandum.

**Companies Not Selected for Individual Review**

The statute and Commerce’s regulations do not directly address the establishment of rates to be applied to companies not selected for individual examination where Commerce limits its examination in an administrative review pursuant to section 777A(e)(2) of the Act. However, Commerce normally determines the rates for non-selected companies in reviews in a manner that is consistent with section 705(c)(5) of the Act, which provides the basis for calculating the all-others rate in an investigation. Section 705(c)(5)(A)(i) of the Act instructs Commerce, as a general

rule, to calculate an all-others rate equal to the weighted average of the countervailable subsidy rates established for exporters and/or producers individually examined, excluding any rates that are zero, *de minimis*, or based entirely on facts available.

There are 14 companies for which a review was requested and not rescinded, and which were not selected as mandatory respondents or found to be cross-owned with a mandatory respondent. In this review, the only rate that is not zero, *de minimis*, or based entirely on facts otherwise available is the rate calculated for Zhongji. Consequently, the rate calculated for Zhongji is also assigned as the rate for the companies under review that were not selected for individual examination.

**Rate for Non-Responsive Company**

As explained in the *Preliminary Results*, Shanghai Shenyan Packaging Materials Co., Ltd. (Shenyan) was selected as a mandatory respondent in this review; however, Shenyan elected not to participate in this review and did not respond to Commerce’s countervailing duty (CVD) questionnaire. We continue to find that by not responding to Commerce’s request for information, Shenyan withheld requested information and significantly impeded this proceeding. Thus, in reaching our final results,

pursuant to sections 776(a)(2)(A) and (C) of the Act, we continue to base the CVD subsidy rates for this non-responsive company on facts otherwise available.

Further, we continue to determine that an adverse inference is warranted, pursuant to section 776(b) of the Act. By failing to submit a response to Commerce’s CVD questionnaire, Shenyan failed to cooperate by not acting to the best of its ability to comply with a request for information in this review. Accordingly, we continue to find that an adverse inference is warranted to ensure that the non-responsive company will not obtain a more favorable result than if it had fully complied with Commerce’s request for information. Commerce did not make any changes to its determination to rely on facts otherwise available with adverse inferences from the *Preliminary Results* for Shenyan. However, Commerce has made certain revisions to the total AFA rate applicable to Shenyan since the *Preliminary Results*. For a discussion of these changes, *see* “Use of Facts Otherwise Available and Adverse Inferences” in the Issues and Decision Memorandum.

**Final Results of Review**

We determine the following net countervailable subsidy rates exist for the period January 1, 2023, through December 31, 2023:

Company	Subsidy rate <sup>7</sup> (percent <i>ad valorem</i> )
Jiangsu Zhongji Lamination Materials Co., Ltd. (f/k/a Jiangsu Zhongji Lamination Materials Stock Co., Ltd.) <sup>8</sup> .....	22.10
Shanghai Shenyan Packaging Materials Co., Ltd .....	120.81
Non-Selected Companies Under Review <sup>9</sup> .....	24.02

**Disclosure**

Commerce intends to disclose its calculations and analysis performed to interested parties 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 this notice in accordance with 19 CFR 351.224(b).

**Assessment Requirements**

In accordance with 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. We intend to issue assessment instructions to CBP no earlier than 35 days after the date of publication of these final results of 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 Requirements**

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 of

<sup>6</sup> *See* sections 771(5)(B) and (D) of the Act regarding financial contribution; section 771(5)(E) of the Act regarding benefit; and section 771(5A) of the Act regarding specificity.

<sup>7</sup> Zhongji’s net countervailable *ad valorem* subsidy rate reflects Zhongji’s rate after an entered value adjustment (EVA). The non-selected company rate reflects Zhongji’s *ad valorem* net countervailable subsidy rate without the EVA.

<sup>8</sup> As discussed in the *Preliminary Results*, Commerce finds the following companies to be to be cross-owned with Zhongji: (1) Jiangsu Huafeng Aluminium Industry Co., Ltd. (Jiangsu Huafeng), (2) Shantou Wanshun New Material Group Co., Ltd. (f/k/a Shantou Wanshun Package Material Stock Co., Ltd.), (3) Anhui Zhongji Battery Foil Sci&Tech Co., Ltd. (AKA Anhui Zhongji Battery Foil Science & Technology Co., Ltd.) (f/k/a Anhui Maximum Aluminium Industries Company Limited), (4)

Sichuan Wanshun Zhongji Aluminium Industry Co., Ltd., and (5) Anhui Maximum Aluminum Co., Ltd. Furthermore, Commerce finds that Zhongji wholly owns trading company Jiangsu Zhongji Lamination Materials Co., (HK) Limited. Zhongji’s trading company and cross-owned affiliates were listed separately in the *Initiation Notice*.

<sup>9</sup> *See* Appendix II for a list of the non-selected companies under review.

the respective companies listed 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. For all non-reviewed firms subject to the *Order*, we will instruct CBP to continue to collect cash deposits of estimated countervailing duties at the all-others rate or the most recent company-specific 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 reminder to parties subject to an APO of their responsibility concerning the destruction 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

We are issuing and publishing these final results in accordance with sections 751(a)(1) and 777(i)(1) of the Act, and 19 CFR 351.221(b)(5).

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.*

### Appendix I

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

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Non-Selected Companies Under Review
- V. Subsidies Valuation
- VI. Use of Facts Otherwise Available and Application of Adverse Inferences
- VII. Analysis of Programs
- VIII. Discussion of the Issues
  - Comment 1: Whether Commerce Should Include Warehouse Storage Fees in the Benchmark for the Government Provision of Primary Aluminum for Less Than Adequate Remuneration (LTAR)
  - Comment 2: Whether Commerce Should Adjust the Benchmark for the Government Provision of Aluminum Plate and/or Sheet and Strip for LTAR
- IX. Recommendation

### Appendix II

#### Non-Selected Companies Under Review

1. Dingheng New Materials Co., Ltd.
2. Dingsheng Aluminium Industries (Hong

- Kong) Trading Co., Ltd.
3. Hangzhou DingCheng Aluminum Co., Ltd.
4. Hangzhou Dingsheng Import & Export Co., Ltd.
5. Hangzhou Dingsheng Industrial Group Co. Ltd.
6. Hangzhou Five Star Aluminium Co., Ltd.
7. Hangzhou Teemful Aluminium Co., Ltd.
8. Inner Mongolia Liansheng New Energy Material Co., Ltd.
9. Inner Mongolia Liansheng New Energy Material Joint-Stock Co., Ltd.
10. Inner Mongolia Xinxing New Energy Material Co., Ltd.
11. Inner Mongolia Xinxing New Material Co., Ltd.
12. Jiangsu Dingsheng New Materials Joint-Stock Co., Ltd.;
13. Thai Ding Li New Materials Co., Ltd.
14. Walson (HK) Trading Co., Limited.

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-201-820]

#### Fresh Tomatoes From Mexico: Final Clarification of the Scope of the Antidumping Duty Order

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

**SUMMARY:** On December 22, 2025, the U.S. Department of Commerce (Commerce) issued a proposed clarification of the scope of the antidumping duty (AD) order on fresh tomatoes from Mexico. Based on comments from interested parties, Commerce has further clarified the scope of this order.

**DATES:** Applicable July 14, 2025.

**FOR FURTHER INFORMATION CONTACT:** Thomas Schauer, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-0410.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 351.225 of Commerce's regulations governs Commerce's scope rulings. Commerce may clarify the scope of an order in accordance with 19 CFR 351.225(q). On December 22, 2025, Commerce issued the Proposed Scope Clarification<sup>1</sup> to provide notice that it intends to clarify the scope of the *Order* by adding certain certification requirements for fresh tomatoes imported for processing and expressly

excluded from the scope of the *Order*.<sup>2</sup> Interested parties were invited to comment on the intended clarification.

#### Comments on the Proposed Scope Clarification

Commerce received comments from the Florida Tomato Exchange (FTE) and a rebuttal submission from the Fresh Produce Association of the Americas (FPAA). No other parties commented on the Proposed Scope Clarification.

##### FTE's Comments

- Commerce should refine its proposed language because it is susceptible to more than one interpretation, and Commerce should include an additional certification requirement because the proposed U.S. Department of Agriculture (USDA) form is inadequate to fulfill the purpose of the proposed change.

- Consistent with the requirements of the 2019 suspension agreement, Commerce should require an additional certification specific to this proceeding that remedies the deficiencies of USDA Form SC-6.

##### FPAA's Rebuttal

- FPAA concurs with the petitioner's proposed changes to Commerce's proposed clarifying language regarding tomatoes for processing.

- To the extent that Commerce is modifying the scope definition to clarify the need for a Form SC-6 to be submitted, Commerce should also coordinate and work with U.S. Customs and Border Protection (CBP) to ensure that CBP's Automated Customs Environment (ACE) system is also modified so that importers will have a way to comply with the additional scope requirements for imports of tomatoes for processing to also declare that they have an accompanying Form SC-6.

#### Final Scope Clarification

Commerce agrees with the petitioner and FPAA that there is ambiguity in the Proposed Scope Clarification and is adopting the petitioner's suggested changes. The Proposed Scope Clarification is intended to insert the certification requirements for entries of fresh tomatoes imported into the United States for processing and expressly excluded from the scope of the *Order*. This clarification is not intended to change the scope of the fresh tomatoes either covered by the *Order* or excluded

<sup>1</sup> See Memorandum, "Intent to Clarify Scope of the Order," dated December 22, 2025 (Proposed Scope Clarification).

<sup>2</sup> See *Fresh Tomatoes from Mexico: Termination of Suspension Agreement, Rescission of Administrative Reviews, and Imposition of an Antidumping Duty Order*, 90 FR 33363, (July 17, 2025) (*Order*).