



**U.S. Customs and
Border Protection**

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Re: Notice of Initiation of Investigation and Interim Measures - EAPA Cons. Case 7890

To the Counsel and Representatives of the Above-Referenced Entities:

This letter is to inform you that U.S. Customs and Border Protection (CBP) has commenced a formal investigation of Amek Aluminum & Stainless, Inc. (Amek); Centric Pipe LLC (Centric); Copley International Group Co Ltd (Copley); Energy Pipe & Equipment Rentals LLC (Energy Pipe); Kana Energy Services Inc. (Kana); LE Commodities, LLC (LE Commodities); Lixin Energy Group (HK) Co., Limited (Lixin Energy); Longfellow Energy, LP (Longfellow); Trek Metals Inc. (Trek Metals); and TSPGA LLC (TSPGA) (collectively, the Importers) under Title IV, Section 421 of the Trade Facilitation and Trade Enforcement Act of 2015, commonly referred to as the Enforce and Protect Act (EAPA). CBP is investigating whether the Importers evaded antidumping duty (AD) and countervailing duty (CVD) orders A-570-944 and C-570-943 on oil country tubular goods (OCTG) from the People's Republic of China (China) when importing OCTG into the United States.¹ CBP has imposed interim measures because there is reasonable suspicion that the Importers entered merchandise covered by the AD/CVD orders into the customs territory of the United States through evasion.²

Period of Investigation

Pursuant to 19 C.F.R. § 165.2, entries covered by an EAPA investigation are those “entries of allegedly covered merchandise made within one year before the receipt of an allegation....” Entry is defined as “the entry, or withdrawal from warehouse for consumption, of merchandise in the customs territory of the United States.”³ CBP acknowledged receipt of the properly filed allegations against the Importers on February 1, 2024.⁴ The entries covered by this investigation are those entered for consumption, or withdrawn from warehouse for consumption, from February 1, 2023, through the pendency of this investigation.⁵

¹ See *Certain Oil Country Tubular Goods from the People's Republic of China: Final Affirmative Countervailing Duty Determination, Final Negative Critical Circumstances Determination*, 74 FR 64045 (December 7, 2009), as amended in *Certain Oil Country Tubular Goods from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 75 FR 3203 (January 20, 2010); see also *Certain Oil Country Tubular Goods from the People's Republic of China: Final Determination of Sales at Less Than Fair Value, Affirmative Final Determination of Critical Circumstances and Final Determination of Targeted Dumping*, 75 FR 20335 (April 19, 2010), as amended in *Certain Oil Country Tubular Goods from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 75 FR 28551 (May 21, 2010) (AD/CVD orders).

² See 19 U.S.C. § 1517(e); see also 19 C.F.R. § 165.24.

³ See 19 U.S.C. § 1517(a)(4); see also 19 C.F.R. § 165.2.

⁴ See Email from CBP, “EAPA 7890 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Centric Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7891 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (LE Commodities Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7892 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Amek Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7893 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (TSPGA Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7894 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Energy Pipe Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7895 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Kana Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7896 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Longfellow Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7897 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Lixin Energy Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7898 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Trek Metals Official Receipt); see also Email from CBP, “Email from CBP, “EAPA 7954 – Official Receipt of Properly Filed Allegation,” dated November 9, 2023 (Copley Official Receipt).

⁵ See 19 C.F.R. § 165.2.

Initiation

CBP will initiate an investigation if it determines that “{t}he information provided in the allegation...reasonably suggests that the covered merchandise has been entered for consumption into the customs territory of the United States through evasion.”⁶ Evasion is defined as “the entry of covered merchandise into the customs territory of the United States for consumption by means of any document or electronically transmitted data or information, written or oral statement, or act that is material and false, or any omission that is material, and that results in any cash deposit or other security or any amount of applicable antidumping or countervailing duties being reduced or not being applied with respect to the covered merchandise.”⁷ Thus, the allegation must reasonably suggest not only that merchandise covered by an AD and/or CVD order was entered into the customs territory of the United States by the importer alleged to be evading, but also that such entry was made with a material false statement or act, or material omission, that resulted in the reduction or avoidance of applicable AD and/or CVD cash deposits or other security.

The allegations claim that the Importers are entering OCTG that was transshipped through two companies in Thailand, Petroleum Equipment (Thailand) Co., Ltd. (PET) and Thai Oil Pipe Co., Ltd. (TOP).⁸

Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, Trek Metals, and TOP (Exporter)

TOP was registered in Thailand in 2012 and is reportedly fully owned by a Chinese investor.⁹ Online evidence indicates TOP may be affiliated with a company in China named Jiangsu Top Steel Co., Ltd. (Jiangsu Top Steel).¹⁰ Jiangsu Top Steel’s website denotes it is “the exclusive sales company in overseas market{s} for several factories within our group in different countries (China, Thailand, America)” and “can supply all kinds of steel pipes from several {of} our factories, such as Line Pipe, OCTG....”¹¹ Jiangsu Top Steel’s website contains a list of its three

⁶ See 19 C.F.R. § 165.15(b).

⁷ See 19 C.F.R. § 165.1.

⁸ See Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Centric Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (LE Commodities Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (TSPGA Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Energy Pipe Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Kana Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Longfellow Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Lixin Energy Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated January 18, 2024 (Trek Metals Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated February 1, 2024 (Amek Allegation); see also Letter from the Alleger, “Oil Country Tubular Goods from China: Request for an Investigation under the Enforce and Protect Act,” dated February 1, 2024 (Copley Allegation) (Collectively, the Allegations). The Alleger, U.S. OCTG Manufacturers Association, is a trade association, all of whose members produce OCTG in the United States and, as such, has standing to submit the Allegations pursuant to 19 U.S.C. § 1517(a)(6)(A)(iv), 19 C.F.R. § 165.1(5), and 19 C.F.R. § 165.11(a); see Centric Allegation at Exhibit 10.

⁹ See Energy Pipe Allegation at Exhibits 5 and 9.

¹⁰ *Id.* at Exhibit 6, page 9, 22-23, 25.

¹¹ *Id.* at Exhibit 6, pages 6.

factories, one of which is TOP.¹² TOP's company name, Thai address, and contact email address are contained in this factory list.¹³ Elsewhere on its website, Jiangsu Top Steel describes TOP as an OCTG manufacturer in Thailand's Amata City Industrial Zone and elaborates on TOP's management team and purported production capacity.¹⁴

Jiangsu Top Steel's factory list denotes another OCTG producer in Jiangyin City, China named Jiangyin Long Bright Drill Pipe Manufacturing Co., Ltd. (Long Bright).¹⁵ Jiangsu Top Steel's website states that Long Bright "is a leading manufacturer for all kinds of OCTG production in China" and is "equipped with the most advanced facilities in the world{.}"¹⁶ Jiangsu Top Steel further notes that Long Bright has exported its products to Southeast Asia, North America, and other places.¹⁷ The fact that Jiangsu Top Steel lists Long Bright and TOP among its factories and elaborates on their respective operations suggests that they are affiliated companies. Jiangsu Top Steel and Long Bright also represent TOP's potential sources for Chinese-origin OCTG. Correspondingly, Long Bright has exported its products to Southeast Asia, which is where TOP is located.

[SOURCE] shipment data lists TOP as the shipper of numerous shipments of OCTG from Thailand to the United States.¹⁸ The Alleger calculated TOP's quantities of OCTG exported to the United States using figures derived from this shipment data.¹⁹ The Alleger stated that TOP exported a relatively small amount of OCTG to the United States, 3,050 metric tons (mt) or less each year, from 2013 to 2021.²⁰ PET's exports of OCTG to the United States then drastically increased to 23,155 mt in 2022 and to 57,507 mt in the first 10 months of 2023.²¹

The Alleger provided signed declarations [ENTITY] that cast doubt on whether TOP actually produced all the OCTG in these exports.²² Both declarations [

SITUATION DESCRIPTION

] ²³ In one of these declarations:

[ENTITY] TOP was exporting approximately 50,000 metric tons of OCTG to the United States in 2022, but TOP's capacity on its single rolling line is only 20,000 to 30,000 metric tons of green pipe per year. [ENTITIES] TOP was able to export more product than it has the capacity to produce, [ENTITY AND SITUATION DESCRIPTION] Thai companies transship Chinese product to the United States as a product of Thailand, [DESCRIPTION] TOP follows the same practice.²⁴

In other words, the 57,507 mt of OCTG that TOP exported to the United States in the first 10 months of 2023 could not have all originated from TOP's facility because it only has a

¹² *Id.* at Exhibit 6, pages 22-23, 25.

¹³ *Id.*

¹⁴ *Id.* at Exhibit 6, page 9.

¹⁵ *Id.* at Exhibit 6, page 10. Screenshots from Long Bright's website are also contained in Exhibit 7 of this Allegation.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.* at Exhibit 4.

¹⁹ *Id.*

²⁰ *Id.* at 8-9 and Exhibit 4.

²¹ *Id.*

²² *Id.* at Exhibit 9.

²³ *Id.* at Exhibits 9-10.

²⁴ *Id.* With respect to the first sentence of this paragraph, [SOURCE] shipment data indicates that TOP exported more than 50,000 mt of OCTG to the United States in 2023 rather than in 2022.

production capacity of up to 30,000 mt of OCTG per year.²⁵ The facts that TOP purportedly has Chinese ownership, is affiliated with two Chinese OCTG suppliers, and exports more than it produces reasonably suggest that TOP sourced the approximate 27,507 mt difference from China.²⁶ In this context, TOP exported OCTG in 2023 to Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, and Trek Metals.²⁷

A business information website indicates that Copley was registered in Hong Kong, China in 2014.²⁸ Copley's full company name, Copley International Group Co Ltd., may indicate that it belongs to a group of affiliated companies.²⁹ Information in the [SOURCE] shipment data's "Goods Shipped" column appears to indicate that Copley served as the notify party for two Optima Steel International LLC's (Optima) shipments.³⁰ Although Copley has a Chinese address, [SOURCE] shipment data indicates it imported several shipments from TOP into the United States since the start of the period of investigation (POI), which began February 1, 2023.³¹ Some of the merchandise in these shipments is described as "tubing" or "seamless tubing for OCTG" and classified under harmonized tariff schedule of the United States (HTSUS) 7304.29.³² Correspondingly, the AD/CVD orders indicate that OCTG "includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded" and list 38 HTSUS numbers beginning with 7304.29.³³ As such, some of Copley's shipments from TOP appear to contain OCTG.

Energy Pipe's website denotes that it is based in Louisiana and Texas.³⁴ Its website also states it is a "leading independent provider of tubular products" and lists various kinds of tubing and casing among the products it provides.³⁵ [SOURCE] shipment data indicates that Energy Pipe imported several shipments from TOP since February 2023.³⁶ Some of the merchandise in these shipments is described as "tubing" and classified under HTSUS number 7304.29.³⁷ Correspondingly, the AD/CVD orders state that OCTG includes "tubing" and list 38 HTSUS numbers beginning with 7304.29.³⁸ As such, some of Energy Pipe's shipments from TOP appear to contain OCTG.

Kana's website denotes that it is based in Texas and has offices in Canada and China as well.³⁹ Its website states it is a "well-integrated oilfield equipment manufacturer/supplier in the Oil and Gas Industry."⁴⁰ Kana's website lists Global Oilfield Equipment Co LLC dba GOEC as one of its locations, which may indicate that they are affiliated companies.⁴¹ [SOURCE] shipment data indicates that Kana imported several shipments from TOP since February 2023.⁴² Some of

²⁵ *Id.* at 8-9 and Exhibits 4, 9.

²⁶ 57,507 – 30,000 = 27,507 mt of OCTG

²⁷ *Id.* at Exhibit 4.

²⁸ *See* Copley Allegation at Exhibit 12.

²⁹ *Id.*

³⁰ *Id.* at Exhibit 4, page 5.

³¹ *Id.* at Exhibit 4.

³² *Id.*

³³ *Id.* at Exhibit 1; *see also* AD/CVD orders.

³⁴ *See* Energy Pipe Allegation at Exhibit 12.

³⁵ *Id.*

³⁶ *Id.* at Exhibit 4.

³⁷ *Id.*

³⁸ *Id.* at Exhibit 1; *see also* AD/CVD orders.

³⁹ *See* Kana Allegation at Exhibit 12.

⁴⁰ *Id.*

⁴¹ *Id.* at Exhibits 12-13.

⁴² *Id.* at Exhibit 4.

the merchandise in these shipments is described as “tubing” or “casing” and classified under HTSUS 7304.29.⁴³ Correspondingly, the AD/CVD orders state that OCTG includes “tubing” and “oil well casing” and list 38 HTSUS numbers beginning with 7304.29.⁴⁴ As such, some of Kana’s shipments from TOP appear to contain OCTG.

A business information website indicates that Lixin Energy was registered in Hong Kong, China in 2018.⁴⁵ Lixin Energy’s full company name, “Lixin Energy Group (HK) Co., Limited,” may indicate that it belongs to a group of affiliated companies.⁴⁶ Information in the [SOURCE] shipment data’s “Goods Shipped” column appears to indicate that Lixin Energy served as the notify party for some of Optima’s shipments.⁴⁷ Optima’s website indicates it is a steel and aluminum product supplier headquartered in California.⁴⁸ Although Lixin Energy has a Chinese address, [SOURCE] shipment data indicates it imported several shipments from TOP into the United States since February 2023.⁴⁹ Some of the merchandise in these shipments is described as “tubing” or “seamless tubing for OCTG” and classified under HTSUS 7304.29.⁵⁰ Correspondingly, the AD/CVD orders indicate that OCTG “includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded” and list 38 HTSUS numbers beginning with 7304.29.⁵¹ As such, some of Lixin Energy’s shipments from TOP appear to contain OCTG.

Longfellow’s website states that it is an “oil and natural gas exploration and production company” headquartered in Texas.⁵² [SOURCE] shipment data indicates that Longfellow imported a few shipments from TOP since February 2023.⁵³ The merchandise in one of these shipments was described as “casing;” however, its HTSUS field was blank.⁵⁴ Another shipment described its merchandise as “XCOVER 7” BOX X 5 ½” PIN L80 TOP-HT 3FT HS CODE 7304 29. 10 {sic}” and listed 7304.29.10 in its HTSUS field.⁵⁵ The AD/CVD orders state that OCTG includes “casing” and list seven HTSUS numbers beginning with 7304.29.10.⁵⁶ As such, some of Longfellow’s shipments from TOP appear to contain OCTG.

Trek Metals’ website indicates it is a supplier of “quality metals products” and “steel products” based in Texas, with other offices in Mexico, Turkey, and China.⁵⁷ [SOURCE] shipment data indicates Trek Metals imported several shipments from TOP into the United States since February 2023.⁵⁸ Some of the merchandise in these shipments is described as “tubing” and classified under HTSUS 7304.29.⁵⁹ Correspondingly, the AD/CVD orders indicate that OCTG

⁴³ *Id.*

⁴⁴ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁴⁵ *See* Lixin Energy Allegation at Exhibit 13.

⁴⁶ *Id.*

⁴⁷ *Id.* at Exhibit 4, pages 2, 4.

⁴⁸ *Id.* at Exhibit 12.

⁴⁹ *Id.* at Exhibit 4.

⁵⁰ *Id.*

⁵¹ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁵² *See* Longfellow Allegation at Exhibit 12.

⁵³ *Id.* at Exhibit 4.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁵⁷ *See* Trek Metals Allegation at Exhibit 12.

⁵⁸ *Id.* at Exhibit 4.

⁵⁹ *Id.*

includes “tubing” and list 38 HTSUS numbers beginning with 7304.29.⁶⁰ As such, some of Trek Metals’ shipments from TOP appear to contain OCTG.

Centric, Amek, LE Commodities, TSPGA, and PET (Exporter)

A business information website indicates that PET was registered in Thailand in 2012 and is owned by three Chinese nationals.⁶¹ PET’s company website claims it is a manufacturer of OCTG in Thailand’s Amata City Rayong Industrial Zone.⁶² [SOURCE] shipment data lists PET as the shipper of numerous shipments of OCTG from Thailand to the United States.⁶³ The Alleger calculated PET’s quantities of OCTG exported to the United States using figures derived from this shipment data.⁶⁴ The Alleger stated that PET exported a relatively small amount of OCTG to the United States in 2020 and 2021, 175 mt and 542 mt, respectively.⁶⁵ PET’s exports of OCTG to the United States then drastically increased to 17,280 mt in 2022 and to 61,117 mt in the first 10 months of 2023.⁶⁶

Although PET’s 2023 export volume appears to indicate that it produces substantial quantities of OCTG, information in the Alleger’s declarations cast doubt on that assumption. While [DESCRIPTOR AND ENTITY]:

[ENTITY] PET does not have a production line in place at its facility; and that while it has brought in some equipment, much of that remains on the ground, unassembled and uninstalled, with PET’s actual operations have been {sic} limited to some coated and remarking functions. [ENTITY AND DESCRIPTOR] PET does not sell into the Thai market but only sales {sic} export sales, mainly to the United States.⁶⁷

The declarant further noted:

[EVENT DESCRIPTION].⁶⁸

The other declarant [SITUATION DESCRIPTION]:

[DATE AND ACTIVITY] Petroleum Equipment Thailand (“PET”), which is also located in the Rayong industrial zone approximately 130 km from Bangkok in Thailand. [LOCATION] no movement in or out of the facility and no employees [DESCRIPTION]. PET’s facility [DESCRIPTION] closed with no operations occurring.⁶⁹

⁶⁰ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁶¹ *See* Centric Allegation at Exhibit 6, pages 1, 7.

⁶² *Id.* at Exhibit 5, pages 2, 5.

⁶³ *Id.* at Exhibit 4. With reference to Amek, [SOURCE] shipment data listed Nexgen Metals Inc. rather than Nexgen Metal Inc’s dba name, Amek.

⁶⁴ *Id.*

⁶⁵ *Id.* at 8-9 and Exhibit 4.

⁶⁶ *Id.*

⁶⁷ *Id.* at Exhibit 8, page 3.

⁶⁸ *Id.* at Exhibit 8, page 4.

⁶⁹ *Id.* at Exhibit 8, page 2.

On its website, PET claims it “is certified by the American Petroleum Institute (API) to monogram products” and that its API license expires August 5, 2025.⁷⁰ API’s website corroborates that PET received an API license on August 5, 2022, and that it was scheduled to expire on August 5, 2025.⁷¹ However, API’s website denotes that before PET’s license could expire, it was instead deactivated on February 1, 2023.⁷² Neither API’s nor PET’s website indicates why PET’s API license was deactivated two and a half years before it was scheduled to expire; however, one of the Allegations’ declarations states:

[ENTITY] PET was able to obtain a certification from the American Petroleum Institute (“API”) to produce OCTG during the pandemic when certification visits were limited to video conference calls. PET then voluntarily deactivated its license in February 2023 when API certifiers tried to perform an actual site visit as part of an annual audit of the certification. [ENTITY] three months after its API license was deactivated, PET was visited by officials from Thai customs and was ordered to close operations, but that PET continued to export OCTG to the United States.⁷³

The Alleger points out that although PET appeared to have no operations and its API license was deactivated in February 2023, PET still exported large quantities of OCTG to the United States in 2023.⁷⁴ PET’s Chinese ownership, apparent lack of operations, and [ENTITY AND PROCEDURE DESCRIPTION] Thai companies transship Chinese product to the United States as a product of Thailand” together suggest that PET is transshipping Chinese-origin OCTG to the United States.⁷⁵ In this context, PET exported OCTG to Centric, Amek, LE Commodities, and TSPGA in 2023.⁷⁶

PET’s website mentions its business relationship with Centric and includes the following paragraph with details about Centric’s business practices:⁷⁷

Centric Pipe products produced by PET are manufactured to Centric’s strict guidelines and precise specifications that exceed typical API 5CT requirements. PET’s Full-Body Ultra-Sonic and Electro-Magnetic Inspection’s (EMI), guarantee a defect free Seamless pipe. Centric Pipe will perform random inspections such as a Full-Body Ultra-Sonic inspection on PET’s incoming inventory to confirm their product is meeting Centric’s strict manufacturing and quality standards. For proprietary grades such as High Collapse, IP High Collapse, and Restricted Yield, samples for such testing will be conducted by Centric Pipe to confirm the PET products are meeting proprietary and API grade requirements.⁷⁸

The fact that PET’s website describes Centric’s business practices in some depth may indicate that PET and Centric are affiliated companies. The website of an OCTG distributor in Texas

⁷⁰ *Id.* at Exhibit 5, pages 2, 5. This refers to the API license pertaining to OCTG and rather than to its API license pertaining to line pipe.

⁷¹ *Id.* at Exhibit 7, page 1.

⁷² *Id.*

⁷³ *Id.* at Exhibit 8, page 3.

⁷⁴ *Id.* at 11.

⁷⁵ *Id.* at Exhibit 8, page 3.

⁷⁶ *See* Allegations at Exhibit 4.

⁷⁷ *See* Centric Allegation at Exhibit 5, page 6.

⁷⁸ *Id.*

named SB International, Inc. also states that Centric is its subsidiary.⁷⁹ Centric’s website does not mention PET but denotes that Centric is located in Texas and “is an API Certified manufacturer and supplier of OCTG and Line Pipe.”⁸⁰ [SOURCE] shipment data indicates that Centric imported several shipments from PET since February 2023.⁸¹ Some of the merchandise in these shipments is described as “seamless steel casing” or “seamless steel tubing” and classified under HTSUS 7304.29.⁸² Correspondingly, the AD/CVD orders state that OCTG “includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded” and list 38 HTSUS numbers beginning with 7304.29.⁸³ As such, some of Centric’s shipments from PET appear to contain OCTG.

Several websites indicate that Amek is based in California, “specializes in Metals Service Centers And Offices,” and its full company name has several variations, such as AMEK Aluminum & Stainless, Inc.; Amek Aluminum Stainless Inc.; and Amek A&S Inc.⁸⁴ A U.S. Department of Transportation website indicates that Amek is a dba name for Nexgen Metals, Inc. (Nexgen Metals).⁸⁵ Correspondingly, [SOURCE] shipment data lists Amek as the “Notify Party” on several Nexgen Metals import shipments during 2023-2024.⁸⁶ [SOURCE] shipment data indicates that Nexgen Metals also imported several other shipments from PET since February 2023.⁸⁷ Some of the merchandise in these shipments is described as “new prime seamless OCTG tubing” classified under HTSUS 7304.39.⁸⁸ The AD/CVD orders list 14 HTSUS numbers beginning with 7304.39 and state that OCTG “includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded{.}”⁸⁹ As such, some of these shipments from PET appear to contain OCTG.

LE Commodities’ website denotes that it is based in California and has offices in Brazil and Taiwan.⁹⁰ Its website also indicates that it provides customers with “a full range of products,” including pipe and tube sourced from a network of steel mills in Taiwan, China, Thailand, and elsewhere.⁹¹ [SOURCE] shipment data indicates that LE Commodities imported several shipments from PET since February 2023.⁹² Some of the merchandise in these shipments is described as “seamless casing...” or “seamless tubing” classified under HTSUS 7304.29 and some is described as “seamless casing with lacquer coating” classified under HTSUS 7304.31.⁹³ Although the AD/CVD orders for OCTG do not list HTSUS numbers beginning with 7304.31, they do list 38 HTSUS numbers beginning with 7304.29 and indicate that OCTG “includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded, regardless of end finish{.}”⁹⁴ As such, some of LE Commodities’ shipments from PET appear to contain OCTG.

⁷⁹ *Id.* at Exhibit 12.

⁸⁰ *Id.* at Exhibit 11.

⁸¹ *Id.* at Exhibit 4.

⁸² *Id.*

⁸³ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁸⁴ *See* Amek Allegation at Exhibits 14-16.

⁸⁵ *Id.* at Exhibit 11.

⁸⁶ *Id.* at Exhibit 16.

⁸⁷ *Id.* at Exhibit 4.

⁸⁸ *Id.*

⁸⁹ *Id.* at Exhibit 1; *see also* AD/CVD orders.

⁹⁰ *See* LE Commodities Allegation at Exhibit 11.

⁹¹ *Id.*

⁹² *Id.* at Exhibit 4.

⁹³ *Id.*

⁹⁴ *Id.* at Exhibit 1; *see also* AD/CVD orders.

TSPGA’s certificate of formation denotes that it is based in New Jersey.⁹⁵ This certificate lists two companies, OST Group (North America), Inc. and Jilus Corporation, as TSPGA’s “Members/Managers,” which may indicate they are affiliated.⁹⁶ A 2009 USITC report also lists Jilus Corporation as an importer affiliated with an OCTG distributor in Texas named Tubular Synergy Group.⁹⁷ A TSPGA employee’s LinkedIn profile likewise indicates that TSPGA conducts “OCTG sales{.}”⁹⁸ [SOURCE] shipment data indicates that TSPGA imported several shipments from PET since February 2023.⁹⁹ Some of the merchandise in these shipments is described as “seamless tubing,” “seamless steel tubing,” or “seamless casing” and is classified under HTSUS 7304.29.¹⁰⁰ The AD/CVD orders indicate that OCTG “includ{es} oil well casing and tubing, of iron (other than cast iron) or steel (both carbon and alloy), whether seamless or welded” and list 38 HTSUS numbers beginning with 7304.29.¹⁰¹ As such, some of TSPGA’s shipments from PET appear to contain OCTG.

Initiation Assessment

In assessing the basis for the Allegations, CBP finds that the information the Allegor submitted reasonably suggests that the Importers entered merchandise covered by the AD/CVD orders into the customs territory of the United States through evasion.¹⁰² Specifically, the Allegations indicate that the Importers entered Chinese-origin OCTG from PET and TOP that was transshipped.¹⁰³ The following facts considered together reasonably suggest that at least some of the OCTG TOP exported was Chinese-origin:

1. TOP is purportedly 100% owned by a Chinese national.¹⁰⁴
2. TOP may be affiliated with an OCTG supplier (Jiangsu Top Steel) and OCTG factory (Long Bright) located in China.¹⁰⁵ Jiangsu Top Steel’s website also indicates that Long Bright has exported OCTG to Southeast Asia, where TOP is located.¹⁰⁶
3. [ENTITY AND PROCEDURE DESCRIPTION] Thai companies transship Chinese product to the United States as a product of Thailand, [DESCRIPTION] TOP follows the same practice.”¹⁰⁷
4. TOP exported more OCTG to the United States in 2023 than its facility is able to produce.¹⁰⁸

Therefore, this information reasonably suggests that Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, and Trek Metals may be entering Chinese-origin OCTG from TOP that are covered by the AD/CVD orders.

⁹⁵ See TSPGA Allegation at Exhibit 11.

⁹⁶ *Id.*

⁹⁷ *Id.* at Exhibits 14-15.

⁹⁸ *Id.* at Exhibit 12, page 1.

⁹⁹ *Id.* at Exhibit 4.

¹⁰⁰ *Id.*

¹⁰¹ *Id.* at Exhibit 1; *see also* AD/CVD orders.

¹⁰² See Allegations.

¹⁰³ *Id.*

¹⁰⁴ See Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, and Trek Metals Allegations at Exhibit 9.

¹⁰⁵ *Id.* at Exhibits 6-7, 9.

¹⁰⁶ *Id.*

¹⁰⁷ *Id.* at Exhibit 9.

¹⁰⁸ *Id.* at 8-9 and Exhibits 4, 9

Similarly, the following information in the Allegations indicate that Centric, LE Commodities, TSPGA, and Amek entered transshipped Chinese-origin OCTG from PET.¹⁰⁹ PET appears to be 100% owned by three Chinese nationals. PET purportedly does not have an assembled production line in place.¹¹⁰ Correspondingly, [ENTITY AND DESCRIPTION] PET.¹¹¹ As noted, [ENTITY AND PROCEDURE DESCRIPTION] Thai companies transship Chinese product to the United States as a product of Thailand{.}" PET's API license was deactivated in 2023 before its expiration date, purportedly because API certifiers tried to perform an actual site visit as part of an annual audit of the certification.¹¹² Nonetheless, PET continued to export OCTG to Centric, Amek, LE Commodities, and TSPGA in 2023.¹¹³ These combined facts reasonably suggest that PET does not have production in Thailand but instead transshipped Chinese-origin OCTG to Centric, Amek, LE Commodities, and TSPGA.

For the reasons set forth herein, CBP initiated this investigation under the authority of 19 U.S.C. § 1517(b)(1) on the Importers' imports of covered merchandise that are alleged to be entered for consumption into the customs territory of the United States through evasion.¹¹⁴ While CBP shall make a determination as to whether merchandise properly within the scope of the AD/CVD orders was entered into the customs territory of the United States through evasion, the statute does not limit this determination to only the type of evasion for which the investigation was initiated.¹¹⁵

Interim Measures

Not later than 90 calendar days after initiating an investigation under EAPA, TRLED will decide based on the record of the investigation if there is reasonable suspicion that merchandise covered by the AD/CVD orders was entered into the United States through evasion.¹¹⁶ CBP need only have sufficient evidence to support a reasonable suspicion that the Importers alleged to be evading entered merchandise covered by an AD or CVD order into the United States by a material false statement or act, or material omission, that resulted in the reduction or avoidance of applicable AD or CVD cash deposits or other security.¹¹⁷ If reasonable suspicion exists, CBP will impose interim measures pursuant to 19 U.S.C. § 1517(e) and 19 C.F.R. § 165.24. As explained below, CBP is imposing interim measures because there is reasonable suspicion that the Importers entered Chinese-origin covered merchandise into the United States through evasion by means of transshipment.¹¹⁸

After initiating this investigation, CBP issued CBP Form 28 (CF-28) requests for information to each of the Importers on March 6-7, 2024.¹¹⁹ In each of these CF-28s, CBP requested

¹⁰⁹ See Amek, Centric, LE Commodities, and TSPGA Allegations.

¹¹⁰ *Id.* at Exhibit 8.

¹¹¹ *Id.*

¹¹² *Id.*

¹¹³ *Id.* at Exhibit 4.

¹¹⁴ See also 19 C.F.R. § 165.15.

¹¹⁵ See 19 U.S.C. § 1517(c)(1)(A).

¹¹⁶ See 19 C.F.R. § 165.24(a); see also CBP Memorandum, "Initiation of Investigation for EAPA 7890-7898 and 7954 (Consolidated Case 7890)," dated February 23, 2024 (Initiation Memorandum).

¹¹⁷ See 19 U.S.C. § 1517(e); see also 19 CFR 165.24.

¹¹⁸ See Initiation Memorandum.

¹¹⁹ See Amek's CF-28 Response, dated March 21, 2024 (Amek CF-28 Response). This concerned entry [NUMBER]9168 from PET. See also Centric's CF-28 Response, dated April 2, 2024 (Centric CF-28 Response). This concerned entry [NUMBER]0302 from PET. See also TSPGA's CF-28 Response, dated April 2, 2024 (TSPGA CF-28 Response). This concerned entry [NUMBER]4954 from PET. See also Copley's CF-28 Response, dated

manufacturer information, production documentation, raw material documentation, a mill certificate, purchase orders, commercial invoices, transportation documentation, and proofs of payment for one POI entry from TOP or PET.¹²⁰ Each of the Importers subsequently submitted a CF-28 response by April 10, 2024 as described below.¹²¹

CF-28 Responses Pertaining to Entries from TOP

On April 3-10, 2024, Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, and Trek Metals submitted CF-28 responses concerning one of their respective entries from TOP.¹²² Their responses indicated that TOP was incorporated in March 2012.¹²³ These importers provided most of the requested sales, transportation, and payment documents. Kana, Longfellow, and Trek Metals provided the entries' purchase order, commercial invoice, bill of lading, and their proofs of payment for the entry.¹²⁴ Energy Pipe provided a purchase order, commercial invoice, and bill of lading.¹²⁵ TOP issued Energy Pipe's and Kana's commercial invoices, and Kana's proof of payment indicated it paid TOP; however, Energy Pipe did not provide proof of payment.¹²⁶ In contrast, Jereh Global Development LLC (Jereh China) of Yantai, China issued a commercial invoice to Longfellow for its entry from TOP.¹²⁷ This commercial invoice denoted Jereh Oilfield Services Middle East (Jereh UAE) of Dubai, UAE in the shipper field and Longfellow's proof of payment indicated it paid Jereh UAE rather than TOP.¹²⁸ Similarly, E-Leader (Hong Kong) Limited (E-Leader) of Hong Kong, China issued Trek Metals' commercial invoice and Trek Metals' proof of payment indicated it paid E-Leader.¹²⁹ Copley and Lixin Energy provided bills of lading but did not provide the purchase orders, commercial invoices, or proofs of payment for their entries from TOP.¹³⁰ Instead, Copley and Lixin Energy provided sales contracts, commercial invoices, and proofs of payment for their respective sales to the consignee Optima.¹³¹

These documents support that Copley, Energy Pipe, Kana, Lixin Energy, Longfellow, and Trek Metals entered OCTG rather than another kind of merchandise. The scope of the AD/CVD orders indicate that OCTG includes "oil well casing and tubing, of iron ... or steel (both carbon

April 3, 2024 (Copley CF-28 Response). This concerned entry [NUMBER]4344 from TOP. *See also* Energy Pipe's CF-28 Response, dated April 3, 2024 (Energy Pipe CF-28 Response). This concerned entry [NUMBER]5182 from TOP. *See also* Kana's CF-28 Response, dated April 4, 2024 (Kana CF-28 Response). This concerned entry [NUMBER]9625 from TOP. *See also* Longfellow's CF-28 Response, dated April 5, 2024 (Longfellow CF-28 Response). This concerned entry [NUMBER]0436 from TOP. *See also* Trek Metal's CF-28 Response, dated April 5, 2024 (Trek Metal CF-28 Response). This concerned entry [NUMBER]0931 from TOP. *See also* LE Commodities' CF-28 Response, dated April 10, 2024 (LE Commodities CF-28 Response). This concerned entry [NUMBER]0211 from PET. *See also* Lixin Energy's CF-28 Response, dated April 10, 2024 (Lixin Energy CF-28 Response). This concerned entry [NUMBER]4351 from TOP.

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *See* Copley CF-28 Response concerning entry [NUMBER]4344; *see also* Energy Pipe CF-28 Response concerning entry [NUMBER]5182; *see also* Kana CF-28 Response concerning entry [NUMBER]9625; *see also* Lixin Energy CF-28 Response concerning entry [NUMBER]4351; *see also* Longfellow CF-28 Response concerning entry [NUMBER]0436; *see also* Trek Metals CF-28 Response concerning entry [NUMBER]0931.

¹²³ *See* Copley CF-28 Response; *see also* Energy Pipe CF-28 Response; *see also* Kana CF-28 Response; *see also* Lixin Energy CF-28 Response; *see also* Trek Metals CF-28 Response.

¹²⁴ *See* Kana CF-28 Response; *see also* Longfellow CF-28 Response; *see also* Trek Metals CF-28 Response.

¹²⁵ *See* Energy Pipe CF-28 Response.

¹²⁶ *See* Energy Pipe CF-28 Response; *see also* Kana CF-28 Response.

¹²⁷ *See* Longfellow CF-28 Response.

¹²⁸ *Id.*

¹²⁹ *See* Trek Metals CF-28 Response.

¹³⁰ *See* Copley CF-28 Response; *see also* Lixin Energy CF-28 Response.

¹³¹ *Id.*

and alloy), whether seamless or welded ... whether or not conforming to American Petroleum Institute (“API”) or non-API specifications {.}”¹³² The U.S. International Trade Commission noted that “Commerce determined that the seamless unfinished OCTG is within the scope of the ADD {sic} and CVD orders” and that API 5CT was an OCTG specification.¹³³ Energy Pipe’s commercial invoice merely described it as “Tubing{.}”¹³⁴ However, the corresponding mill test certificate stated it was “Hot Rolling Seamless Pipe” that was “API SPEC 5CT{.}”¹³⁵ Likewise, Trek Metals’ commercial invoice also described its merchandise as “Tubing{.}”¹³⁶ However, the mill test certificate it provided indicate it was “Hot Rolling Seamless Pipe” that is “API SPEC 5CT.”¹³⁷ Kana’s commercial invoice also described its merchandise as “Tubing{.}”¹³⁸ However, the HTSUS number Kana used to enter the merchandise, [NUMBER]6115, is listed in the scope of the AD/CVD orders.¹³⁹ In its response, Copley stated that it “purchased oil country tubular goods (OCTG)” from TOP and the invoice it issued to Optima described the merchandise as “Seamless Tubing for OCTG{.}”¹⁴⁰ Similarly, Lixin Energy stated that it “purchased oil country tubular goods (OCTG)” from TOP and the invoice it also issued to Optima stated that it purchased “seamless tubing for OCTG{.}”¹⁴¹ Longfellow provided a steel import license that indicated its merchandise was “[MERCHANDISE DESCRIPTION].”¹⁴² Its entry summary also indicated that it entered the merchandise under HTSUS [NUMBERS]1020, which is mentioned in the scope of the AD/CVD orders.¹⁴³ Thus, each of these importers’ documents indicated it entered OCTG and not another kind of merchandise.

Copley, Energy Pipe, Kana, Lixin Energy, and Trek Metals provided production records, equipment descriptions, and mill certificates they obtained from TOP.¹⁴⁴ Copley, Energy Pipe, Kana, Lixin Energy, and Trek Metals also provided purchase orders, commercial invoices, proofs of payment, and Thai customs declarations for TOP’s imports of raw materials purportedly used in its production.¹⁴⁵ Longfellow did not provide any of the documents pertaining to production or raw materials, nor did it provide any explanation for the omission or any indication it attempted to obtain them from Jereh China, Jereh UAE, or TOP.¹⁴⁶ The [EVENT DESCRIPTION] Copley, Energy Pipe, Kana, Lixin Energy, and Trek Metals indicate that Intl OCTG Technology Limited (Intl OCTG) of Hong Kong, China [EVENT DESCRIPTION] TOP.¹⁴⁷ Intl OCTG has the same Hong Kong address as Hermes Energy Services Limited (Hermes).¹⁴⁸ Copley’s, Energy Pipe’s, Kana’s, Lixin Energy’s, and Trek

¹³² See AD/CVD orders; *see also* Centric Allegation at Exhibit 1.

¹³³ See Centric Allegation at Exhibit 2.

¹³⁴ See Energy Pipe CF-28 Response.

¹³⁵ *Id.*

¹³⁶ See Trek Metals CF-28 Response.

¹³⁷ *Id.*

¹³⁸ See Kana CF-28 Response.

¹³⁹ See CBP Document, “TRLED - EAPA Receipt Report - (7895),” dated February 12, 2024; *see also* AD/CVD Orders; *see also* Kana Allegation at Exhibit 1.

¹⁴⁰ See Copley CF-28 Response.

¹⁴¹ See Lixin Energy CF-28 Response.

¹⁴² See Longfellow CF-28 Response.

¹⁴³ *Id.*; *see also* AD/CVD orders; *see also* Longfellow Allegation at Exhibit 1.

¹⁴⁴ See Copley CF-28 Response; *see also* Energy Pipe CF-28 Response; *see also* Kana CF-28 Response; *see also* Lixin Energy CF-28 Response; *see also* Trek Metals CF-28 Response.

¹⁴⁵ *Id.*

¹⁴⁶ See Longfellow CF-28 Response.

¹⁴⁷ See Copley CF-28 Response; *see also* Energy Pipe CF-28 Response; *see also* Kana CF-28 Response; *see also* Lixin Energy CF-28 Response; *see also* Trek Metals CF-28 Response.

¹⁴⁸ *Id.*; *see also* CBP Memorandum, “Adding Information to the Administrative Record of EAPA 7890,” dated May 22, 2024 at Attachment 3 (May Memorandum).

Metals' responses stated that Hermes [SITUATION DESCRIPTION] TOP.¹⁴⁹ Thus, these connections indicate that TOP, Hermes, and Intl OCTG are affiliated companies. As such, TOP appears to have [PROCEDURE DESCRIPTION] its Chinese affiliate. Although the raw material and production documents ostensibly indicate that TOP manufactured its OCTG in Thailand from imported raw materials, other evidence that will be discussed indicate that TOP is possibly involved in the transshipment of Chinese-origin OCTG; therefore, these production and raw material documents may not be legitimate.¹⁵⁰

Several items of evidence indicate that Copley and Lixin Energy are affiliated companies. Copley and Lixin Energy are both located in China in Hong Kong's Wan Chai district, though ostensibly on different streets.¹⁵¹ Copley and Lixin Energy use the same broker, [COMPANY], which sent several emails to the same person, Bill Hu, regarding the completion of Copley's and Lixin Energy's CF-28 responses.¹⁵² Thus, Mr. Hu was the broker's contact person for both Copley and Lixin Energy. Mr. Hu responded once to these emails and his email signature contained a phone number with a Chinese country code.¹⁵³ Copley's and Lixin Energy's CF-28 responses also indicate they have the same director, Guan Xujian.¹⁵⁴ Furthermore, Copley's bill of lading was to Allen Wang's attention at Copley and he signed the bill of lading on Copley's company stamp signature line.¹⁵⁵ Likewise, Lixin Energy's bill of lading was to Allen Wang's attention at Lixin Energy and he signed the bill of lading on Lixin Energy's company stamp signature line.¹⁵⁶ Thus, Allen Wang also works for both Copley and Lixin Energy.¹⁵⁷

Copley and Lixin Energy were also simultaneously involved in what was, in a sense, the same shipment. Their respective bills of lading¹⁵⁸ had the following matching fields:

1. Shipper - TOP
2. Carrier – [COMPANY]
3. Notify Party – [COMPANY]
4. Port of Loading – Sriracha Harbour, Thailand
5. Port of Discharge – Houston, USA
6. Merchandise Description – “Seamless Tubing for OCTG ... [MERCHANDISE SPECIFICATIONS] J55 - UPGRADEABLE TO API 5CT L80 ... And notify Optima Steel International LLC”
7. Signed for the Carrier – “[ENTITY, VESSEL, VOYAGE]”
8. Vessel – [VESSEL NAME]
9. Voyage – [NUMBER]

Although the dates of issue on Copley's and Lixin Energy's bills of lading differed slightly – March 27, 2023 and March 28, 2023, respectively – both shipments contained the same merchandise from TOP destined for the same consignee, departed Thailand on the same vessel

¹⁴⁹ See Copley CF-28 Response; see also Energy Pipe CF-28 Response; see also Kana CF-28 Response; see also Lixin Energy CF-28 Response; see also Trek Metals CF-28 Response. Their CF-28 Responses also indicated that [ENTITIES AND SITUATION DESCRIPTION] TOP, respectively.

¹⁵⁰ *Id.*

¹⁵¹ See Copley CF-28 Response; see also Lixin Energy CF-28 Response.

¹⁵² *Id.* see also May Memorandum at Attachment 1.

¹⁵³ See May Memorandum at Attachment 1. Mr. Hu only responded with respect to Copley's CF-28 Response.

¹⁵⁴ See Copley CF-28 Response; see also Lixin Energy CF-28 Response.

¹⁵⁵ See Copley CF-28 Response. Allen Wang stamped and signed the bill of lading's second page. Technically, this kind of company stamp is called a “company chop” in Hong Kong.

¹⁵⁶ See Lixin Energy CF-28 Response. Allen Wang stamped and signed the bill of lading's second page.

¹⁵⁷ *Id.* He uses a different email address for each company, Copley_Allen@Foxmail.com vs. Lixin_Allen@163.com.

¹⁵⁸ See Copley CF-28 Response; see also Lixin Energy CF-28 Response.

and voyage number, and arrived in the United States on the same date.¹⁵⁹ Thus, this was, in a sense, the same shipment, which had been divided into two shipments for different importers. Neither Copley's nor Lixin Energy's responses provided any indication why the merchandise needed to be entered by two different but affiliated importers.¹⁶⁰ These circumstances could indicate that the shipment was separated by importer to lower risk of some kind. Because the shipments contained OCTG, an AD/CVD order on OCTG from China exists, and the manufacturer and two importers have the previously mentioned ties to China, these shipments may have been separated to lower the risk that the entire shipment would have AD/CVD placed on it if evasion was detected. There does not appear to be any need to separate the merchandise in these circumstances if the merchandise originated in Thailand and all declared fields were correct.

As noted, Copley and Lixin Energy are connected companies in light of their common personnel, broker, consignee, and involvement in the same shipment. E-Leader also appears to be connected with Copley and Lixin Energy. Like Copley and Lixin Energy, E-Leader is located in Hong Kong.¹⁶¹ E-Leader was also involved in the same shipment noted above. Trek Metals provided a wire payment document indicating E-Leader as the payment recipient.¹⁶² This document noted the vessel [NAME], which carried Trek Metals entry [NUMBER]0980 on the same voyage, [NUMBER], as Copley's and Lixin Energy's CF-28 response entries.¹⁶³ Entry [NUMBER]0980 also had the same port of discharge, carrier, shipper, and entry date [DATE] as Copley's and Lixin Energy's CF-28 response entries.¹⁶⁴ Thus, these common facts indicate that Trek Metals obtained its OCTG from a company, E-Leader, that appears to be Copley's and Lixin Energy's affiliate.

Trek Metals also indicated that it used the same freight forwarder Copley and Lixin Energy used: [NAME] of Yefan Shipping (Singapore) Pte. Ltd (Yefan Singapore).¹⁶⁵ There is some indication that Yefan Singapore may be assisting TOP in the transshipment of Chinese-origin OCTG. [NAME]'s email address domain, @yifanlogistic.com.cn, indicates that Yefan Singapore could be related to Yantai Yifan International Logistics Co., Ltd. (Yifan China).¹⁶⁶ Yifan China's email domain, @yifanlogistics.com, is very similar to Yefan Singapore's email domain.¹⁶⁷ Additionally, Yefan Singapore's email domain indicates it is actually based in China rather than Singapore.

Yefan Singapore and Yifan China appear to be related to Yifan Shipping (Thailand) Co., Ltd (Yifan Thailand) as well. A press release about Yifan Thailand lists the email domain of two of its email addresses as "@yifanlogistic.co.th."¹⁶⁸ Although Lixin Energy indicated it used Yefan Singapore, Yifan Thailand instead appears on Lixin Energy's bill of lading, which was stamped

¹⁵⁹ See Copley CF-28 Response; see also Lixin Energy CF-28 Response; see also CBP Document, "TRLED - EAPA Receipt Report - (7897)," dated February 12, 2024; see also CBP Document, "TRLED - EAPA Receipt Report - (7954)," dated February 12, 2024.

¹⁶⁰ See Copley CF-28 Response; see also Lixin Energy CF-28 Response.

¹⁶¹ See Trek Metals CF-28 Response.

¹⁶² *Id.*

¹⁶³ See Copley CF-28 Response; see also Lixin Energy CF-28 Response; see also CBP Document, "TRLED - EAPA Receipt Report - (7897)," dated February 12, 2024; see also CBP Document, "TRLED - EAPA Receipt Report - (7898)," dated February 12, 2024; see also CBP Document, "TRLED - EAPA Receipt Report - (7954)," dated February 12, 2024. This was the only Trek Metals entry that had this vessel name.

¹⁶⁴ *Id.*

¹⁶⁵ See Trek Metals CF-28 Response.

¹⁶⁶ *Id.*; see also May Memorandum at Attachment 4.

¹⁶⁷ See May Memorandum at Attachment 1.

¹⁶⁸ *Id.* at Attachment 4.

“Yifan Shipping (Thailand) Co., Ltd. As Agents.”¹⁶⁹ Yifan Thailand was also listed on TOP’s Thai import declarations provided by Copley, Energy Pipe, Lixin Energy, and Trek Metals.¹⁷⁰ Although the English translations of the Thai import declarations do not translate many of the words near their references to Yifan Thailand, Yifan Thailand’s company name clearly appeared at the top and bottom of each page of the Thai import declaration.¹⁷¹

Before the EAPA Allegations, CBP [EVENT DESCRIPTION] about Yifan Thailand, TOP, and PET.¹⁷² The [EVENT DESCRIPTION:

EVENT DESCRIPTION

].¹⁷³

In other words, Yifan Thailand and [ENTITY AND EVENT DESCRIPTION].¹⁷⁴ The [

PROCEDURE DESCRIPTION

].¹⁷⁵ Finally, the [

PROCEDURE DESCRIPTION

].¹⁷⁶

Several of the [EVENT DESCRIPTION] Yifan Thailand [SITUATION DESCRIPTION] evidence on the record and so substantiate the [DESCRIPTION]’s overall validity. First, the [PROCEDURE DESCRIPTION].¹⁷⁷ This is [DESCRIPTION] in that Yifan Thailand stamped Lixin Energy’s bill of lading pertaining to its entry of “seamless tubing for OCTG” from TOP and stamped TSPGA’s bill of lading pertaining to its entry of “seamless steel tubing” from PET.¹⁷⁸ Second, the [SITUATION DESCRIPTION].¹⁷⁹ Several of TOP’s raw material documents indicate it imported these raw materials through [LOCATION] Port in Thailand.¹⁸⁰ TOP’s Thai Import

¹⁶⁹ See Lixin Energy CF-28 Response.

¹⁷⁰ See Copley CF-28 Response; see also Energy Pipe CF-28 Response; see also Lixin Energy CF-28 Response; see also Trek Metals CF-28 Response.

¹⁷¹ *Id.*

¹⁷² See May Memorandum at Attachment 2.

¹⁷³ *Id.* Words between the braces { } added for easier reading.

¹⁷⁴ *Id.*

¹⁷⁵ *Id.*

¹⁷⁶ *Id.*

¹⁷⁷ *Id.*

¹⁷⁸ See Lixin Energy’s CF-28 Response; see also TSPGA CF-28 Response.

¹⁷⁹ See May Memorandum at Attachment 2.

¹⁸⁰ See Copley CF-28 Response; see also Kana CF-28 Response; see also Energy Pipe CF-28 Response; see also Lixin Energy CF-28 Response; see also Trek Metals CF-28 Response.

Declarations also indicate that Yifan Thailand was involved in each of these imports.¹⁸¹ Kana's and Longfellow's bills of lading list [LOCATION] as their entries port of loading for export as well.¹⁸² Third, the [SITUATION DESCRIPTION] destined for Houston, TX.¹⁸³ Copley's, Energy Pipe's, Kana's, Lixin Energy's, Longfellow's, and Trek Metals' bills of lading all indicate Houston as their entries' port of discharge.¹⁸⁴ Finally, [DESCRIPTION] that TOP and PET only began [SITUATION DESCRIPTION]¹⁸⁵ [SITUATION DESCRIPTION] information in the Alleger's 10 allegations that TOP and PET began exporting much larger amounts of OCTG beginning in 2022.¹⁸⁶ Thus, the fact that evidence on the record corroborates [SITUATION DESCRIPTION]. As such, the above evidence contributes to a reasonable suspicion that the Importers entered Chinese-origin OCTG from TOP through evasion.

CF-28 Responses Pertaining to Entries from PET

On March 21, 2024 through April 10, 2024, Amek, Centric, LE Commodities, and TSPGA submitted CF-28 responses concerning one of their respective entries from PET.¹⁸⁷ In their responses, these importers provided some information about PET's organization. Amek's purchase order lists Henry Wang as PET's president.¹⁸⁸ Amek's, LE Commodities', and TSPGA's CF-28 responses indicate that PET's owner and general manager is Wei Wang, who is also listed on API's website as PET's contact person.¹⁸⁹ Their responses state that PET has been in operation 12 years.¹⁹⁰

Amek, Centric, and LE Commodities provided most of the requested sales, transportation, and payment documents.¹⁹¹ Amek, Centric, and LE Commodities provided the entries' purchase order, commercial invoice, and the importer's proof of payment.¹⁹² TSPGA provided a commercial invoice but not a purchase order or its proof of payment for the entry.¹⁹³ PET issued Amek's, Centric's, and TSPGA's commercial invoices.¹⁹⁴ In contrast, Tusco International Inc. (Tusco) of Taipei, Taiwan issued LE Commodities' commercial invoice.¹⁹⁵ LE Commodities submitted a proof of payment that listed Tusco as the payment recipient; however, it did not list any payee name or payee information.¹⁹⁶

¹⁸¹ *Id.*

¹⁸² See Kana CF-28 Response; see also Longfellow CF-28 Response.

¹⁸³ See May Memorandum at Attachment 2.

¹⁸⁴ See Copley CF-28 Response; see also Energy Pipe CF-28 Response; see also Kana CF-28 Response; see also Lixin Energy CF-28 Response; see also Longfellow CF-28 Response; see also Trek Metals CF-28 Response.

¹⁸⁵ See May Memorandum at Attachment 2.

¹⁸⁶ See Copley Allegation at 8-9; see also Centric Allegation at 8-9; see also the other eight allegations.

¹⁸⁷ See Amek CF-28 Response concerning entry [NUMBER]9168; see also Centric CF-28 Response concerning entry [NUMBER]0302; see also LE Commodities CF-28 Response concerning entry [NUMBER]0211; see also TSPGA CF-28 Response concerning entry [NUMBER]4954.

¹⁸⁸ See Amek CF-28 Response.

¹⁸⁹ See Amek CF-28 Response; see also LE Commodities CF-28 Response; see also TSPGA CF-28 Response; see also Amek Allegation at Exhibit 7.

¹⁹⁰ See Amek CF-28 Response; see also LE Commodities CF-28 Response; see also TSPGA CF-28 Response.

¹⁹¹ See Amek CF-28 Response; see also Centric CF-28 Response; see also LE Commodities CF-28 Response.

¹⁹² *Id.* With respect to the documents Amek submitted, those documents were issued to Nexgen instead of Amek. However, Nexgen is a dba name of Amek, as previously noted.

¹⁹³ See TSPGA CF-28 Response. The company provided its proofs of payment to CBP and to other logistics-related companies but not its payment to PET or to any trading company for the entry.

¹⁹⁴ See Amek CF-28 Response; see also Centric CF-28 Response; see also TSPGA's CF-28 Response.

¹⁹⁵ See LE Commodities CF-28 Response.

¹⁹⁶ *Id.* The only potential identifier on the proof of payment was what appeared to be invoice number "[NUMBER]," which partially matches "[DESCRIPTION AND NUMBER]."

These documents indicated that Amek, Centric, LE Commodities, and TSPGA entered OCTG. TSPGA's commercial invoice indicated that it imported seamless tubing that was API 5CT.¹⁹⁷ TSPGA further noted that its entry was composed of seamless tubing that was "... API 5CT, an essential component within the OCTG (Oil Country Tubular Goods) category."¹⁹⁸ Correspondingly, the scope of the AD/CVD orders indicates that OCTG includes "... tubing, of iron ... or steel (both carbon and alloy), whether seamless or welded ... whether or not conforming to American Petroleum Institute ("API") or non-API specifications{.}"¹⁹⁹ The U.S. International Trade Commission noted that "Commerce determined that the seamless unfinished OCTG is within the scope of the ADD and CVD orders" and that API 5CT was an OCTG specification.²⁰⁰ Centric's commercial invoice and bill of lading indicated it imported "seamless steel tubing" that was "API 5CT."²⁰¹ LE Commodities indicated that its entry contained "OCTG shipped to the U.S."²⁰² Its invoice also indicated that the merchandise contained "API 5CT Carbon Seamless Tubing."²⁰³ Amek's commercial invoice and bill of lading indicate it purchased "seamless carbon steel pipe ASTM A106B."²⁰⁴ Because it is seamless carbon steel pipe, it appears to conform to the description of OCTG in the scope of the AD/CVD orders.²⁰⁵ The pipe does not appear to meet any of the exclusions listed in the AD/CVD orders.²⁰⁶ Additionally, the HTSUS numbers Amek used to enter the pipes – 7304390024, 7304390028, 7304390036, 7304390048, 7304390062, and 7304390076 – appear in the scope of the AD/CVD orders.²⁰⁷ However, the ASTM A106B specification is not associated with OCTG. Correspondingly, Amek stated that this pipe is not used for OCTG.²⁰⁸ Thus, CBP will continue to investigate whether this entry contained OCTG.²⁰⁹ Regardless, other potential Amek entries of OCTG exist on the record. Amek, Centric, LE Commodities, and TSPGA entered merchandise considered OCTG under the scope of the AD/CVD orders.

Amek, Centric, LE Commodities, and TSPGA provided bills of lading.²¹⁰ Amek's, Centric's, and TSPGA's bills of lading listed PET as the shipper; however, LE Commodities' bill of lading listed Tusco as the shipper.²¹¹ Additionally, Yifan Thailand stamped "Yifan Shipping (Thailand) Co., Ltd. As Agents" on TSPGA's bill of lading twice.²¹²

As previously noted, several of the [SITUATION DESCRIPTION] Yifan Thailand and PET correspond with other evidence on the record. First, the [PROCEDURE DESCRIPTION].²¹³ [DESCRIPTION] corroborated in TSPGA's bill of lading pertaining to its entry of "seamless steel tubing" from PET, which Yifan Thailand stamped.²¹⁴ Second, the [DESCRIPTION AND

¹⁹⁷ See TSPGA CF-28 Response.

¹⁹⁸ *Id.*

¹⁹⁹ See AD/CVD orders; see also Centric Allegation at Exhibit 1.

²⁰⁰ See Centric Allegation at Exhibit 2.

²⁰¹ See Centric CF-28 Response.

²⁰² See LE Commodities CF-28 Response.

²⁰³ *Id.*

²⁰⁴ See Amek CF-28 Response.

²⁰⁵ *Id.*

²⁰⁶ See AD/CVD orders; see also Amek Allegation at Exhibit 1.

²⁰⁷ See CBP Document, "TRLED - EAPA Receipt Report - (7892)," dated February 12, 2024.

²⁰⁸ See Amek CF-28 Response.

²⁰⁹ See CBP Document, "TRLED - EAPA Receipt Report - (7892)," dated February 12, 2024.

²¹⁰ See Amek CF-28 Response; see also Centric CF-28 Response; see also LE Commodities; see also TSPGA's CF-28 Response.

²¹¹ *Id.*

²¹² See TSPGA CF-28 Response.

²¹³ See May Memorandum at Attachment 2.

²¹⁴ See TSPGA CF-28 Response.

LOCATION] Port in Thailand.²¹⁵ Several of PET’s raw material documents indicate that it imported the raw materials through [LOCATION] Port in Thailand.²¹⁶ Amek’s bill of lading also lists [LOCATION] Port as their entry’s port of loading for export.²¹⁷ Third, the [SITUATION DESCRIPTION] destined for Houston, TX.²¹⁸ Centric’s, LE Commodities’, and TSPGA’s bills of lading all indicate that Houston was their entries’ port of discharge.²¹⁹ Finally, [DESCRIPTION] that TOP and PET only began [SITUATION DESCRIPTION]²²⁰ [DESCRIPTION] corresponds to information in the Alleger’s 10 allegations that TOP and PET began exporting much larger amounts of OCTG beginning in 2022.²²¹ Thus, the [DESCRIPTION] contribute to a reasonable suspicion that the Importers entered Chinese-origin OCTG from PET.

Amek, Centric, LE Commodities, and TSPGA provided the equipment descriptions, mill certificates, and production records they obtained from PET except for the requested timecards.²²² They did not indicate why PET’s timecards were not provided.²²³ Amek and TSPGA provided purchase orders, commercial invoices, proofs of payment, and Thai customs declarations for PET’s importation of raw materials purportedly used in its production.²²⁴ LE Commodities provided purchase orders, commercial invoices, and proofs of payment; however, LE Commodities did not provide the Thai customs declarations for PET’s importation of raw materials.²²⁵ Centric did not provide any of the requested documents pertaining to PET’s raw materials.²²⁶ Centric did not explain why it failed to provide these documents to CBP.²²⁷

The sales contracts, invoices, packing lists, test certificates, a bill of lading, proofs of payment, and PET’s Thai Import Declarations for the raw materials ostensibly indicate that PET produced OCTG from “[RAW MATERIAL]” it imported from the [COUNTRY] company [COMPANY], which was sold by the [COUNTRY] company [COMPANY].²²⁸ However, certain facts about these documents call their validity, and PET’s production, into serious doubt.

The invoice and packing list Amek provided for PET’s raw materials were both dated “Dec. 07, 2023” and indicated that those raw materials would be shipped “on or about: Dec. 06, 2023 {.}”²²⁹ Similarly, all the dates listed on PET’s corresponding, and untranslated, Thai Import Declaration occurred in December 2023, *i.e.* “07/12/2023”, “15/12/2023”, “19/12/2023”, “24/12/2023”, and “28/12/2023 {.}”²³⁰ However, the production documents Amek provided for PET all have various dates during November 2023.²³¹ As such, these production documents ostensibly indicate that PET produced merchandise using raw materials it had not yet received.

²¹⁵ See May Memorandum at Attachment 2.

²¹⁶ See Amek CF-28 Response; *see also* LE Commodities CF-28 Response; *see also* TSPGA CF-28 Response.

²¹⁷ See Amek CF-28 Response.

²¹⁸ See May Memorandum at Attachment 2.

²¹⁹ See Centric CF-28 Response; *see also* LE Commodities CF-28 Response; *see also* TSPGA’s CF-28 Response.

²²⁰ See May Memorandum at Attachment 2.

²²¹ See Copley Allegation at 8-9; *see also* Centric Allegation at 8-9; *see also* the other eight allegations.

²²² See Amek Response; *see also* Centric CF-28 Response; *see also* LE Commodities CF-28 Response; *see also* TSPGA CF-28 Response.

²²³ *Id.*

²²⁴ See Amek Response; *see also* TSPGA CF-28 Response.

²²⁵ See LE Commodities CF-28 Response.

²²⁶ See Centric CF-28 Response.

²²⁷ *Id.*

²²⁸ See Amek CF-28 Response; *see also* Centric CF-28 Response; *see also* LE Commodities CF-28 Response; *see also* TSPGA CF-28 Response.

²²⁹ See Amek CF-28 Response.

²³⁰ *Id.*

²³¹ *Id.*

These contradicting dates suggest that these production and raw material documents may not be valid.

In addition to Amek, LE Commodities and TSPGA also provided invoices issued by [COMPANY] to PET for the raw material [RAW MATERIAL] that PET purportedly imported from [COUNTRY] and used in its production of OCTG.²³² TSPGA's invoice has the date "NOV. 07, 2022," LE Commodities' invoice has the date "OCT. 07, 2023," and Amek's invoice has the date "DEC. 07, 2023."²³³ Most of the fields match in these three invoices, which indicates that they were copied from each other. Specifically, the following fields in these invoices match:²³⁴

- From: [LOCATION]
- To: [LOCATION]
- Shipped Per: [VESSEL AND VOYAGE]
- Marks & Nos: [COMPANY AND COUNTRY]
- Description: [RAW MATERIAL DESCRIPTION]
- PKGNO. Cont No: [NUMBER]
- Description / Size Package: [NUMBERS]
- Quantity PCS: [NUMBERS]
- Unit Price @USD, Per M/T: [NUMBERS]
- Total Amount: USD [NUMBERS]
- G. Total: [NUMBERS]

Although most of the fields match, a few date-related fields were changed to give the appearance that they pertained to three different raw material shipments to PET occurring during a 13-months period:²³⁵

- Date: NOV. 07, 2022 to OCT. 07, 2023 or DEC.07, 2023, or vice versa
- Invoice: [NUMBERS], or vice versa
- Shipped Per: [VESSEL, VOYAGE, AND DATES], or vice versa
- Due On: [PERCENTAGE AND DATES], or vice versa

It is noteworthy that even if these three shipments were on the same vessel [VESSEL] departing on three different dates, the three shipments would still have three different voyage numbers. However, these shipments had the same voyage number. Thus, these invoices were copied from each other and the dates were surreptitiously changed.

Amek, LE Commodities, and TSPGA provided packing lists issued by [COMPANY] to PET for the raw material [RAW MATERIAL] that PET purportedly imported from [COUNTRY].²³⁶ Amek's packing list has the date "DEC. 07, 2023," LE Commodities has the date "OCT. 07, 2023," and TSPGA's packing list has the date "NOV. 07, 2022{.}"²³⁷ Most of the fields match in these three packing lists, which indicates that they were copied from each other. Specifically, the following fields in these three packing lists match:²³⁸

²³² See Amek CF-28 Response; see also LE Commodities CF-28 Response; see also TSPGA CF-28 Response.

²³³ *Id.*

²³⁴ *Id.*

²³⁵ *Id.*

²³⁶ *Id.*

²³⁷ *Id.*

²³⁸ *Id.*

- From: [LOCATION]
- To: [LOCATION]
- Shipped Per: [VESSEL AND VOYAGE]
- Marks & Nos: [COMPANY AND COUNTRY]
- Description: [RAW MATERIAL DESCRIPTION]
- PKGNO. Cont No: [NUMBERS]
- Description / Size Package: [NUMBERS]
- Quantity PCS: [NUMBERS]
- Net Weight M/T: [NUMBERS]
- Gross Weight M/T: [NUMBERS]
- G. Total: [NUMBERS]

Although these packing lists copied most of the fields, they surreptitiously changed a few date-related fields, to give the appearance that they pertained to three different raw material shipments to PET occurring during a 13-months period.²³⁹

- Date: NOV. 07, 2022 to OCT. 07, 2023 or DEC.07, 2023, or vice versa
- Invoice: [NUMBERS], or vice versa
- Shipped Per: [VESSEL, VOYAGE, AND DATES], or vice versa
- Due On: [PERCENTAGE AND DATES], or vice versa

It is noteworthy that even if three shipments were exported aboard the same vessel [VESSEL] on three different dates, they would still have three different voyage numbers. Thus, these packing lists were copied and the dates were surreptitiously changed. These copied packing lists with changed dates attempted to give the impression that additional raw material shipments occurred.

Amek, LE Commodities, and TSPGA provided sales contracts issued by [COMPANY] to PET for the raw material [RAW MATERIAL] that PET purportedly imported from [COUNTRY].²⁴⁰ Amek’s sales contract has the date “SEP. 29, 2023,” LE Commodities has the date “JUL. 29, 2023,” and TSPGA’s sales contract has the date “SEP 29, 2022{.}”²⁴¹ The following fields in these three sales contracts match:²⁴²

- Our Ref: [NUMBERS]
- Commodity: [RAW MATERIAL DESCRIPTION]
- Description: [RAW MATERIAL DESCRIPTION]
- Size: [NUMBERS]
- Weight M/T: [NUMBERS]
- Unit Price: [NUMBERS]
- Amount: [NUMBERS]
- Total: [NUMBERS]

Although these sales contracts copied most of the fields, it appears that they changed a few date-related fields, to give the appearance that they pertained to three different raw material contracts

²³⁹ *Id.*

²⁴⁰ *Id.*

²⁴¹ *Id.*

²⁴² *Id.*

occurring during a 13-months period.²⁴³ Specifically, the estimated shipment dates were changed from ETD-[COUNTRY] End of NOV,2023 or ETD-[COUNTRY] End of NOV,2023 to ETD-[COUNTRY] End of NOV,2022 or vice versa.²⁴⁴ The payment date was also changed from [PERCENTAGE] By October 2ND, 2023 or [PERCENTAGE] By August 2ND, 2023 to [PERCENTAGE] By October 2ND, 2022 or vice versa.²⁴⁵

Amek, LE Commodities, and TSPGA each provided two proofs of PET's payment for the above invoices.²⁴⁶ Like those invoices, most of the fields in these proofs of payment matched each other. The matching fields included those that should be unique during each transaction, such as the time and a bank reference number. Specifically, the following unique transaction fields match in the first proof of payment:²⁴⁷

- Time: [NUMBERS]
- Bank Reference Number: [NUMBERS]
- Remittance Amount: [NUMBERS]
- Comm. In Lieu of Exchange: [NUMBERS]
- Total Debited/Settled: [NUMBERS]

The date was changed from 02OCT22 to 02AUG23 or 02OCT23 or vice versa.

The following unique transaction fields match in the second proof of payment:²⁴⁸

- Time: [NUMBERS]
- Bank Reference Number: [NUMBERS]
- Remittance Amount: [NUMBERS]
- Comm. In Lieu of Exchange: [NUMBERS]
- Total Debited/Settled: [NUMBERS]

The date was changed from 28NOV22 to 28AUG23 or 28NOV23, or vice versa. It is notable that the time stamps match down to the second, which is unlikely if these were two separate transactions. Thus, these proofs of payment were copied from each other and the dates surreptitiously changed. The purpose of the date changes was to support the appearance of multiple raw material transactions.

Amek and TSPGA each provided a PET Thai import declaration for the raw materials.²⁴⁹ Like the raw material invoices, packing lists, sales contracts, and proofs of payment, one of these import declarations was copied from the other and the dates changed. It is noteworthy that one of these import declarations also has a low-resolution, partial translation into English. However, even without any translation, the Thai-language version of the two import declarations clearly list numbers, some English words, and some Roman characters. Specifically, the following fields match in the Thai import declarations:

- Time: [NUMBERS]

²⁴³ *Id.*

²⁴⁴ *Id.*

²⁴⁵ *Id.*

²⁴⁶ *Id.*

²⁴⁷ *Id.*

²⁴⁸ *Id.*

²⁴⁹ *See* Amek CF-28 Response; *see also* TSPGA CF-28 Response.

- Time: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field (Possibly Container No): [NUMBERS]
- Vessel: [VESSEL]
- Voyage: [NUMBERS]
- Untranslated Field: [COMPANY AND COUNTRY]
- Packages: [NUMBERS]
- Port Code: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Exchange Rate: [NUMBERS]
- HTS No: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Weight: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Weight: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Description: [NUMBERS]
- HTS Number: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Weight: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Weight: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Untranslated Field: [NUMBERS]
- Description: [NUMBERS]
- Untranslated Field: [NUMBERS]
- [INCOTERM]: [NUMBERS]
- Gross WT: [NUMBERS]
- Exchange Rate: [NUMBERS]

The following fields were changed in the import declarations, most of which were date-related:

- The import declaration number was changed from [NUMBERS] or vice versa.
- A date was changed from 24/12/2023 to 10/11/2022 or vice versa.
- A date was changed from 07/12/2023 to 07/11/2022 or vice versa.
- A date was changed from 2023-12-28 to 2022-11-28 or vice versa.
- Two dates were changed from 15/12/2023 and 19/12/2023 to 15/11/2022 and 19/11/2022 or vice versa.
- A date was changed from 2023-12-28 to 2022-11-28 or vice versa.
- The invoice number was changed from [NUMBERS].

Thus, the matching fields and changed dates indicate that the PET Thai import declarations may have been surreptitiously changed.

As noted, Centric did not provide any of the requested raw material documents.²⁵⁰ However, it provided several mill test certificates issued by [COMPANY] for the raw materials.²⁵¹ These mill test certificates contained more than 100 fields, most of which matched the fields in the [COMPANY] mill test certificates provided by TSPGA.²⁵² Specifically, the following fields in these two mill test certificates match, which are Centric's first [COMPANY] mill test certificate (with the dates 04.11.2023 and 01.11.2023 in the upper right corner) and TSPGA's seventh [COMPANY] test certificate (with the dates 20.11.2022 and 17.11.2022 in the upper right corner):²⁵³

- TC No. [NUMBERS]
- Invoice No. [NUMBERS]
- Delivery Order No. [NUMBERS]
- Truck No. [NUMBERS]
- Container No. [NUMBERS]
- Customer Specification No. [NUMBERS]
- Commodity: [RAW MATERIAL AND NUMBERS]
- Grade: [NUMBERS]
- Section: [NUMBERS]
- Grade Colour Code: [COLOURS]
- BLT/BLM Size: [NUMBERS]
- Supply Condition: [DESCRIPTION]
- Length (Mtrs): [NUMBERS]
- All 48 Chemical Composition fields
- All 16 Mechanical Properties fields
- All 38 Metallurgical Properties fields

Although the vast majority of the fields matched, they changed the dates, Heat No., No. of Pieces, and Qty (MT) to give the appearance that the test certificates pertained to separate raw material shipments that were one year apart.²⁵⁴ It is not possible for two separate mill test certificates on separate raw materials to replicate the exact same chemical compositions and mechanical and metallurgical properties.

Similarly, the vast majority of the fields in Centric's second [COMPANY] mill test certificate (with the dates 06.11.2023 and 03.11.2023 in the upper right corner) match the vast majority of the fields in TSPGA's eighth [COMPANY] test certificate (with the dates 20.11.2022 and 15.11.2022 in the upper right corner).²⁵⁵ Specifically, the following fields in these two mill test certificates match:²⁵⁶

- TC No. [NUMBERS]

²⁵⁰ See Centric CF-28 Response.

²⁵¹ *Id.*

²⁵² *Id.*; see also TSPGA CF-28 Response.

²⁵³ *Id.*

²⁵⁴ *Id.*

²⁵⁵ *Id.*

²⁵⁶ *Id.*

- Invoice No. [NUMBERS]
- Delivery Order No. [NUMBERS]
- Truck No. [NUMBERS]
- Container No. [NUMBERS]
- Customer Specification No. [NUMBERS]
- Commodity: [RAW MATERIAL AND NUMBERS]
- Grade: [NUMBERS]
- Section: [NUMBERS]
- Grade Colour Code: [COLOURS]
- BLT/BLM Size: [NUMBERS]
- Supply Condition: [DESCRIPTION]
- Length (Mtrs): [NUMBERS]
- All 48 Chemical Composition fields
- All 16 Mechanical Properties fields
- All 38 Metallurgical Properties fields

Although the vast majority of the fields matched, they changed the dates, Heat No., No. of Pieces, and Qty (MT) to give the appearance that the test certificates pertained to separate raw material shipments that were one year apart.²⁵⁷ It is notable that in the No of Pieces field, a [NUMBER] was added before [NUMBER] or a [NUMBER] was removed from [NUMBER]. Also, the dates' year and day (but not the month) was changed.²⁵⁸ These changes give the appearance that a different group of [RAW MATERIAL] were being tested one year apart from each other, in November 2022 and November 2023. It is not possible for two separate mill test certificates on separate raw materials to replicate the exact same chemical compositions and mechanical and metallurgical properties.

Finally, the vast majority of the fields in Centric's third [COMPANY] mill test certificate (with the dates 07.11.2023 and 05.11.2023 in the upper right corner) match the vast majority of the fields in TSPGA's ninth [COMPANY] test certificate (with the dates 27.11.2022 and 25.11.2022 in the upper right corner).²⁵⁹ Specifically, the following fields in these two mill test certificates match:²⁶⁰

- TC No. [NUMBERS]
- Invoice No. [NUMBERS]
- Delivery Order No. [NUMBERS]
- Truck No. [NUMBERS]
- Container No. [NUMBERS]
- Customer Specification No. [NUMBERS]
- Commodity: [RAW MATERIAL AND NUMBERS]
- Grade: [NUMBERS]
- Section: [NUMBERS]
- Grade Colour Code: [COLOURS]
- BLT/BLM Size: [NUMBERS]
- Supply Condition: [DESCRIPTION]

²⁵⁷ *Id.*

²⁵⁸ *Id.*

²⁵⁹ *Id.*

²⁶⁰ *Id.*

- Length (Mtrs): [NUMBERS]
- All 48 Chemical Composition fields
- All 16 Mechanical Properties fields
- All 38 Metallurgical Properties fields

The fact that more than 100 fields match across several documents – including fields with unique numbers, such as Truck No, Container No, and Delivery Order No – indicates that one of these mill test certificates was copied from the other one.²⁶¹ It is notable that the Heat No., the No. of Pieces, Qty (MT), and the dates’ year and day (but not the month) was changed in one of the mill test certificates.²⁶² The changes to these fields give the appearance that a different group of [RAW MATERIAL] were being tested one year apart from each other, in November 2022 and November 2023. It is not possible for two separate mill test certificates on separate raw materials to replicate the exact same chemical compositions and mechanical and metallurgical properties.

Based on the previous evidence, the raw material documents pertaining to entries from PET appears to have been surreptitiously changed. Either PET or the importers copied the raw material documents from documents they already had and then changed the dates and a few other fields on the copies before the importers submitted them to CBP. The intended effect of the additional copies of the raw material documents was to give CBP the impression that PET received additional shipments of raw materials supposedly used in its production. However, the fact that these documents were fraudulently altered indicates that not all, or possibly none, of the raw material shipments occurred. Moreover, because PET supposedly used these raw materials to produce its OCTG and not all these raw materials existed, there is a high likelihood that other purported PET documentation was also surreptitiously created. These fraudulently created documents, along with the earlier evidence connecting PET to China, leads to a reasonable suspicion that PET transshipped Chinese-origin OCTG to Amek, Centric, LE Commodities, and TSPGA.

Enactment of Interim Measures

Based on the record evidence described above, CBP determines that reasonable suspicion exists that the Importers entered Chinese-origin OCTG subject to AD/CVD orders A-570-944 and C-570-943 into the United States that was transshipped. Therefore, CBP is imposing interim measures pursuant to this investigation.²⁶³ Specifically, in accordance with 19 U.S.C. § 1517(e)(1)-(3), CBP shall:

- (1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after February 23, 2024, the date of the initiation of the investigation;
- (2) pursuant to the Commissioner’s authority under section 1504(b) of this title, extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation February 23, 2024; and
- (3) pursuant to the Commissioner’s authority under section 1623 of this title, take such additional measures as the Commissioner determines necessary to protect the revenue of the United States, including requiring a single transaction bond or additional security or the posting of a cash deposit with respect to such covered merchandise.²⁶⁴

²⁶¹ *Id.*

²⁶² *Id.*

²⁶³ *See* 19 U.S.C. § 1517(e); *see also* 19 C.F.R. § 165.24.

²⁶⁴ *See also* 19 C.F.R. § 165.24(b)(1)(i)-(iii).

In addition, CBP will require live entry and reject any entry summaries that do not comply with live entry and require refiling of entries that are within the entry summary rejection period. CBP may also evaluate the Importers' continuous bonds to determine their sufficiency. Finally, CBP may pursue additional enforcement actions, as provided by law, consistent with 19 U.S.C. § 1517(h).

Consolidation of the Investigations

CBP consolidated EAPA investigations 7890-7898 and 7954 on the Importers into a single investigation.²⁶⁵ The new consolidated (Cons.) case number will be EAPA Cons. Case 7890, and a single administrative record will be maintained. At its discretion, CBP may consolidate multiple allegations against one or more importers into a single investigation, pursuant to 19 C.F.R. § 165.13(b), which stipulates that the factors that CBP may consider in consolidating multiple allegations include, but are not limited to, whether the multiple allegations involve: 1) relationships between the importers; 2) similarity of covered merchandise; 3) similarity of AD/CVD orders; and 4) overlap in time periods of entries of covered merchandise.²⁶⁶ The Importers in these 10 investigations entered the same covered merchandise subject to the same AD/CVD orders on OCTG from China, which the Allegations claim was transshipped through two companies in Thailand.²⁶⁷ In addition, the Importers' entries overlap within a similar POI.²⁶⁸ Because factors warranting consolidation are present in these investigations, CBP is consolidating them and will provide notice pursuant to 19 C.F.R. § 165.13(c). We note that the deadlines for the consolidated investigation have been set from the date of initiation of EAPA investigation 7890, which is February 23, 2024.²⁶⁹

For future submissions or factual information that you submit to CBP pursuant to this EAPA investigation, please provide a business confidential version and public version to CBP and serve the public versions on the parties to this investigation.²⁷⁰ Public versions of administrative record documents will be available via the EAPA Portal: <https://eapallegations.cbp.gov>. Please note that CBP is requiring that all documents submitted via the CMS are made text searchable, especially if those documents are submitted as PDFs.

²⁶⁵ Prior to consolidation, EAPA 7890 pertained to Centric, EAPA 7891 to LE Commodities, EAPA 7892 to Amek, EAPA 7893 to TSPGA, EAPA 7894 to Energy Pipe, EAPA 7895 to Kana, EAPA 7896 to Longfellow, EAPA 7897 to Lixin Energy, EAPA 7898 to Trek Metals, and EAPA 7954 to Copley.

²⁶⁶ See also 19 U.S.C. § 1517(b)(5).

²⁶⁷ See Allegations.

²⁶⁸ *Id.* at Exhibit 4.

²⁶⁹ See 19 C.F.R. § 165.13(a); see also 19 U.S.C. § 1517(b)(5)(B).

²⁷⁰ See 19 C.F.R. § 165.4; see also 19 C.F.R. § 165.23(c) and 19 C.F.R. § 165.26.

Should you have any questions regarding this investigation, you may contact us at eapallegations@cbp.dhs.gov with “EAPA Cons. Case 7890” in the subject line of your email. Additional information on this investigation, including the applicable statute and regulations, may be found on CBP’s website at: <https://www.cbp.gov/trade/trade-enforcement/tftea/eapa>.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Cho".

Victoria Cho
Director, Enforcement Operations Division
Trade Remedy Law Enforcement Directorate
CBP Office of Trade