



U.S. Customs and Border Protection

PUBLIC VERSION

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Nicholas J. Birch
On behalf of the Cast Iron Soil Pipe Institute
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Re: Notice of Initiation of Investigation and Interim Measures - EAPA Cons. Case 7621

To Mr. Birch and the Representative of Phoenix Metal Co., Ltd.:

This letter is to inform you that U.S. Customs and Border Protection (CBP) has commenced a formal investigation 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), of Phoenix Metal Co., Ltd. (Phoenix Metal). CBP is investigating whether Phoenix Metal evaded antidumping (AD) and countervailing duty (CVD) orders A-570-079 and C-570-080 on cast iron soil pipe (soil pipe) from the People's Republic of China (China) when importing soil pipe into the United States.¹ CBP has imposed interim measures because evidence supports a reasonable suspicion that Phoenix Metal 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 CFR 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 an "entry, or withdrawal from warehouse for consumption, of merchandise in

¹ See *Cast Iron Soil Pipe from the People's Republic of China: Antidumping Duty Order*, 84 FR 19035 (May 3, 2019); see also *Cast Iron Soil Pipe from the People's Republic of China: Countervailing Duty Order*, 84 FR 19039 (May 3, 2019) (collectively, the AD/CVD orders).

² See 19 USC 1517(e); see also 19 CFR 165.24.

the customs territory of the United States.”³ CBP acknowledged receipt⁴ of the properly filed allegation against Phoenix Metal on February 17, 2022.⁵ However, because this investigation is being consolidated into EAPA case 7621, as described below, the entries covered by this investigation are those entered for consumption, or withdrawn from warehouse for consumption, from August 13, 2020, through the pendency of this investigation.⁶

Initiation⁷

The Alleger claimed that Phoenix Metal acted as importer of record and exported soil pipe covered by the AD/CVD orders to the consignee, Glendale Plumbing and Fire Supply, Inc. (Glendale Plumbing).⁸ The scope of the AD/CVD orders covers finished or unfinished hubless and hub and spigot cast iron soil pipe regardless of industry or proprietary specifications or size so long as it meets the physical description set forth in the order.⁹ Cast iron soil pipe that is covered by the AD/CVD orders can be distinguished from other kinds of nonmalleable cast iron pipe based on how the pipe is connected to cast iron soil pipe fittings (pipe fittings).¹⁰ Hubless cast iron soil pipe is manufactured without a hub, typically in accordance with Cast Iron Soil Pipe Institute (CISPI) specification 301 and/or American Society for Testing and Materials (ASTM) specification A888, although compliance with those standards is not required.¹¹ Hub and spigot cast iron soil pipe has at least one hub into which the spigot (plain end) of a fitting is inserted.¹² To demonstrate that the soil pipe being imported by Glendale Plumbing (and potentially through Phoenix Metal) was covered by the scope of the AD/CVD orders, the Alleger provided [DESCRIPTION] information indicating that Phoenix Metal exported 86.9 metric tons of “no hub pipe” since November 2021 to Glendale Plumbing.¹³ The Alleger stated that these shipments were reported as originating from Cambodia and that in EAPA consolidated case 7454 CBP noted that “no hub pipe” is one of the terms used to describe covered merchandise.¹⁴

In addition to acting as the exporter, the Alleger averred that Phoenix Metal is also the importer of record on behalf of Glendale Plumbing.¹⁵ Specifically, the Alleger stated:

³ See 19 USC 1517(a)(4); see also 19 CFR 165.1.

⁴ See Email from CBP, “EAPA 7708: Official Receipt – Phoenix Metal,” dated February 17, 2022.

⁵ The Alleger, the Cast Iron Soil Pipe Institute, is a trade association, all of whose members are producers of soil pipe in the United States and, as such, has standing to submit this allegation pursuant to 19 USC 1517(a)(6)(A)(iv), 19 CFR 165.1(4), and 19 CFR 165.11(a); see Letter from the Alleger, “Cast Iron Soil Pipe: Request for an Investigation under the Enforce and Protect Act,” dated February 15, 2022 (Allegation) at 3 and Exhibit 12.

⁶ See 19 CFR 165.2. See also CBP’s, “Notice of Initiation of Investigation and Interim Measures – EAPA Cons. Case 7621,” dated December 9, 2021 at 2.

⁷ This section concerns evidence that the Alleger provided in the Allegation. Further evidence considered by TRLED is discussed in the interim measures section.

⁸ Pursuant to 19 CFR 165.11(b) and 165(b)(2), the allegation included importation.

⁹ See AD/CVD Orders.

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ See Allegation at 4, 7, and Exhibit 1. The Alleger also claimed that Glendale Plumbing is affiliated with AKW Supply Co. As support, the Alleger provided muniments from California’s Secretary of State indicating that the two companies have the same owner and share a common address. See Allegation at 1, 4, and Exhibits 2-3.

¹⁴ *Id.* at 7 and Exhibit 6, page 15.

¹⁵ *Id.* at 4.

According to CBP’s findings in an ongoing EAPA investigation regarding other CISP {cast iron soil pipe} transshipped through Cambodia, the Cambodian front company was used as the U.S. importer of record. Therefore, it is likely that for the shipments from Phoenix, Phoenix served as the importer of record.¹⁶

The “Cambodian front company” the Alleger referred to is Little Fireflies International Co. (Little Fireflies). As further support for its contention, the Alleger provided the notice of initiation of investigation and interim measures (NOI) for EAPA consolidated case 7621, in which CBP stated that Little Fireflies acted as the exporter and importer of record on shipments of soil pipe.¹⁷ The Alleger then discussed how Little Fireflies was affiliated with Phoenix Metal.

The Alleger provided Little Fireflies’ business registration information, which was sourced from the Cambodian Ministry of Commerce’s Business Registration Department.¹⁸ This information indicated that Little Fireflies was incorporated in Cambodia on October 1, 2020, and listed Yuanshou Zhang as Little Fireflies’ director and chairman of the board of directors.¹⁹ CBP’s NOI for EAPA consolidated case 7621 noted that Yuanshou Zhang, also known as Ryan Zhang, was listed as an employee of Dalian Metal I/E Co., Ltd. (Dalian Metal), a Chinese company, on multiple website screenshots dating back to 2019.²⁰ Thus, the business registration indicates that a current employee of Dalian Metal, Ryan Zhang, founded Little Fireflies.²¹

Dalian Metal, in turn, was founded by Linghong Li. The Alleger provided EAPA’s determination for consolidated case 7454, in which CBP discussed Dalian Metal’s role in providing logistics for transshipped soil pipe and its connection to Chinese soil pipe factories.²² The Alleger also provided Ms. Li’s LinkedIn profile, in which she stated that she formed Dalian Metal in China in 2001.²³ The Alleger claimed that Ms. Li also founded Phoenix Metal. As support, the Alleger provided business registration information from Cambodia’s Ministry of Commerce for Phoenix Metal.²⁴ This business registration information indicated that Phoenix Metal was incorporated in Cambodia on May 4, 2021, and listed Linghong Li as Phoenix Metal’s director and chairman of the board of directors.²⁵ Thus, the preceding information indicates that Little Fireflies, Dalian Metal, and Phoenix Metal are affiliates under the common ownership and/or control of Linghong Li.

¹⁶ *Id.*

¹⁷ *Id.* at 4, 9, and Exhibit 8. The Alleger also provided CBP’s notice of initiation of investigation and interim measures for EAPA case 7624. In that case, CBP found that reasonable suspicion existed that Little Fireflies acted as the importer of record on shipments of Chinese-origin cast iron soil pipe fittings transshipped through Cambodia. *Id.* at Exhibit 7.

¹⁸ *Id.* at Exhibit 5.

¹⁹ *Id.*

²⁰ *Id.* at Exhibit 8, page 3.

²¹ *See also* Letter from Granite Plumbing Products LLC, “Response to RFI #1,” dated January 11, 2022 (Granite Plumbing RFI) at Exhibit APP I-9, page 155. In an email dated [EMAIL DESCRIPTION]

²² *See* Allegation at Exhibit 6, page 17.

²³ *Id.* at Exhibit 9, page 3.

²⁴ *Id.* at Exhibit 4.

²⁵ *Id.*

The Allegor stated that Ms. Li is also the founder and president of the New York-based importer Lino International Inc. (Lino).²⁶ In EAPA consolidated case 7454, CBP determined that Lino evaded the payment of AD/CVD duties by importing Chinese-origin soil pipe from the Cambodian exporter HiCreek Plumbing Co., Ltd. (HiCreek).²⁷ During a July 2020 site visit to HiCreek’s Cambodian facility, visiting U.S. officials found no evidence of recent production and observed boxes of pipe fittings labeled as “Made in China.”²⁸ Furthermore, CBP traced shipments of soil pipe in consolidated case 7454 from China to HiCreek to Lino.²⁹ With reference to the current Allegation, the Allegor pointed out that [DESCRIPTION] information indicates that Phoenix Metal uses the same address to report its shipments that HiCreek used.³⁰ This common address reasonably suggested that Phoenix Metal may not be engaged in active manufacturing at that address.

Additionally, in consolidated case 7454 CBP found that Lino “was not truthful with CBP on several instances” and “was an active agent of transshipment rather than a passive recipient of transshipped merchandise.”³¹ In the same vein, CBP found that Lino set up a front company called DLNL Trading Inc. (DLNL) during the EAPA investigation so it could continue importing soil pipe and pipe fittings from HiCreek, thereby evading CBP’s interim measures.³² Based upon Lino’s actions during consolidated case 7454 and its connection to Phoenix Metal and Little Fireflies, the Allegor contended that Lino similarly set up Phoenix Metal and Little Fireflies, via its Dalian Metal employee Ryan Zhang, to continue to evade the AD/CVD orders.³³ The Allegor also pointed out that Little Fireflies has thus far refused to cooperate with CBP’s ongoing investigations, EAPA consolidated case 7621 and EAPA case 7624.³⁴

Finally, the Allegor asserted that Lino and its owner, Ms. Li, had, by that point, been involved in three EAPA proceedings and set up multiple front companies to evade the AD/CVD orders.³⁵ As such, the Allegor propounded that CBP take action in addition to an EAPA investigation as a further deterrent. The Allegor noted that under 19 CFR 165.28, CBP can take “‘other actions’ as appropriate to address evasion.”³⁶ Specifically, the Allegor requested that CBP “refer the matter to U.S. Immigration and Customs Enforcement (ICE) for a possible civil and criminal investigation,” pursuant to 18 USC 542.³⁷

²⁶ *Id.* at 7 and Exhibits 6, 9.

²⁷ *Id.* at 8 and Exhibit 6.

²⁸ *Id.* at 8 and Exhibit 6, pages 3-4.

²⁹ *Id.* at 8 and Exhibit 6, pages 13-14.

³⁰ *Id.* at 9 and Exhibit 1, pages 1-2, and Exhibit 10.

³¹ *Id.* at 8 and Exhibit 6, pages 15-16.

³² *Id.* at 8 and Exhibit 6, pages 17-18.

³³ *Id.* at 10. The Allegor provided a Federal Register notice indicating that the U.S. Department of Commerce (Commerce) assigned Dalian Metal and its affiliate Dalian Lino FTZ Co. Ltd. a 235.93 percent AD rate in Commerce’s AD/CVD investigation. *Id.* at 8 and Exhibit 11, page 2. The Allegor noted that in EAPA consolidated case 7454, Lino was listed as the “trade arm” of Dalian Metal. *Id.* at 7-8 and Exhibit 6, page 7.

³⁴ *Id.* at 9 and Exhibits 7-8.

³⁵ *Id.* at 10.

³⁶ *Id.*; see also 19 CFR 165.47; see also 19 USC 1517(d)(1)(E); see also 19 USC 1517(h).

³⁷ See Allegation at 10.

Initiation Assessment

TRLED 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.”³⁸ 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.”³⁹ Thus, the allegation must reasonably suggest not only that the importer alleged to be evading entered merchandise subject to an AD and/or CVD order into the United States, but also that such entry was made by 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.

In assessing the basis for the Allegation, CBP found that the information the Allegor submitted reasonably suggested that Phoenix Metal entered merchandise covered by the AD/CVD orders into the customs territory of the United States through evasion.⁴⁰ Specifically, this information included the following:

- [DESCRIPTION] information showing recent shipments of soil pipe from Phoenix Metal in Cambodia to the United States.
- Business registration information from Cambodia’s Ministry of Commerce that listed Linghong Li of Lino as Phoenix Metal’s director and chairman of the board of directors.
- Evidence from EAPA cases 7454-7455, which consisted of various attempts by Linghong Li’s company Lino and its Chinese, affiliate Dalian Metal, to avoid payment of AD/CVD duties and use of HiCreek as a middleman in transshipment.
- Evidence that Phoenix Metal used the same address to report its shipments that HiCreek used. Because CBP determined in consolidated case 7454 that HiCreek used this address to transship soil pipe, Phoenix Metal’s use of the same address reasonably suggested it was using HiCreek’s facility to continue transshipping soil pipe.

Taken collectively, this information reasonably suggested that Phoenix Metal was formed by Ms. Li and her affiliates as another company for the specific purpose of continuing the scheme of transshipment of covered merchandise through Cambodia.⁴¹

Thus, for the reasons previously set forth, CBP found that the Allegation reasonably suggested that Phoenix Metal entered soil pipe from China into the United States through evasion and initiated an investigation under the authority of 19 USC 1517(b)(1).⁴²

³⁸ See 19 CFR 165.15(b); see also 19 USC 1517(b)(1).

³⁹ See 19 CFR 165.1; see also 19 USC 1517(a)(5)(A).

⁴⁰ See Allegation at 7-10 and Exhibits 1, 4-10.

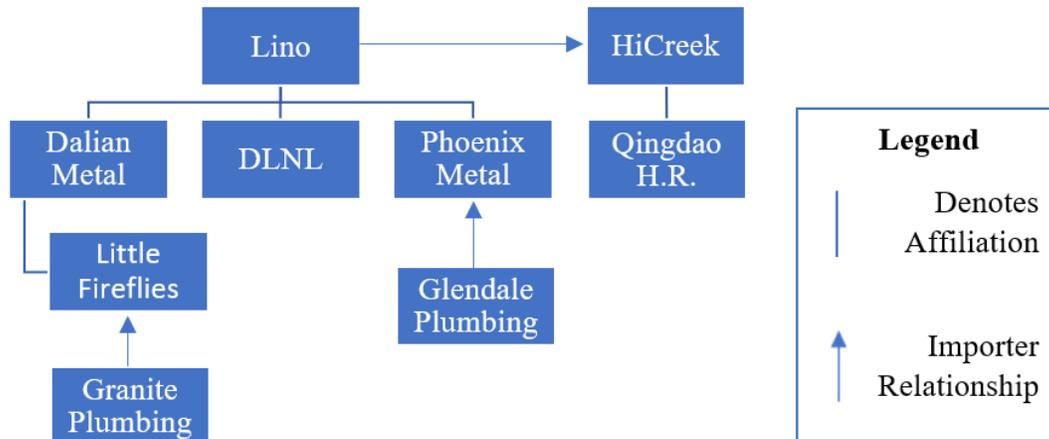
⁴¹ *Id.*

⁴² See also 19 CFR 165.15.

Interim Measures

Not later than 90 calendar days after initiating an investigation under EAPA,⁴³ 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.⁴⁴ CBP need only have sufficient evidence to support a reasonable suspicion that the importer 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. If reasonable suspicion exists, CBP will impose interim measures pursuant to 19 USC 1517(e) and 19 CFR 165.24. As explained below, CBP is imposing interim measures because there is reasonable suspicion that Phoenix Metal entered Chinese-origin covered merchandise into the United States through evasion by means of transshipment through Cambodia.⁴⁵

Companies Mentioned in this Notice



The above chart depicts the relationships between most of the companies mentioned in this notice. Some of these relationships date to a previous EAPA case. To recap, on April 7, 2020, CBP initiated EAPA consolidated case 7454 to investigate whether Lino was importing Chinese-origin soil pipe that was transshipped through Cambodia via HiCreek. On July 13, 2020, CBP announced to Lino that it was under an EAPA investigation and that CBP had taken interim measures against its imports from HiCreek. CBP subsequently discovered that on August 21, 2020, less than a month and a half following the notice of investigation, a Lino employee set up an importer named DLNL and that DLNL began receiving shipments from HiCreek in September 2020.⁴⁶ On February 8, 2021, CBP issued its determination that Lino imported

⁴³ See CBP Memorandum, “Initiation of Investigation for EAPA Case 7708,” dated February 28, 2022 (Initiation Memorandum).

⁴⁴ See 19 CFR 165.24(a).

⁴⁵ *Id.*

⁴⁶ See Allegation at Exhibit 6, pages 5, 17. The employee worked for Lino Metal, which is 100 percent owned by Lino’s owner.

Chinese-origin soil pipe transshipped through Cambodia from HiCreek. In reaching this determination, CBP considered [DESCRIPTION] showing that HiCreek was importing soil pipe from China to Cambodia.⁴⁷ CBP noted that Lino’s Chinese affiliate Dalian Metal played a “coordinating role” in Lino’s transshipped imports from HiCreek.⁴⁸

On September 3, 2021, CBP initiated an ongoing case, EAPA consolidated case 7621, to investigate whether the importers Little Fireflies and Granite Plumbing Products LLC (Granite Plumbing) were importing Chinese-origin soil pipe transshipped through Cambodia.⁴⁹ On its entries, Granite Plumbing was listed as the importer of record and Little Fireflies was listed as the exporter. However, on its entries as reflected in CBP import data, Little Fireflies was listed as the importer of record and as the exporter, and record evidence indicates that Lino and HiCreek are still involved in these entries.⁵⁰ Specifically, concerning an entry from Little Fireflies, Granite Plumbing told CBP that “[SITUATION DESCRIPTION

]”⁵¹ Granite Plumbing listed Lino as their supplier of covered merchandise during the period of investigation.⁵² Additionally, numerous emails during [SITUATION DESCRIPTION]⁵³

As previously noted, Lino’s owner Linghong Li formed/founded Phoenix Metal. Record evidence indicates that Phoenix Metal was identified as its entries’ importer of record and that it entered covered merchandise under HTSUS number [NUMBER].⁵⁴ In EAPA consolidated case 7454, CBP found that Lino and another unrelated importer entered multiple soil pipe entries under the same HTSUS number.⁵⁵ Additionally, Phoenix Metal described its entries’ merchandise as “no hub pipe,” which is a description Lino previously used for covered soil pipe and further corroborates that the entries contained covered merchandise.⁵⁶

In consolidated case 7454, CBP found that Lino made “misleading statements to” another importer, made contradictory statements concerning its ownership of factories, and “withheld its banking statements from CBP.”⁵⁷ Moreover, CBP found that Lino set up the front company DLNL a few months into the EAPA investigation 7454 in order to evade CBP’s interim

⁴⁷ *Id.* at Exhibit 6, pages 13-14.

⁴⁸ *Id.* at Exhibit 6, page 16.

⁴⁹ See CBP Letter, “Notice of Initiation and Investigation and Interim Measures – EAPA Cons. Case 7621,” dated December 9, 2021 at 5. Page 24 shows a [DESCRIPTION]. Whereas page 29 shows a [DESCRIPTION].

⁵⁰ See Little Fireflies CF28 Response, dated September 22, 2021; see also Little Fireflies CF29 Response, dated October 28, 2021; see also DC NTAC Report, dated September 3, 2021.

⁵¹ See Granite Plumbing CF-28 Response, dated January 27, 2022 at 5.

⁵² See Granite Plumbing RFI at 15-16, 18.

⁵³ *Id.* at Exhibit APP I-9.

⁵⁴ See DC NTAC Report, dated February 25, 2022; see also Allegation at 4, 7, and Exhibit 1.

⁵⁵ See Allegation at Exhibit 6, page 15; see also CBP Memorandum, “Adding Information to the Administrative Record,” dated December 1, 2021 (December 1 Memorandum) at Exhibit 3, page 15.

⁵⁶ *Id.*

⁵⁷ See Allegation at Exhibit 6, pages 15-17.

measures.⁵⁸ Consequently, the fact that Linghong Li, the founder and president of Lino, set up Phoenix Metal contributes to a reasonable suspicion of evasion.

In consolidated case 7454, CBP found that Lino transshipped Chinese-origin soil pipe through HiCreek's Cambodian facility.⁵⁹ Other than what this notice has already discussed, that case's determination described the following evidence pertaining to HiCreek:

- One month after Commerce initiated an AD/CVD investigation on soil pipe, a Chinese company named Qingdao H.R. International Trading Co., Ltd. (Qingdao H.R.) likely established HiCreek to avoid paying AD/CVD duties on Chinese soil pipe.⁶⁰ Specifically, a manager for Qingdao H.R. named Ellen Qian Zhang incorporated HiCreek in Cambodia and worked as HiCreek's general manager.⁶¹
- HiCreek began exporting soil pipe to the United States before it imported machinery and equipment essential for soil pipe production from China.⁶²
- HiCreek imported soil pipe from China that it then exported to the United States as products of Cambodia.⁶³ CBP calculated that HiCreek's 2019-2020 soil pipe imports from China constituted [#] percent of its 2019-2020 soil pipe exports to the United States.⁶⁴
- HiCreek submitted payment information tables to CBP that had column headings indicating transshipment such as “[LIST OF COLUMN HEADINGS]”.⁶⁵

Combined with this prior evidence of HiCreek's transshipment, the fact that Phoenix Metal used the same shipping address as HiCreek's Cambodian facility in its August 2021 bills of lading creates a reasonable suspicion of evasion.⁶⁶ Furthermore, this common address and the fact that Linghong Li, who had already formed two entities implicated in a transshipment scheme, set up Phoenix Metal indicates that Lino and HiCreek may be using Phoenix Metal as a front company to transship Chinese-origin soil pipe through HiCreek.⁶⁷

Enactment of Interim Measures

Based on the record evidence described above, CBP determines that reasonable suspicion exists that Phoenix Metal transshipped Chinese-origin soil pipe into the United States from Cambodia that was that was subject to AD/CVD orders A-570-079 and C-570-080. Therefore, CBP is

⁵⁸ *Id.* at Exhibit 6, pages 17-18.

⁵⁹ *Id.* at Exhibit 6.

⁶⁰ *Id.* at Exhibit 6, page 9.

⁶¹ *Id.* at Exhibit 6, pages 7, 9-10.

⁶² *Id.* at Exhibit 6, page 11.

⁶³ *Id.* at Exhibit 6, pages 12-13; *see also* December 1 Memorandum at Exhibit 3.

⁶⁴ *See* Allegation at Exhibit 6, pages 12-13.

⁶⁵ *Id.* at Exhibit 6, pages 14-15; *see also* December 1 Memorandum at Exhibit 3, page 13.

⁶⁶ *See* Letter from Allstar Mechanical USA LLC, “Response to Request for Information,” dated March 7, 2022 at 22-23. CBP received this RFI response from a consignee named Allstar Mechanical USA LLC in consolidated case 7621.

⁶⁷ *See* Allegation at 9 and Exhibits 1, 10.

imposing interim measures pursuant to this investigation.⁶⁸ Specifically, in accordance with 19 USC 1517(e)(1-3), CBP shall:

- (1) suspend the liquidation of each unliquidated entry of such covered merchandise that entered on or after February 28, 2022, the date of the initiation of the investigation;
- (2) pursuant to the Commissioner's authority under section 504(b), extend the period for liquidating each unliquidated entry of such covered merchandise that entered before the date of the initiation of the investigation February 28, 2022; and
- (3) pursuant to the Commissioner's authority under section 623, 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.⁶⁹

In addition, CBP will require live entry and reject any entry summaries that do not comply with live entry and require refile of entries that are within the entry summary rejection period. CBP will also evaluate Phoenix Metal's continuous bond to determine its sufficiency. Finally, CBP may pursue additional enforcement actions, as provided by law, consistent with 19 USC 1517(h).

Consolidation of the Investigations

CBP is consolidating EAPA investigation 7708 on Phoenix Metal into EAPA consolidated investigation 7621 on Little Fireflies and Granite Plumbing. The resulting consolidated case number will be EAPA Consolidated Case 7621 and CBP will maintain a single administrative record. At its discretion, CBP may consolidate multiple allegations against one or more importers into a single investigation, pursuant to 19 CFR 165.13(a), (b). This regulation 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.⁷⁰ In these investigations, Little Fireflies, Granite Plumbing, and Phoenix Metal are alleged to be entering merchandise covered by the AD/CVD orders on soil pipe from China.⁷¹ In addition, the time periods of all three importers' entries of covered merchandise fall within the same period of investigation.⁷² Moreover, the three importers are alleged to import soil pipe produced in China and then transshipped through Cambodia via companies that Linghong Li and her employee at Dalian Metal set up, namely Phoenix Metal and Little Fireflies.⁷³ Because factors warranting consolidation are present, CBP is consolidating these investigations and is providing notice pursuant to 19 CFR 165.13(c). We note that the deadlines for the consolidated investigation have been set from the date of initiation for EAPA consolidated case 7621, which is September 3, 2021.⁷⁴

⁶⁸ See 19 USC 1517(e); see also 19 CFR 165.24.

⁶⁹ See also 19 CFR 165.24(b)(1)(i-iii).

⁷⁰ See also 19 USC 1517(b)(5).

⁷¹ See Allegation at 4, 7, and Exhibit 1.

⁷² *Id.*

⁷³ *Id.* at 7-8 and Exhibits 4-5, 8-9.

⁷⁴ See 19 CFR 165.13(a); see also 19 USC 1517(b)(5)(B).

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.⁷⁵ Public versions of administrative record documents will be available via the EAPA Portal: <https://eapallegations.cbp.gov>.

Should you have any questions regarding this investigation, you may contact us at eapallegations@cbp.dhs.gov with “EAPA Cons. Case 7621” 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 black ink, appearing to read "Brian M. Hoxie". The signature is fluid and cursive, with the first name being the most prominent.

Brian M. Hoxie
Director, Enforcement Operations Division
Trade Remedy Law Enforcement Directorate
CBP Office of Trade

⁷⁵ See 19 CFR 165.4; see also 19 CFR 165.23(c); see also 19 CFR 165.26.