

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN BOTULINUM TOXIN
PRODUCTS AND PROCESSES FOR
MANUFACTURING OR RELATING TO
SAME**

Investigation No. 337-TA-1313

**NOTICE OF THE COMMISSION DETERMINATION NOT TO REVIEW AN
INITIAL DETERMINATION SETTING AN 18-MONTH TARGET DATE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 5) of the presiding Administrative Law Judge (“ALJ”) setting an 18-month target date in this investigation.

FOR FURTHER INFORMATION CONTACT: Michael Liberman, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone (202) 205-2392. Copies of non-confidential documents filed in connection with this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. General information concerning the Commission may also be obtained by accessing its Internet server at <https://www.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810.

SUPPLEMENTARY INFORMATION: On May 5, 2022, the Commission instituted this investigation under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337 (“section 337”), based on a complaint filed by complainant Medytox Inc. 87 FR 26782-26783 (May 5, 2022). The complaint alleged a violation of section 337 based upon the importation into the United States, the sale for importation, or the sale within the United States after importation of certain botulinum toxin products and processes for manufacturing or relating to same by reason of theft and conversion and misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* at 26782. The notice of investigation named as respondents: Hugel, Inc. of Seoul, Republic of Korea; Hugel America, Inc. of Irvine, California; and Croma Pharma GmbH of Leobendorf, Austria. The complaint also alleged the existence of a domestic industry. *Id.* at 26783. The Commission’s Office of Unfair Import Investigations was named as a party in this investigation. *Id.*

On May 26, 2022, the presiding ALJ issued the subject ID (Order No. 5) setting an 18-month target date for completion of this investigation. The target date is November 6, 2023. No party petitioned for review of the ID.

The Commission has determined not to review the subject ID. The target date is November 6, 2023, and the final initial determination is due no later than July 6, 2023.

The Commission vote for this determination took place on June 21, 2022.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in Part 210 of the Commission's Rules of Practice and Procedure, 19 CFR Part 210.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'L.R. Barton', enclosed in a circular flourish.

Lisa R. Barton
Secretary to the Commission

Issued: June 21, 2022