

**UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC**

**In the Matter of**

**CERTAIN STAINLESS STEEL  
PRODUCTS, CERTAIN PROCESSES  
FOR MANUFACTURING OR  
RELATING TO SAME, AND CERTAIN  
PRODUCTS CONTAINING SAME**

**Investigation No. 337-TA-933**

**NOTICE OF COMMISSION DETERMINATION  
NOT TO REVIEW AN INITIAL DETERMINATION  
DENYING A MOTION TO INITIATE BOND FORFEITURE PROCEEDINGS**

**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. 20) denying complainants’ motion to initiate a bond forfeiture proceeding.

**FOR FURTHER INFORMATION CONTACT:** Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone 202-205-3438. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<https://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.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:** The Commission instituted the investigation on October 10, 2014, based on a complaint filed by Valbruna Slater Stainless, Inc. of Fort Wayne, Indiana; Valbruna Stainless Inc., of Fort Wayne, Indiana; and Acciaierie Valbruna S.p.A. of Italy (collectively, “Valbruna”). 79 FR 61339 (Oct. 10, 2014). The complaint alleged violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain stainless steel products, certain processes for manufacturing or relating to same, and certain products containing same by reason of the misappropriation of trade secrets, the threat or effect of which is to destroy or substantially injure an industry in the United States. *Id.* The

notice of investigation named as respondents Viraj Profiles Limited of Mumbai, India (“Viraj Profiles”); Viraj Holdings P. Ltd. of Mumbai, India; Viraj - U.S.A., Inc. of Garden City, New York; Flanschenwerk Bebitz GmbH of Könnern, Germany; Bebitz Flanges Works Pvt. Ltd. of Maharashtra, India; Bebitz U.S.A. of Garden City, New York; Ta Chen Stainless Pipe Co., Ltd. of Tainan, Taiwan; and Ta Chen International, Inc. of Long Beach, California. *Id.* The Office of Unfair Import Investigations (“OUII”) also was named as a party to the investigation. *Id.*

On May 25, 2016, the Commission found a violation of section 337 as to Viraj Profiles based on a finding of default for spoliation of evidence. The Commission issued a limited exclusion order prohibiting importation of certain stainless steel products manufactured by or on behalf of Viraj Profiles using Valbruna’s misappropriated trade secrets. The Commission also issued a cease and desist order directed to Viraj Profiles. The Commission determined to apply a bond in the amount of 13.4 percent of the entered value of excluded products imported or sold during the period of Presidential review.

On September 29, 2016, Valbruna filed a motion to initiate a bond forfeiture proceeding. On October 14, 2016, Viraj Profiles and OUII filed oppositions to the motion.

On October 31, 2016, the presiding administrative law judge issued an ID (Order No. 20), denying the motion as premature because the Commission’s determination is currently on appeal to the U.S. Court of Appeals for the Federal Circuit. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

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 C.F.R. part 210).

By order of the Commission.



Lisa R. Barton  
Secretary to the Commission

Issued: November 29, 2016