

**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.**

In the Matter of

**CERTAIN PRODUCTS CONTAINING
TIRZEPATIDE & PRODUCTS
PURPORTING TO CONTAIN
TIRZEPATIDE**

Investigation No. 337-TA-1377

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION EXTENDING THE TARGET DATE**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission (“Commission”) has determined not to review an initial determination (“ID”) (Order No. 27) of the presiding administrative law judge (“ALJ”) extending the target date to May 12, 2025. The final ID shall now issue by January 10, 2025.

FOR FURTHER INFORMATION CONTACT: Ronald A. Traud, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 205-3427. 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: The Commission instituted this investigation on November 27, 2023, based upon a complaint filed on behalf of Eli Lilly and Company of Indianapolis, Indiana (“Lilly”). 88 FR 82914, 82914-15 (Nov. 27, 2023). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain products containing tirzepatide or purporting to contain tirzepatide by reason of false designation of source and false and misleading advertising, the threat or effect of which is to destroy or substantially injure an industry in the United States, and by reason of infringement of U.S. Trademark No. 6,809,369. *Id.* The complaint also alleges that a domestic industry exists pursuant to subsection (a)(2) of section 337. *Id.* The Commission’s notice of investigation named as respondents: (1) Arctic Peptides LLC of Akeny, Iowa; (2) Audrey Beauty Co. of Hong Kong, China; (3) Biolabshop Limited of Lancaster, United Kingdom; (4) Mew Mews Company Limited of Hong Kong, China; (5) Strate Labs LLC of Spring, Texas; (6) Steroide Kaufen of Bialystok, Poland (“Steroide Kaufen”); (7) Super Human Store of Barcelona, Spain; (8) Supopeptide of Cedar Grove, New Jersey (“Supopeptide”); (9) Triggered

Supplements LLC (d/b/a The Triggered Brand) of Clearwater, Florida; (10) Unewlife of Cedar Grove, New Jersey (“Unewlife”); and (11) Xiamen Austronext Trading Co., Ltd. (d/b/a AustroPeptide) of Fujian, China. *Id.* at 82915. The Office of Unfair Import Investigations is also named as a party in this investigation. *Id.*

On March 21, 2024, the investigation terminated in part with respect to respondents Unewlife, Supopeptide, and Steroide Kaufen. Order No. 8 (Mar. 7, 2024), *unreviewed by Comm’n Notice* (Mar. 21, 2024).

On May 21, 2024, the complaint was amended to add as respondents Fibonacci Sequence LLC (d/b/a GenX Peptides) of Houston, Texas; and Paradigm Peptides of Michigan City, Indiana. Order No. 12 (Apr. 22, 2024), *unreviewed by Comm’n Notice* (May 21, 2024), available at 89 FR 46159, 46159-60 (May 28, 2024).

On June 13, 2024, the complaint was further amended to add as a respondent Total Compounding Pharmaceuticals of Australia. Order No. 16 (May 8, 2024), *unreviewed by Comm’n Notice* (June 13, 2024), available at 89 FR 5149, 51549-50 (June 18, 2024).

On July 12, 2024, Lilly moved for summary determination on violation based on allegations against certain respondents of trademark infringement, false designation of origin, and/or false advertising. On December 6, 2024, the ALJ partially granted the motion. Order No. 26 (Dec. 6, 2024). On that same day, the ALJ issued the subject ID which included an order seeking a joint submission from the parties on whether any further proceedings are requested and/or warranted. To allow time for the parties to review Order No. 26 and to accommodate any further proceedings, the subject ID extended the target date approximately five weeks to May 12, 2025. According to this schedule, the final ID shall issue by January 10, 2025. No petitions for review were filed.

The Commission has determined not to review the subject ID. Accordingly, the target date is now May 12, 2025, and the final initial determination is now due on January 10, 2025.

The Commission vote for this determination took place on January 6, 2025.

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.



Lisa R. Barton
Secretary to the Commission

Issued: January 6, 2025