

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN RAISED GARDEN BEDS
AND COMPONENTS THEREOF**

Investigation No. 337-TA-1334

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW TWO INITIAL
DETERMINATIONS TERMINATING THE INVESTIGATION AS TO TWO
RESPONDENTS**

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. 11) of the Chief Administrative Law Judge (“CALJ”), terminating the investigation as to Vegherb LLC d/b/a Frame-it-All (“Vegherb”) based on settlement and an ID (Order No. 12) terminating the investigation as to Forever Garden based on settlement.

FOR FURTHER INFORMATION CONTACT: Benjamin S. Richards, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone (202) 708-5453. 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 October 19, 2022. 87 FR 63527 (Oct. 19, 2022). The complaint, as supplemented and amended, alleges 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, or the sale within the United States after importation of certain raised garden beds and components thereof by reason of misappropriation of trade secrets and unfair competition, the threat or effect of which is to destroy or substantially injure a domestic industry. *Id.* The Commission’s notice of investigation, as amended, named as respondents Huizhou Green Giant Technology Co., Ltd., of Guangdong China; Utopban of Rosemead, CA; Utopban Limited of Hong Kong; Forever Garden of El Monte, CA; and Vegherb of Cary, NC. *Id.*; Order No. 8 (Dec. 13, 2022, *unreviewed by*

Comm'n Notice, 88 FR 2637-38 (Jan. 17, 2023)). The complainant is Vego Garden, Inc. of Houston, TX ("Vego"). *Id.* The Office of Unfair Import Investigations is participating in the investigation. *Id.*

On February 23, 2023, the CALJ issued the subject IDs, which granted unopposed motions to terminate the investigation as to Vegherb and Forever Garden on the basis of settlement agreements between those respondents and Vego. The IDs found that both motions complied with the Commission's rules and that no extraordinary circumstances warranted their denial. The IDs also found no evidence that termination of the investigation as to Vegherb and Forever Garden would adversely affect the public interest. No petitions for review of the IDs were received.

The Commission has determined not to review the subject IDs. The investigation is terminated as to Vegherb and Forever Garden.

The Commission vote for this determination took place on March 23, 2023.

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: March 23, 2023