

**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 TO EXTEND THE DATE FOR
DETERMINING WHETHER TO REVIEW AN INITIAL DETERMINATION AND TO
EXTEND 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 to extend the date for determining whether to review a final initial determination on violation of section 337 (the “Final ID”) issued by the presiding administrative law judge (“ALJ”) to January 9, 2024, and to extend the target date for the completion of this investigation to March 11, 2024.

FOR FURTHER INFORMATION CONTACT: Edward S. Jou, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3316. 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, based on an amended complaint (the “Complaint”) filed by Vego Garden, Inc. of Houston, Texas (the “Complainant” or “Vego Garden”). 87 FR 63527-28 (Oct. 19, 2022). The Complaint alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based upon the importation into the United States, and in the sale 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.* at 63527.

The Commission’s notice of investigation named five respondents, *see id.*, and the name of one of the respondents was corrected pursuant to an amended complaint. *See* 88 FR 2637-38 (Jan. 17, 2023) (amending complaint and notice of investigation). The five named respondents,

as amended, are: Huizhou Green Giant Technology Co., Ltd. (“Green Giant”) of Guangdong, China; Utopban International Trading Co., Ltd. d/b/a Vegega (“Utopban International”) of Rosemead, California; Utopban Limited of Hong Kong, China; Forever Garden of El Monte, California; and VegHerb, LLC d/b/a Frame It All (“VegHerb”) of Cary, North Carolina. *See id.* at 2638. The Office of Unfair Import Investigations (“OUII”) is also a party in this investigation. *Id.*

The investigation was terminated as to Utopban International based on withdrawal of Complainant’s allegations. Order No. 9 (Jan. 30, 2023), *unreviewed by* Comm’n Notice (Feb. 27, 2023). The investigation was terminated as to Forever Garden and VegHerb based on settlement agreements. Order No. 11 (Feb. 23, 2023) (VegHerb) and Order No. 12 (Feb. 23, 2023) (Forever Garden), *both unreviewed by* Comm’n Notice (Mar. 23, 2023).

An evidentiary hearing was held on May 22-25, 2023, and the ALJ issued the Final ID on September 8, 2023. Respondents Green Giant and Utopban Limited filed a petition for review of the Final ID on September 20, 2023. Complainant Vego Garden filed a response in opposition to the petition on September 28, 2023. OUII filed a response in opposition to the petition on October 2, 2023.

The Commission has determined to extend the date for determining whether to review the Final ID from November 9, 2023, to January 9, 2024. The Commission has also determined to extend the target date for completion of this investigation from January 8, 2024, to March 11, 2024.

The Commission vote for this determination took place on November 7, 2023.

This action is taken under the authority of 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: November 7, 2023