UNITED STATES INTERNATIONAL TRADE COMMISSION Washington, D.C.

In the Matter of

CERTAIN PRODUCTS CONTAINING TIRZEPATIDE AND PRODUCTS PURPORTING TO CONTAIN TIRZEPATIDE **Investigation No. 337-TA-1377**

NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN INITIAL DETERMINATION FINDING CERTAIN RESPONDENTS IN DEFAULT

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. 13) of the presiding administrative law judge ("ALJ") finding eight respondents in default.

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, telephone (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 ("Eli Lilly") of Indianapolis, Indiana. 88 FR 82914-15 (Nov. 27, 2023). The complaint, as supplemented, alleges violations of section 337 based upon the importation into the United States and the sale 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 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 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 Arctic Peptides LLC of Akeny, Iowa; Audrey Beauty Co. of Hong Kong, China; Biolabshop Limited of Lancaster, United Kingdom; Mew Mews Company Limited of Hong Kong, China; Strate Labs LLC of Spring, Texas; Steroide Kaufen of Bialystok, Poland; Super Human Store of Barcelona, Spain; Supopeptide of Cedar Grove, New Jersey; Triggered Supplements LLC of Clearwater, Florida; Unewlife of Cedar Grove, New Jersey; and Xiamen

Austronext Trading Co., Ltd. of Fujian, China. *Id.* at 82915. The Office of Unfair Import Investigations ("OUII") is also named as a party in this investigation. *Id.*

Respondents Unewlife, Supopeptide, and Steroide Kaufen were terminated pursuant to withdrawal of the complaint. *See* Order No. 8 (Mar. 7, 2024), *unreviewed by* Comm'n Notice (Mar. 21, 2024).

On March 26, 2024, the ALJ issued an order (Order No. 10) directing respondents Arctic Peptides LLC; Audrey Beauty Co., Ltd.; Biolabshop Limited; Mew Mews Co. Ltd.; Strate Labs LLC; Super Human Store; Triggered Supplements LLC (d/b/a The Triggered Brand); and Xiamen Austronext Trading Co., Ltd. (d/b/a AustroPeptide) (collectively, the "Defaulting Respondents") to show cause why they should not be found in default by April 9, 2024. The ALJ found that each of the Defaulting Respondents received notice of the complaint and notice of investigation and did not respond. *See* Order No. 10 at 3-5. Arctic Peptides LLC, Strate Labs LLC, and Triggered Supplements LLC (d/b/a The Triggered Brand) are domestic respondents served by express delivery on November 28, 2023. *Id.* at 3-4. Audrey Beauty Co., Ltd. was served by personal service on January 24, 2024. *Id.* at 4. Biolabshop Limited was served by express delivery in a foreign country on November 27, 2023. *Id.* Mew Mews Co., Ltd. was served by personal service on January 24, 2024. *Id.* Super Human Store was served by personal service on January 26, 2024. *Id.* at 4-5. Xiamen Austronext Trading Co., Ltd. (d/b/a AustroPeptide) was served by personal service on January 30, 2024. *Id.* at 5. Each party was served at the address listed in the Commission's notice of investigation. *See id.* at 3-5. None of the Defaulting Respondents have entered an appearance or filed any response to the complaint and notice of investigation. *Id.* at 5.

On April 22, 2024, the ALJ issued the subject ID (Order No. 13) finding the Defaulting Respondents in default, because none of them responded to the show cause order. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID. Respondents Arctic Peptides LLC; Audrey Beauty Co., Ltd.; Biolabshop Limited; Mew Mews Co. Ltd.; Strate Labs LLC; Super Human Store; Triggered Supplements LLC (d/b/a The Triggered Brand); and Xiamen Austronext Trading Co., Ltd. (d/b/a AustroPeptide) have been found in default.

The Commission vote for this determination took place on May 15, 2024.

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: May 15, 2024