

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

**In the Matter of**

**CERTAIN DISPOSABLE VAPORIZER  
DEVICES AND COMPONENTS AND  
PACKAGING THEREOF**

**Investigation No. 337-TA-1381**

**NOTICE OF A COMMISSION DETERMINATION NOT TO REVIEW AN  
INITIAL DETERMINATION FINDING THE FLAWLESS VAPE  
RESPONDENTS IN DEFAULT**

**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. 42) issued by the chief administrative law judge (“CALJ”) finding respondents Flawless Vape Shop Inc. and Flawless Vape Wholesale & Distribution Inc., both of Anaheim, CA (collectively, the “Flawless Vape respondents”), to be in default.

**FOR FURTHER INFORMATION CONTACT:** Paul Lall, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2043. 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](mailto: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:** On December 15, 2023, the Commission instituted this investigation based on a complaint filed on behalf of complainants R.J. Reynolds Tobacco Company and R.J. Reynolds Vapor Company. 88 FR 88111-12 (Dec. 15, 2023). 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, the sale for importation, or sale within the United States after importation of certain disposable vaporizer devices and components and packaging thereof by reason false advertising, false designation of origin, and unfair competition, the threat or effect of which is to destroy or substantially injure an industry in the United States. The Commission’s notice of investigation (“NOI”) named the following twenty-five (25) respondents: the Flawless Vape respondents; Affiliated Imports, LLC of Pflugerville, TX; American Vape Company, LLC a/k/a American Vapor Company, LLC of Pflugerville, TX; Breeze Smoke, LLC of West Bloomfield, MI; Dongguan (Shenzhen) Shikai Technology Co., Ltd. of Shenzhen, China; EVO Brands, LLC of Wilmington, DE; Guangdong Qisitech Co., Ltd. of Dongguan City, China; iMiracle (Shenzhen) Technology Co. Ltd. of Shenzhen, China;

Magellan Technology Inc. of Buffalo, NY; Pastel Cartel, LLC of Pflugerville, TX; Price Point Distributors Inc. d/b/a Prince Point NY of Farmingdale, NY; PVG2, LLC of Wilmington, DE; Shenzhen Daosen Vaping Technology Co., Ltd. of Shenzhen, China; Shenzhen Fumot Technology Co., Ltd. of Shenzhen, China; Shenzhen Funyin Electronic Co., Ltd. of Shenzhen, China; Shenzhen Han Technology Co., Ltd. of Shenzhen, China; Shenzhen Innokin Technology Co., Ltd. of Shenzhen, China; Shenzhen IVPS Technology Co., Ltd. of Shenzhen, China; Shenzhen Noriyang Technology Co., Ltd. of Shenzhen, China; Shenzhen Weiboli Technology Co. Ltd. of Shenzhen, China; SV3 LLC d/b/a Mi-One Brands of Phoenix, AZ; Thesy, LLC d/b/a Element Vape of El Monte, CA; Vapeonly Technology Co. Ltd. of Shenzhen, China; and VICA Trading Inc. d/b/a Vapesourcing of Tustin, CA. *Id.* The Office of Unfair Import Investigations (“OUII”) was also named as a party in this investigation. *Id.*

On May 13, 2024, the Commission granted Complainants’ motion to amend the complaint and NOI to correct the mailing address associated with the Flawless Vape respondents. *See* Order No. 19 (April 18, 2024), *unreviewed by* Comm’n Notice (May 13, 2024).

On June 13, 2024, the Commission granted complainants’ motion to amend the complaint and NOI to add the following four entities as respondents in the investigation: (1) Capital Sales Company; (2) Ecto World, LLC d/b/a Demand Vape; (3) Hong Kong IVPS International Ltd.; and (4) KMT Services LLC d/b/a KMT Distribution. *See* Order No. 27 (May 20, 2024), *unreviewed by* Comm’n Notice (June 13, 2024).

On September 11, 2024, the CALJ issued Order No. 40 requiring the Flawless Vape respondents to show cause by October 3, 2024, as to why they should not be held in default for failing to respond to the complaint and notice of investigation. On the same day, the Secretary served Order No. 40 on the Flawless Vape respondents via first class mail. *See* Certificate of Service (September 11, 2024) (EDIS Doc. ID 832025, Attachment ID 2238455). No responses to Order No. 40 were filed.

On October 7, 2024, the CALJ issued the subject ID (Order No. 42) finding the Flawless Vape respondents to be in default pursuant to Commission Rule 210.16 (19 CFR 210.16), for failure to respond to the complaint, notice of investigation, and order to show cause (Order No. 40). *See* Order No. 42, at 1. The ID explains “[b]ecause the Flawless Vape respondents have not responded to the order to show cause, they necessarily have failed to make the requisite showing of good cause to avoid default under the applicable rules.” *Id.*

No party filed a petition for review of the subject ID.

The Commission has determined not to review the subject ID. The Flawless Vape respondents are found to be in default.

The Commission vote for this determination took place on November 5, 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.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', written in a cursive style.

Lisa R. Barton  
Secretary to the Commission

Issued: November 5, 2024