

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN NON-SHELLFISH DERIVED
GLUCOSAMINE AND PRODUCTS
CONTAINING SAME**

Investigation No. 337-TA-668

**NOTICE OF COMMISSION DETERMINATION NOT TO REVIEW
AN INITIAL DETERMINATION GRANTING COMPLAINANT'S UNOPPOSED
MOTION TO WITHDRAW ITS COMPLAINT AND TERMINATE 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 has determined not to review an initial determination ("ID") (Order No. 25) granting complainant's motion to withdraw its complaint and terminate the investigation as to two respondents.

FOR FURTHER INFORMATION CONTACT: James A. Worth, Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-3065. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.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: This investigation was instituted on March 4, 2009, based upon a complaint filed on behalf of Cargill, Inc. of Wayzata, Minnesota ("Cargill") on January 28, 2009, and supplemented on February 13, 2009. *74 Fed. Reg.* 9428 (March 4, 2009). The complaint alleged violations of section 337 of the Tariff Act of 1930 (19 U.S.C. § 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain non-shellfish derived glucosamine and products containing

same that infringe certain claims of United States Patent No. 7,049,433. The notice of investigation named six firms as respondents.

On June 1, 2009, the Commission issued notice of its determination not to review an ID terminating the investigation with respect to respondents Hygieia Health Co., Ltd. and TSI Health Sciences, Inc. based on a settlement agreement.

On June 22, 2009, Cargill filed a motion pursuant to 19 C.F.R. § 210.21(a)(1) to terminate the investigation as to Nantong Foreign Medicines & Health Products Co., Ltd. (“NFT”) and Tiancheng International, Inc. (“Tiancheng”) on the basis of withdrawal of the complaint as to these two respondents. On June 23, 2009, NFT filed a response stating that it does not oppose the motion. On June 30, 2009, the Commission investigative attorney filed a response in support of Cargill’s motion to withdraw the complaint. On July 6, 2009, the ALJ issued the subject ID, granting Cargill’s motion to withdraw the complaint. No petitions for review have been filed.

The Commission has determined not to review the subject ID.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337), and of section 210.42(h) of the Commission’s Rules of Practice and Procedure (19 CFR § 210.42(h)).

By order of the Commission.
Marilyn R. Abbott, Secretary to the Commission

William R. Bishop
Acting Secretary to the Commission

Issued: July 28, 2009