

# GENERAL AGREEMENT ON TARIFFS AND TRADE

RESTRICTED

L/3612

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## THIRD REPORT BY THE COMMITTEE ON ANTI-DUMPING PRACTICES

1. Previous reports to the CONTRACTING PARTIES on the work of the Committee on Anti-Dumping Practices have been circulated in documents L/3333 and L/3521. The present report refers to the work of the Committee from the beginning of 1971 to the annual meeting of the Committee, held on 21-24 September 1971.
2. The parties to the Agreement on the Implementation of Article VI are: Belgium, Canada, Czechoslovakia, Denmark, European Economic Community, Finland, France, Federal Republic of Germany, Greece, Italy, Japan, Luxemburg, Malta (adhered on 31 March 1971), Netherlands, Norway, Sweden, Switzerland, United Kingdom, United States and Yugoslavia. The Chairman of the Committee is Mr. A. Buxton (United Kingdom).
3. Some members of the Committee have submitted legal texts modifying their national provisions on anti-dumping measures already examined in the Committee. These new legal texts and the legislation of Malta, which adhered to the Code in 1971, were discussed in order to examine their conformity with the requirements of the Anti-Dumping Code. These discussions did not in all cases result in final conclusions, especially as far as the legislation of Malta and Greece was concerned.
4. The Committee examined the reports submitted in accordance with Article 16 of the Agreement on the administration of anti dumping laws and regulations in the member countries. The following table summarizes the cases where investigations have been opened, provisional or final action taken, etc., in the notifying countries in the year 1 July 1970 30 June 1971:

	<u>Canada</u>	<u>Denmark</u>	<u>EEC</u>	<u>Greece</u>	<u>Norway</u>	<u>UK</u>	<u>US</u>
1. Cases pending as of 1 July 1970:	4	1	3	13	-	6	33
2. Investigations opened:							
(a) cases where proceedings were initiated before 1 July 1970	-	-	1	6	-	)	( -
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971	12	-	1	2	1	)	( 22

	<u>Canada</u>	<u>Denmark</u>	<u>EEC</u>	<u>Greece</u>	<u>Norway</u>	<u>UK</u>	<u>US</u>
3. Cases on which provisional action taken:							
(a) cases where proceedings were initiated before 1 July 1970:	4	-	-	2	-	1	13
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	5	-	-	-	-	1	1
4. Cases on which final decision reached:							
(i) anti-dumping duties imposed:							
(a) cases where proceedings were initiated before 1 July 1970:	2	-	-	1	-	4	10
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	2	-	-	-	-	-	-
(ii) cases settled through price undertakings:							
(a) cases where proceedings were initiated before 1 July 1970:	-	-	2	-	-	2	3
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	-	-	1	-	-	-	-
(iii) cases dismissed:							
(a) cases where proceedings were initiated before 1 July 1970:	1	1	-	5	-	3	8
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	2	-	-	-	1	2	1

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5. Revocation of anti-dumping duties:							
(a) cases where proceedings were initiated before 1 July 1970:	--	-	-	--	-	1	--
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	--	-	--	--	-	--	--
6. Cases pending as of 30 June 1971:							
(a) cases where proceedings were initiated before 1 July 1970:	1	--	--	6	--	--	13
(b) cases where proceedings were initiated between 1 July 1970 and 30 June 1971:	9	--	5	2	-	2	21

5. Czechoslovakia, Finland, Japan, Sweden, Switzerland and Yugoslavia have notified that no anti-dumping cases were pending or initiated in the period under review.

6. With regard to certain decisions of the Canadian Anti-Dumping Tribunal, members of the Committee expressed the wish that these decisions be reviewed in accordance with Article 9 of the Code, and the representative of Canada indicated that this would be brought to the attention of the Tribunal.

7. In the course of the examination of cases where anti-dumping duties have been imposed in the United States, several members of the Committee expressed the view that in some cases determinations of injury had been made although the injury caused to United States industry could not be qualified as material. The representatives of the European Economic Community and of the United Kingdom insisted on full respect by the United States of all rules of the Code on the injury aspect. The representative of the United States recognized that the language used by the Tariff Commission was different from that of the Code but in his opinion the standards of the Code had been met.

8. Some members of the Committee expressed concern that the introduction of the import surcharge in the United States could have unfavourable consequences from the standpoint of the administration of United States anti-dumping legislation. It was also stated that changes in the competitive situation resulting from the import surcharge called for a review by the United States authorities of all existing anti-dumping duties to determine if the landed prices of imports had risen to a level which did not cause or threaten to cause injury to the United States industry. The representative of the United States said that questions of policy in this area were currently under active consideration by his Government.

9. The Committee examined questionnaires used by member countries for price investigations in respect of foreign suppliers. Suggestions for improvements in certain questionnaires were made, and the Committee decided to keep the item on its agenda at future meetings in order to explore whether there was scope for a greater degree of harmonization of the questionnaires.

10. Members of the Committee expressed the expectation that all signatories to the Anti-Dumping Agreement would make every effort to bring their national legislation and practices into full conformity with the rules of the Code.

11. The Committee reiterated the importance it attached to an early acceptance of the Code by all contracting parties. It noted that problems relating to the adherence to the Code by developing countries was the subject of study in a special Working Party. The Committee agreed that developed countries not already adhering to the Code be invited to discuss with the Committee on an informal basis the particular problems that prevent their immediate accession to the Code.