

**GENERAL AGREEMENT  
ON TARIFFS AND TRADE**

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**REPORT (1993) OF THE COMMITTEE ON  
ANTI-DUMPING PRACTICES**

**I. Organization of the work of the Committee**

1. The Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade entered into force on 1 January 1980. On 26 October 1993 the Parties to this Agreement were: Australia, Austria, Brazil, Canada, Czech Republic, Egypt, the EEC, Finland, Hong Kong, Hungary, India, Japan, Korea, Mexico, New Zealand, Norway, Pakistan, Poland, Romania, Singapore, Slovak Republic, Spain, Sweden, Switzerland and the United States. On 2 August 1993 Colombia accepted the Agreement, subject to ratification. The Parties to the Agreement are ipso facto members of the Committee on Anti-Dumping Practices established under the Agreement.

2. During the period under review (November 1992-October 1993) the Committee held two meetings. Both these were regular meetings, held on 26, 27 and 29 April 1993 and 25 and 26 October 1993 (ADP/M/40 and 41, respectively).

3. Twenty-four contracting parties and five non-contracting parties have observer status in the Committee. Representatives of the IMF and UNCTAD have attended meetings of the Committee in an observer capacity.

**II. Notification and examination of anti-dumping laws and/or regulations of Parties to the Agreement**

4. As of 26 October 1993 twenty-one Parties to the Agreement have notified the Committee of their domestic anti-dumping legislation or made communications in this respect to the Committee. Four Parties have not, as yet, made notifications under Article 16:6 of the Agreement. One of those four Parties has informed the Committee that it is revising its anti-dumping legislation.

5. During the period under review the Committee received the following notifications of (amendments to) anti-dumping laws and or regulations of Parties to the Agreement:

Australia: Customs Legislation (Anti-Dumping Amendments) Act 1992  
and Customs Tariff (Anti-Dumping) Amendment Act 1992  
(ADP/1/Add.18/Rev.1/Suppl.7)

Brazil Inter-Ministerial Directive Number 2 of 17 February 1993, Ministries  
of Industry, Commerce and Tourism (ADP/1/Add.26/Suppl.4)

Mexico Foreign Trade Law, July 1993 (ADP/1/Add.27/Rev.1)

Romania Government Decision No. 228 of 7 May 1992, Order No. 127 of  
20 August 1992 of the Minister of Trade and Tourism, and

Joint Order No. 128 of 24 August 1992 of the Minister of Trade and Tourism and the Minister of Economy and Finance (ADP/1/Add.9/Rev.1)

6. The Committee began its examination of the above-mentioned amendments to the anti-dumping legislations (regulations) of Australia, Brazil and Romania and continued its discussion of the following notifications of (amendments to) anti-dumping legislation of Parties to the Agreement:

Australia	Customs Tariff (Anti-Dumping) Amendment Act 1992 and Customs Legislation (Tariff Concessions and Anti-Dumping) Amendment Act 1992 (ADP/1/Add.18/Rev.1/Suppl.6)
Brazil	Ministerial Order No. 444 of 17 October 1991 and Ministerial Order No. 132 of 18 February 1992 (ADP/1/Add.26/Suppl.3)
Korea	Amendments to Article 10 of the Korean Customs Act and to Article 4 of the Presidential Decree implementing the anti-dumping duty provisions of the Customs Act (ADP/1/Add.13/Rev.1/Suppl.2)

7. Some Parties drew the attention of the Committee to certain provisions of the anti-dumping laws and/or regulations of other Parties which in their view were not consistent with the Agreement and urged those Parties to ensure full conformity of their legislation with the Agreement. It was agreed that Parties to which comments concerning their legislation were addressed would consider these comments. Some Parties reserved their rights to revert to particular aspects of anti-dumping legislation of other Parties at a later stage, in the light of the application of that legislation in particular cases. The Committee therefore agreed to maintain on its agenda the item "examination of national anti-dumping laws and/or regulations of Parties to the Agreement".

### III. Semi-annual reports on anti-dumping actions taken by Parties to the Agreement

8. Article 14:4 of the Agreement provides that Parties shall submit, on a semi-annual basis, reports on anti-dumping duty actions taken within the preceding six months. During the period under review, the following reports have been submitted to the Committee:

- (a) reports for the period 1 July-31 December 1992 have been circulated in addenda to document ADP/88. The following Parties informed the Committee that during this period they had not taken any anti-dumping actions: the Former Czech and Slovak Republic, Egypt, Finland, Hong Kong, Hungary, Norway, Pakistan, Poland, Romania, Singapore and Yugoslavia (Add.1 and ADP/M/40). Anti-dumping actions taken during the this period were notified by Australia (Add.13), Austria (Add.3), Brazil (Add.4 and Corr.1), Canada (Add.11), the EEC (Add.12), India (Add.7), Japan (Add.5), Korea (Add.6), Mexico (Add.8), New Zealand (Add.2), Sweden (Add.9), and the United States (Add.10). No report for this period was received from Switzerland.
- (b) reports for the period 1 January-30 June 1993 have been circulated in addenda to document ADP/102. The following Parties informed the Committee that during this period they had not taken any anti-dumping actions: Czech Republic, Egypt, Finland, Hong Kong, Hungary, Norway, Pakistan, Poland, Romania, Singapore, Slovak Republic, Sweden, and Switzerland (Add.1). Anti-dumping actions taken during the this period were notified by Australia (Add.6), Austria (Add.9), Canada (Add.8), the

EEC (Add.11), India (Add.3), Japan (Add.5), Korea (Add.4), Mexico (Add.10), New Zealand (Add.2 and Suppl.1), and the United States (Add.7). No report for this period was received from Brazil.

9. A table summarizing anti-dumping actions taken by Parties to the Agreement during the period 1 July 1992-30 June 1993 is reproduced in the annex to this report.

IV. Reports on all preliminary or final anti-dumping actions

10. Copies of notices of preliminary or final determinations made in the course of anti-dumping investigations have been received from Australia, Brazil, Canada, the EEC, India, Japan, Korea, Mexico, New Zealand and the United States (ADP/W/327, 328, 330, 331, 334, 339, 340, 341, 342 and 345)

V. Ad-Hoc Group on the Implementation of the Anti-Dumping Code

11. No meeting of the Ad-Hoc Group was held during the period under review.

VI. Dispute Settlement Proceedings

12. During the period under review, the following developments took place in disputes referred to the Committee under the dispute settlement provisions of Article 15 of the Agreement.

(i) United States - Imposition of anti-dumping duties on imports of fresh and chilled Atlantic Salmon from Norway

The Report of the Panel (ADP/87) was circulated to the Committee in November 1992. The Committee discussed this Report at its regular meeting held on 26, 27 and 29 April 1993. The Report has not yet been adopted.

(ii) Korea - Anti-dumping duties on imports of polyacetal resins from the United States

The Report of the Panel (ADP/92 and Corr.1) was circulated to the Committee in April 1993. The Committee adopted this Report at its regular meeting of 26, 27 and 29 April 1993.

(iii) United States - Imposition of anti-dumping duties on imports of seamless stainless steel hollow products from Sweden

The Committee continued its discussion of the Report of the Panel in this dispute (ADP/47, 20 August 1990), at its regular meetings held on 26, 27 and 29 April and 25 and 26 October 1993. While a number of delegations reiterated their support for the adoption of this Report, the Committee remained unable to adopt this Report.

(iv) United States - Anti-dumping duties on gray portland cement and cement clinker from Mexico

The Report of the Panel (ADP/82) was before the Committee at both the regular meetings in 1993, and at both these meetings the representative of Mexico requested that the Committee adopt this Report. The parties to the dispute were seeking a mutually satisfactory solution at the time of the regular meeting held in April 1993, and thus the Committee decided to revert to this Report at a later stage. The Committee discussed the Report at its regular meeting held in October 1993 at which the

representative of Mexico again requested the Committee to adopt this Report (ADP/M/41). The Report has not yet been adopted.

(v) EEC - Anti-dumping duties on imports of audio cassettes from Japan

The Committee had established this Panel under Article 15:5 at its regular meeting in October 1992 (ADP/M/39). The terms of reference of this Panel were approved by the Committee at its regular meeting in April 1993 (ADP/M/40). The Committee was informed of the composition of this Panel in a communication from the Chairman in document ADP/108, dated 19 October 1993.

(vi) Mexico - Anti-dumping duties on electric power transformers from Brazil

The Committee considered Brazil's request for conciliation under Article 15:3 in this matter at its regular meeting in April 1993 (ADP/91 and ADP/M/40 and Corr.1). Further information regarding this dispute was provided to the Committee by Brazil at the regular meeting in October 1993 (ADP/M/41).

(vii) United States - Anti-dumping duties on certain steel products (hot rolled, cold rolled, corrosion resistant and cut-to-length) from various member States of the European Economic Community

The Committee considered the EEC's request for conciliation under Article 15:3 in this matter at its regular meeting in October 1993 (ADP/107 and ADP/M/41).

13. The Committee was informed by a number of Parties about their requests for consultation under Article 15:2 of the Agreement. These were: Brazil's requests for consultations with the United States regarding the United States' anti-dumping actions against steel products from Brazil (ADP/89 and 105); the EEC's requests for consultations with the United States regarding the United States' anti-dumping actions against steel products from the EEC (ADP/90 and Corr.1, and 103); Sweden's request for consultations with the United States regarding the United States' provisional anti-dumping measures on imports of cut-to-length steel plate from Sweden (ADP/93); Mexico's request for consultations with the United States regarding the anti-dumping investigation by the United States of imports of steel wire rope from Mexico (ADP/98); Japan's request for consultations with the United States regarding the United States' anti-dumping measures against certain steel products from Japan (ADP/100); Canada's request for consultations with the United States regarding the United States' application of section 781 of the US Tariff Act of 1930 as amended by the Omnibus Trade and Competitiveness Act of 1988 (anti-circumvention law) to brass plate from Canada (ADP/101); Australia's request for consultations with the United States regarding the United States' final determination on dumping and provisional anti-dumping measures against imports of certain corrosion-resistant carbon steel flat products from Australia (ADP/104); Brazil's request for consultations with the European Community regarding the European Community's anti-dumping actions on cotton yarn originating from Brazil (ADP/106); Finland's request for consultations with the United States regarding the United States' anti-dumping measures against imports of cut-to-length carbon steel plate from Finland (ADP/109); and the EEC's request for consultations with Canada regarding Canada's definitive dumping and injury determinations against Germany, France, Italy and the United Kingdom concerning certain cold-rolled steel sheet, definitive dumping determinations against Germany, France, Italy, and the United Kingdom concerning certain flat hot-rolled carbon steel sheet products, and definitive dumping and injury determinations against Belgium, Denmark, Germany and the United Kingdom concerning certain hot-rolled carbon and alloy steel plate (ADP/110).

VII. Other matters discussed by the Committee

14. The Committee discussed the following specific anti-dumping actions taken by the Parties to the Agreement:

EEC: Anti-dumping investigation of imports of 3.5" magnetic disks from Hong Kong, and initiation of anti-dumping proceeding concerning imports of certain television camera systems originating in Japan;

Mexico: Anti-dumping proceedings on imports of regenerated cellulose casing from Spain, on imports of fabrics of cotton and cotton blends with man-made fibres from Hong Kong, Argentina, Brazil, Pakistan, and other countries, and anti-dumping action against certain products exported from Hong Kong;

United States: Anti-dumping investigations of imports of certain circular welded steel pipes and tubes from Mexico and Brazil, imports of steel wire rope from Mexico, certain hot rolled lead and bismuth carbon steel products from Brazil, certain special quality hot rolled and semi-finished carbon and alloy steel products from Brazil, certain flat rolled steel products from Brazil, anti-circumvention action on Canadian exports of brass plates, and anti-dumping duties on certain corrosion resistant carbon steel flat products from Australia .

15. The Committee was informed of a revision currently underway of the anti-dumping legislation of Hungary.

16. The Committee discussed the question of delays in revocations and in completion of administrative reviews of outstanding anti-dumping duty actions in the United States, training workshops for developing countries on anti-dumping investigations, changes to the United States' practice of collection of anti-dumping duties for the provisional period, proposed changes to the United States' regulations on exclusion of companies from anti-dumping investigation, and delay in anti-dumping investigation by the European Community.

17. The Committee considered the suggestions of the previous Chairman regarding semi-annual reports, and the Chairman of the Committee's suggestions regarding the minimum information to be provided in reports under Article 14:4 of the Agreement on preliminary and final anti-dumping actions.

**ANNEX**

**Summary of Anti-Dumping Actions  
(1 July 1992 - 30 June 1993)**

No.	Initiation		Provisional Measures		Definitive Duties		Price Undertakings		Measures in force on 30 June 1993 (definitive duties and price undertakings)
	Countries' involved	No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	No.	
61	<b>AUSTRALIA</b>								64
	AR(1)	AT(1)	BE(3)	21 <sup>2</sup>	BR(1)	CN(1)	CS(1)	25	
	BR(3)	CA(1)	CN(3)		DE(1)	FR(1)	HK(1)		
	CS(1)	DE(5)	FI(2)		IN(2)	JP(1)	KR(2)		
	FR(3)	GB(1)	HK(1)		MX(1)	MY(1)	TH(2)		
	ID(4)	IN(3)	IL(1)		TW(2)	US(3)	ZA(1)		
	IT(1)	JP(1)	KR(5)						
	MX(1)	MY(3)	NL(1)						
	PL(1)	SG(2)	TH(5)						
	TW(3)	US(3)	ZA(2)						
4	<b>AUSTRIA</b>								n.a.
	CZ(2)	SK(2)		0				0	
4	<b>BRAZIL<sup>3</sup></b>								n.a.
	KZ(1)	SU(1)	UA(1)	2	SU(1)	ZA(1)		7	
	US(1)				BD(2)	CN(1)	IN(2)		
					MX(1)	US(1)			

Initiation		Provisional Measures		Definitive Duties		Price Undertakings		Measures in force on 30 June 1993 (definitive duties and price undertakings)
No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	
36	CANADA <sup>4</sup>	31	BE(1) BR(1) CN(2)	12	BE(1) BR(1) CN(1)	3	US(3)	81
	BE(2) BR(2) CN(1)		CS(2) DE(3) DK(1)		CS(1) DE(1) DK(1)			
	CS(3) DK(2) FI(2)		FR(2) GB(3) IT(2)		GB(1) RO(1) TW(1)			
	FR(4) GB(4) IT(2)		KR(1) NZ(1) RO(1)		US(2) YU(1)			
	KR(1) NZ(1) RO(2)		TW(2) US(8) YU(1)					
	TW(1) US(7) YU(2)							
	EEC							
	BG(1) BR(1) BY(1)		CN(4) CS(1) EG(1)		BR(2) BY(1) CN(1)			
	CN(4) GE(1) HK(1)		HR(1) HU(1) IN(1)		EG(1) HR(1) HU(1)			
	JP(1) KR(4) KZ(1)		JP(2) KR(3) PL(2)		IN(1) JP(3) KR(3)			
33	LT(1) MY(1) PL(2)	17	SG(1)	19	PL(2) RU(1) UA(1)	7	EG(1) HR(1) HU(1) KR(1) PL(2) TR(1)	185 <sup>5</sup>
	RU(3) SG(1) TH(1)							
	TM(1) TR(1) TW(1)							
	UA(2) US(1) UZ(1)							
	ZA(2)							
	INDIA							
	JP(2) KR(1)		AR(1) BR(1) KR(1)					
3		5		0		0		n.a.

Initiation		Provisional Measures		Definitive Duties		Price Undertakings		Measures in force on 30 June 1993 (definitive duties and price undertakings)
No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	
0	JAPAN	0		1	CN(1)	1	CN(1)	2
7	KOREA	1		2		0		n.a.
	CN(3) IN(1) JP(2) TH(1)		CN(1)		CN(1) TH(1)			
24	MEXICO	33		7		0		26
	BR(1) CE(1) CN(11) CO(1) DE(1) KR(1) US(7) VE(1)		BR(2) CE(1) CN(14) CO(2) DE(1) KR(3) US(7) VE(2)		BR(1) CN(1) ES(1) US(4)			
4	NEW ZEALAND	0		9		0		24
	DE(1) GB(1) IN(1) US(1)				CN(2) ID(1) TH(1) TW(2) KR(2) US(1)			
0	SWEDEN	0		0		1	JP(1)	1
78	UNITED STATES	70		35		5		279
	AR(1) AT(1) AU(2) BE(3) BR(8) CA(5) CN(3) CO(1) DE(4) EG(1) ES(2) FI(1)		AR(1) AT(1) AU(1) BE(3) BR(6) CA(4) CN(4) DE(5) EG(1) ES(2) FI(1) FR(5)		BR(3) CA(1) DE(1) HU(1) KR(5) KZ(1) MX(2)		KG(1) KZ(1) RU(1) TJ(1) UA(1)	

(Cont'd)



Initiation		Provisional Measures		Definitive Duties		Price Undertakings		Measures in force on 30 June 1993 (definitive duties and price undertakings)
No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	No.	Countries' involved	
	UNITED STATES (Cont'd)							
FR(6)	GB(12) IN(2)		GB(4) HU(1) IN(2)		MY(1) RU(1) TW(4)			
IT(3)	JP(7) KR(4)		IT(2) JP(5) KR(7)		UA(1) VE(2)			
MX(2)	NL(2) PL(1)		KZ(1) MX(2) NL(2)					
RO(1)	SE(1) TT(1)		PL(1) RO(1) RU(1)					
TW(4)			SE(1) SG(1) TW(2)					
			UA(1) VE(1)					

1. Countries or customs territories. The abbreviations used are those adopted by the ISO. AM = Armenia, AR = Argentina, AT = Austria, AU = Australia, AZ = Azerbaijan, BD = Bangladesh, BE = Belgium, BG = Bulgaria, BR = Brazil, BY = Belarus, CA = Canada, CE = European Community, CN = China, CO = Colombia, CS = Czech and Slovak Federal Republic, CZ = Czech Republic, DE = Germany, EG = Egypt, ES = Spain, FI = Finland, FR = France, GB = United Kingdom, GE = Georgia, GR = Greece, HK = Hong Kong, HR = Croatia, HU = Hungary, ID = Indonesia, IE = Ireland, IL = Israel, IN = India, IT = Italy, JP = Japan, KG = Kyrgyzstan, KR = Korea, KZ = Kazakhstan, LT = Lithuania, LU = Luxembourg, MX = Mexico, MY = Malaysia, NL = Netherlands, NO = Norway, NZ = New Zealand, PH = Philippines, PK = Pakistan, PL = Poland, RO = Romania, RU = Russia, SA = Saudi Arabia, SE = Sweden, SG = Singapore, SK = Slovak Republic, SU = USSR, TH = Thailand, TJ = Tajikistan, TM = Turkmenistan, TN = Tunisia, TR = Turkey, TW = Chinese Taipei, UA = Ukraine, US = United States, UY = Uruguay, UZ = Uzbekistan, VE = Venezuela, YU = Yugoslavia, ZA = South Africa.

2. The Australian authorities made a negative preliminary finding for certain ongoing case. These related to BE(2), BR(1), CN(1), DE(2), ID(2), IT(1), KR(3), MY(2), NL(1), SG(2), TH(2), TW(2) and US(1). For one case relating to Thailand, which is reported in the Annex table, preliminary dumping margins of 48.54-57.64 per cent were found but provisional measures were not imposed.

3. Brazil's data relates to only the second half of 1992. Brazil did not provide a report for the period 1 January-30 June 1993.

4. After initiation, two cases were merged into one for certain items from Belgium, Czech and Slovak Federal Republic, Denmark, Germany, Romania, United Kingdom, United States and Yugoslavia. Provisional measures and definitive duties were imposed in all these cases, except for the Slovak Republic.

5. A price undertaking and definitive duty on any particular product from the same country is counted as two actions. With this criteria, the corresponding figure for July 1991-June 1992 is 182.

n.a. Not available

Note: Numbers in brackets indicate the number of products subject to anti-dumping actions.