

GENERAL AGREEMENT ON
TARIFFS AND TRADE

RESTRICTED
COM.AD/15/Add.1
26 August 1971
Special Distribution

Committee on Anti-Dumping Practices

Original: English

REPORTS (1971) ON THE ADMINISTRATION
OF ANTI-DUMPING LAWS AND REGULATIONS

Addendum

The secretariat has received the following report under Article 16 of the Agreement on the Implementation of Article VI of the GATT.

UNITED KINGDOM

PART I - STATISTICAL SUMMARY

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| 1. Cases pending as of 1 July 1970 | 6 |
| 2. Investigations opened during the period July 1970/June 1971 | 6 |
| 3. Cases on which provisional action taken: | |
| (a) Cases where the proceedings were initiated before 1 July 1970 | 1 |
| (b) Cases where the proceedings were initiated in the period July 1970/June 1971 | 1 |
| (The items concerned were nitrogenous fertilizers from Romania and cauliflowers from France.) | |
| 4. Cases on which final decision reached: | |
| (a) Anti-dumping duties imposed: | |
| (i) Cases where the proceedings were initiated before 1 July 1970 | 4 |
| (ii) Cases where the proceedings were initiated in the period July 1970/June 1971 | NIL |

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|--|-----------------|
| (b) Cases settled through price undertakings: | |
| (i) Cases where the proceedings were initiated before 1 July 1970 | 2 ^{1/} |
| (ii) Cases where the proceedings were initiated in the period July 1970/June 1971 | NIL |
| (c) Cases dismissed or withdrawn: | |
| (i) Cases where the proceedings were initiated before 1 July 1970 | 3 |
| (ii) Cases where the proceedings were initiated in the period July 1970/June 1971 | 2 |
| 5. Revocation of anti-dumping duties: | |
| (a) Cases where the proceedings were initiated before 1 July 1970 | 1 |
| (b) Cases where the proceedings were initiated in the period July 1970/June 1971 | NIL |
| The item concerned was stearin from Australia and Belgium (These duties were originally imposed in April 1967) | |
| 6. Cases pending as at 30 June 1971: | |
| (a) Cases where the proceedings were initiated before 1 July 1970 | NIL |
| (b) Cases where the proceedings were initiated in the period July 1970/June 1971 | 2 |

Note: In addition to the figures noted above there were over fifty approaches from firms and industries which did not lead to investigations being initiated.

PART II - BRIEF SUMMARIES OF CASES IN WHICH DEFINITIVE ACTION WAS TAKEN DURING 1970/71

Zirconium dioxide from the USSR

An application for anti-dumping action against imports of zirconium dioxide from the USSR was accepted for investigation in May 1970. A provisional charge to an anti-dumping duty of £275 per ton was imposed as from 9 May 1970,

^{1/} One of these cases is already listed under 4(a)(i) above. Of the three countries concerned in this case, continuing duties were imposed on two and retrospective duties only (applying to imports on which provisional charges had been paid) on the third; a price undertaking was accepted from the third country in respect of any subsequent sales - see Part II (nitrogenous fertilizers) for fuller details.

pending completion of the Department's enquiries, as it seemed likely that serious losses would otherwise be suffered by the United Kingdom industry during the time required to complete the investigation.

The Department's detailed investigations subsequently confirmed the correctness of the fair market price on which the provisional charge to duty had been calculated. (This was the price charged to the United Kingdom for French zirconium dioxide of comparable quality.) It was established also that this dumping by a substantial margin had already led to imports on such a scale as to cause very serious injury to the United Kingdom industry and that further material injury was clearly threatened. A definitive anti-dumping duty of £275 per ton was imposed accordingly - as from 8 August but with effect as from 9 May 1970 - and this duty is still in force.

New potatoes from France

An application for anti-dumping action against imports of new potatoes from France was accepted for investigation in mid-June 1970. A provisional charge to anti-dumping duty of 10 shillings (£0.50) per cwt was imposed from 24 June 1970, pending completion of the Department's enquiries, as it seemed likely that serious injury might otherwise result, in the short season for new potatoes.

The Department's detailed investigations subsequently confirmed that dumping well in excess of the provisional charge had been taking place and that material injury had thereby been caused to United Kingdom producers. The imposition of the provisional charge had, to some degree, mitigated further losses to the producers during the remainder of the importing season.

A definitive anti-dumping duty was subsequently imposed retrospectively confirming the provisional charge imposed on 24 June 1970. This duty applied only to imports in the 1970 season which for imports from France ended on 30 June 1970, after which date in each year the importation of French potatoes is prohibited for plant health reasons.

Lactic acid from the Netherlands

An application for anti-dumping action against imports of lactic acid from the Netherlands was accepted for investigation in September 1969. The imported lactic acid was of three grades: (a) edible, used in beverages, foodstuffs and chemicals; (b) technical, used in animal feedstuffs, tanning and the production of butyl lactate; and (c) pharmaceutical.

The Department's detailed investigation confirmed that all the grades were being dumped and that dumping of the edible and technical grades had caused and was causing material injury to the sole United Kingdom producer. The dumping of the pharmaceutical grade was not considered to have caused injury to a domestic industry since the United Kingdom applicant did not make this grade and the Department did not regard it and the other two grades as like products. The Netherlands supplier gave an undertaking to adjust his export prices of the edible and technical grades to the United Kingdom and accordingly no anti-dumping duties were imposed.

Nitrogenous fertilizers from West Germany, South Africa and Romania

In the summary of the anti-dumping investigation into nitrogenous fertilizers contained in the United Kingdom 1970 Report under Article 16 (COM.AD/10/Add.2) it was stated that when anti-dumping action was taken against imports of calcium ammonium nitrate from the countries then investigated, an announcement was issued to the effect that the Department would consider extending anti-dumping action to any significant dumped imports of ammonium sulphonitrate and ammonium nitrate which might subsequently come to light and to any significant dumped imports of calcium ammonium nitrate from any other countries. Shortly afterwards evidence was received of significant imports at dumped prices of ammonium sulphonitrate from the Federal Republic of Germany. The margin of dumping of these imports was calculated by reference to domestic prices for nitrogenous fertilizers as £5 per ton, and an anti-dumping duty of this amount was imposed on West German ammonium sulphonitrate as from 17 July 1970.

Later in the year investigations by the Department of Trade and Industry confirmed a report that a substantial contract had been placed for the import of calcium ammonium nitrate from South Africa at a price which represented a margin of dumping of £15 per ton compared with South African domestic prices. Accordingly an anti-dumping duty of £15 per ton was imposed on South African calcium ammonium nitrate as from 24 October 1970.

United Kingdom import statistics showed significant imports in the early months of 1971 of ammonium nitrate and calcium ammonium nitrate from Romania at apparently dumped prices. Provisional anti-dumping charges were imposed from 1 April 1971 while the dumping was being investigated. Discussions with the Romanian authorities and the Romanian trading organization concerned showed that imports of ammonium nitrate from Romania which had taken place after the provisional charges had been imposed, were dumped by £3.39 per ton but that imports of calcium ammonium nitrate made after 1 April 1971 were not significantly dumped because the export price had been increased. A retrospective anti-dumping duty of £3.39 per ton was accordingly imposed on the Romanian ammonium nitrate imported while the provisional charge was in operation, but no retrospective duty was imposed on the calcium ammonium nitrate and charges deposited were refunded. The fair market prices of the Romanian fertilizers, on the basis of which the margins of dumping were calculated, were based on prices of imports of these materials into the United Kingdom from other countries as is provided for in the United Kingdom legislation in respect of imports from State-trading countries. The Romanian trading organization concerned agreed to make no further exports of these fertilizers to the United Kingdom at less than fair market prices. Accordingly, no continuing anti-dumping duties were imposed.