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**UNITED STATES – CONTINUED DUMPING AND
SUBSIDY OFFSET ACT OF 2000**

COMMUNICATION FROM THE EUROPEAN UNION

The following communication, dated 8 February 2024, was received from the delegation of the European Union with the request that it be circulated to the Dispute Settlement Body (DSB).

On 26 November 2004, the Dispute Settlement Body ("DSB") granted authorization to the European Union to suspend concessions and related obligations under the General Agreement on Tariffs and Trade 1994 ("GATT 1994") in accordance with the decision of the Arbitrator in *United States - Continued Dumping and Subsidies Offset Act of 2000*. The authorization was made pursuant to the European Union request (WT/DS217/39) made under Article 22.7 of the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"). In that request, the European Communities undertook to notify the DSB every year the list of products on which the additional import duty would apply, prior to the entry into force of a level of suspension of concessions.

On 29 April 2005, the European Union notified the DSB that it was suspending, as of 1 May 2005, the application of concessions and related obligations under GATT 1994 on imports of certain products originating in the United States of America (WT/DS217/47). The duty rate was modified on 1 May 2006 (WT/DS217/49), on 1 May 2007 (WT/DS217/51), on 1 May 2008 (WT/DS217/53), on 1 May 2009 (WT/DS217/55), on 1 May 2010 (WT/DS 217/57), on 1 May 2011 (WT/DS217/59), on 1 May 2012 (WT/DS217/61), on 1 May 2013 (WT/DS217/63), on 1 May 2014 (WT/DS217/65), on 1 May 2015 (WT/DS217/67), on 1 May 2016 (WT/DS217/69), on 1 May 2017 (WT/DS217/71), on 1 May 2018 (WT/DS217/73), on 1 May 2019 (WT/DS217/75), on 1 May 2020 (WT/DS217/77), on 1 May 2021 (WT/DS217/80), and on 1 May 2022 (WT/DS217/81).

The Commission Delegated Regulation (EU) 2023/858 of 23 February 2023 (OJ L 111, 26 April 2023) maintains unchanged the list of products subject to retaliation. On the other hand, the rate of additional duty to which those products are subjected changes to 0,164% in order to adjust to the level of retaliation.

The updated list is attached. The suspension, which applies as from 1 May 2023, covers, over one year, a total value of trade that does not exceed USD 317 877,22.

The amount of USD 317 877,22 is the European Union's current level of authorization established through arbitration under Article 22.6 of the DSU. It represents 72 percent of USD 441 496,15 collected from the European Union's exports and disbursed to U.S. companies in the distribution under the *Continued Dumping and Subsidy Offset Act of 2000* for the most recent year for which data are available. The amount of relevant disbursements was identified based on the CDSOA Annual Report for Fiscal Year 2022, published by U.S. Customs and Border Protection.

The European Union kindly asks the Secretariat to circulate this notification to the Members of the DSB.

**Products subject to a 0,164% additional import duty
as from 1 May 2023**

The products on which the 0,164% additional import duty would apply are those that are classified under the eight-digit CN codes and match the given descriptions.

CN codes	Description of products
0710 40 00	Sweet corn, uncooked or cooked by steaming or by boiling in water, frozen
6204 62 31	Women or girls' cotton denim trousers and breeches, other than industrial and occupational, of denim cotton
8705 10 00	Crane lorries (excl. breakdown lorries)
ex 9003 19 00	Frames and mountings for spectacles, goggles or the like, of base metal
