SWEDISH ANTI-DUMPING PROCEDURES

At the meeting of the Committee on Anti-Dumping Practices on 29-30 September 1969, members of the Committee were invited to submit memoranda on administrative procedures and practices in implementing their anti-dumping legislation (COM.AD/7, paragraph 60).

To comply with this invitation, the Swedish delegation has transmitted to the secretariat the following memorandum.

1. The form in which investigations may be carried out can vary, according to the commodity involved. A broad idea can be given, as to the general character and scope of the procedure followed.

2. In Sweden, anti-dumping and countervailing duties can only be levied on the strength of a special administrative ordinance promulgated to that effect by the Government. The promulgation of such an ordinance is preceded by a thorough investigation with a view to ascertaining whether the criteria required for levying such duties are fulfilled.

3. In Sweden, the initiative for proceeding with an investigation of this kind may be taken either by the parties concerned or by the authorities. Since the important consideration is to establish that the condition of "injury caused" is fulfilled, it is generally the parties claiming to be injured who ask for the investigation.

4. During the course of the inquiry carried out by the authorities the various parties concerned may submit their respective viewpoints. Since it is desirable to put a stop to sales of a speculative nature, it may be necessary, in certain cases, to take provisional preventive measures before the exporters have had an opportunity of expressing their views through the medium of the importers.

5. The extent to which it may be necessary to proceed to a study of conditions prevailing in the exporting country largely depends upon the nature of the commodity involved. Conditions may be very different when it is a case, for instance, of similar raw materials on which information is being regularly issued by professional organizations, or when the commodities involved are finished products of various types and qualities. In the latter case, a decision may be made to obtain additional
information regarding conditions of production and prices through diplomatic channels and in this way to enter into negotiations with the parties concerned in the exporting country.

6. After an ordinance, based on the results of the inquiry and authorizing the levying of anti-dumping duty, has been promulgated, further inquiries may be made, if necessary, in connexion with imports of the articles concerned. By resorting to a system of "basic prices" authorizing the importation of products without anti-dumping duties, if their prices are the same or higher than the comparable prices set by the ordinance ("basic prices"), further inquiries may be found necessary in cases where the importer concerned denies dumping, although the products are imported at a price lower than the "basic price". Since the injury aspect of the problem has already been investigated during the preliminary inquiry, subsequent inquiries are only concerned with the question of price; in other words, it is only a matter of ascertaining whether the price of the commodity intended to be used in the importing country is lower than the basic price. In that case the anti-dumping duty shall be reduced.