ARTICLE 16 REPORTS

Proposal by the United States

1. At its October 1978 meeting the Committee on Anti-Dumping Practices had a general discussion of the form and contents of the reports to be made under Article 16 of the Anti-Dumping Code. It was then decided that this question be discussed further as a separate agenda item at the next meeting of the Committee (L/4711, paragraph 14).

2. In GATT/AIR/UNNUMBERED of 27 October 1978 the members of the Committee were invited to submit to the secretariat for circulation to the signatories to the Code proposals and ideas relating to the question of the form and contents of the Article 16 reports.

3. The secretariat has received the enclosed proposal from the Permanent Mission of the United States.
1. Pursuant to Article 16 of the Code, each member of the Committee submits an annual report concerning its administration of antidumping measures. At the last meeting of the Committee, the U.S. delegation noted that the reports so furnished provide an inadequate basis for the members to assess the impact of antidumping measures on trade. Moreover, in the format now used, the Secretariat has found itself unable to reconcile the number of cases reported or otherwise to provide a meaningful analysis of the data presented. The Committee agreed to request members to propose changes in the report form.

2. Attached is a draft of a new form of report. It is intended to permit presentation in a single tabulation of all antidumping cases considered at any time during the reporting period. In addition, while recognizing the data may be difficult to obtain with precision or accuracy, it requests members to provide the best evidence available to them of the volume of trade affected by the measures taken. Good faith efforts made to provide reasonably accurate information of this type should be helpful to administrators and the Committee in determining whether antidumping measures are, in fact, affecting trade as intended and permitted, or whether other effects may be observed.

3. The report form also proposes that all cases be organized, first, by country affected. Most members are primarily interested in cases affecting exports from their country and this format will permit the easiest reference to all such cases. It also suggests this format to avoid the approach taken by some countries in their reports of combining a number of proceedings affecting many countries in a single proceeding merely because a single product is affected. To provide an accurate picture of antidumping activity, each product/country case should be counted separately.
4. The report form contemplates that all cases pending at the beginning and end of the period will be reported each year, including cases in which findings of dumping are outstanding from prior years. It may be appropriate in future years to consider adding data on findings from prior years that are deleted.

5. The report form requests a listing of the companies involved in dumping. This should help the Committee determine whether there are particular companies or possibly related enterprises in one or more countries that are creating particular problems for authorities.

6. The attached form is a compromise between requiring details of administration that it would be useful to have in making thoughtful evaluations and the practical need for a relatively simple document summarizing often disparate actions. Any suggestions for improvement in the format and coding would be gratefully received prior to the next meeting of the Committee. They may be sent to the delegation from the United States either at its mission to the GATT in Geneva, Rue de Lausanne, 20, Attention: Mr. Warren Lavorel, or to the Deputy Assistant Secretary of the Treasury, Room 3424, Main Treasury, Washington, DC 20220, USA.
Instructions:

Column 1
List in alphabetical order. Include all cases initiated before the reporting period that were pending at the close of the reporting period, even if no formal action was taken during the period.

Column 3, 4, 5, 7, 9, 11
Dates refer to the dates of publication in the official register of the reporting country. If no official notice is required in a column, enter date of decision. If more than one decision was made simultaneously in a single notice, enter that date in all applicable columns. A copy of all notices should accompany the annual report.

Column 6, 8, 19, 12
Enter outcome codes as listed below.

Column 13
If a figure for the most recent period examined by authorities in the importing country is entered in lieu of an annual figure, please specify the period in question.

Column 16
Enter "normal value code" as specified below. More than one code may be entered, as applicable.

<table>
<thead>
<tr>
<th>COUNTRY</th>
<th>PRODUCT</th>
<th>DATE OF RECEIPT OF PETITION</th>
<th>DATE OF INITIATION</th>
<th>TENTATIVE/PROVISIONAL MEASURES STAGE</th>
<th>FINAL INJURY STAGE</th>
<th>LATER TRADE VOLUME DURING MOST RECENT ANNUAL INVESTIGATION</th>
<th>TRADE VOLUME Represented</th>
<th>NAMES OF COMPANIES REPRESENTED</th>
<th>PERCENT OF TRADE VOLUME DETERMINING PERIOD</th>
<th>BASIS FOR NORMAL VALUE DETERMINATION</th>
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<tbody>
<tr>
<td>1</td>
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Outcomes:

- A: Affirmative Determination
- N: Negative Determination
- PM: Provisional measures (Withholding of Appraisement)
- DP: Discontinuance or Termination based on price assurances
- DQ: Discontinuance or Termination based on measurable quantities
- DW: Discontinuance or Termination based on withdrawal
- DO: Discontinuance or Termination for other reasons (specify)
- R: Revocation of an Order of Finding establishing duties (Article 9)
- O: Other (specify)

Normal Value Codes:

- HM: Home Market Price
- TM: Third Country Market price (specify country)
- CV: Constructed Value
- WA: Weighted Average Prices
- PP: Preponderant Prices
- HP: Highest Prices
- SP: Prices charged by same producer
- OP: Prices charged by other producer
- OPT: Prices charged by other producer in third country
- OCT: Costs of other producer in third country
- O: Other (specify)