REPORT (1981) 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 entered into force on 1 January 1980. On 28 October 1981 the following were the Parties to the Agreement: Austria, Brazil, Canada, Czechoslovakia, Finland, Hungary, India, Japan, Norway, Pakistan, Poland, Romania, Spain, Sweden, Switzerland, United Kingdom on behalf of Hong Kong, United States, Yugoslavia and the European Communities. Yugoslavia is still in the process of ratifying the Agreement.

2. The Parties to the Agreement are ipso facto members of the Committee on Anti-Dumping Practices established under the Agreement. During the period under review the Committee has held three meetings:

   2-3 February 1981 - (ADP/M/4 and L/5107)
   27-28 April 1981 - (ADP/M/5 and L/5143)
   26-30 October 1981 - (ADP/M/6 and L/5227)

   Twenty-nine contracting parties and five non-contracting parties have observer status. Furthermore two international organizations (IMF and UNCTAD) have attended meetings of the Committee in an observer capacity.

3. The Group of Experts on the Definition of the Word "Related" established jointly by this Committee and the Committee on Subsidies and Countervailing Measures in May 1980 (ADP/M/2, paragraphs 37-38 and SCM/M/3, paragraphs 33-45) completed its work and submitted a report to the Committee in April 1981 (ADP/M/5, Annex II). The Committee adopted this report at its October 1981 meeting.

II. National legislation and implementing regulations (Article 16:6)

4. During the period under review the Committee took note of communications submitted on the implementation of the Agreement by Czechoslovakia (ADP/1/Add.11), Hong Kong (ADP/1/Add.12) and Hungary (ADP/1/Add.14). As of
15 October 1981 the following Parties have submitted their legislation or made communications with this respect to the Committee:

- European Communities - ADP/1/Add.1
- Sweden - ADP/1/Add.2
- United States - ADP/1/Add.3
- Norway - ADP/1/Add.4
- Finland - ADP/1/Add.5
- Canada - ADP/1/Add.6
- Switzerland - ADP/1/Add.7
- Japan - ADP/1/Add.8
- Romania - ADP/1/Add.9
- Austria - ADP/1/Add.10
- Czechoslovakia - ADP/1/Add.11
- Hong Kong - ADP/1/Add.12
- Hungary - ADP/1/Add.14

5. The representative of India made an oral statement to the effect that the present Indian Customs Tariffs Act did not envisage application of anti-dumping duties and consequently such duties had never been applied (ADP/M/5, paragraph 5).

6. The representative of Pakistan notified the secretariat on 26 October 1981 that the Pakistan Customs Tariffs Act does not provide for application of Anti-Dumping Duties and that consequently his Government had so far not applied any anti-dumping measures against any Party to the Agreement.

7. The delegation of Canada has submitted its draft legislation to the Committee for discussion and comments (ADP/M/3, paragraphs 36-61).

8. At its October 1980 meeting the Committee took a decision with respect to the action by Brazil under Article 16:6 of the Agreement (ADP/M/3, Annex I). This decision recognized inter alia that Brazil would require a further period of three years to establish an administration structure and to set up administrative procedures in order to implement its domestic legislation in conformity with the provisions of the Agreement.

9. It was agreed that the Parties to which comments concerning their legislation were addressed would consider them. Some Parties reserved their rights to revert to particular aspects of the national legislations at a later stage or in the light of their practical implications. The Committee agreed to maintain on its agenda the examination of national legislations already submitted and those which will be submitted in future.

III. Semi-Annual reports on anti-dumping actions

10. Article 14:4 of the Agreement provides that the Parties shall submit, on a semi-annual basis, reports of any anti-dumping action taken within the preceding six months. In this relation a standard form for such reports has
been worked out (ADP/3). During the period under review the following reports have been submitted and circulated to the Committee:

(a) reports for the period 1 July 1980-31 December 1980 have been circulated in addenda to ADP/7. The following Parties have notified the Committee that they had not taken any anti-dumping action during that period: Spain (Add.2); Norway (Add.3); Switzerland (Add.3); Hong Kong (Add.3); Japan (Add.3); Romania (Add.4); Austria (Add.5); Czechoslovakia (Add.5); Yugoslavia (Add.5); Brazil (Add.5); Sweden (Add.6); Hungary (Add.8); India (Add.10). Anti-dumping actions had been notified by the United States (Add.1); Finland (Add.5); the EEC (Add.7) and Canada (Add.8).

(b) reports for the period 1 January 1981-30 June 1981 have been circulated in addenda to ADP/10. The following Parties have notified the Committee that they had not taken any anti-dumping action during that period ADP/10/Add.6: Brazil, Czechoslovakia, Hungary, India, Japan, Norway, Poland, Romania, Spain, Sweden, Switzerland, Hong Kong and Yugoslavia. Anti-dumping actions have been notified by Finland (ADP/10/Add.1), the EEC (ADP/10/Add.2), the United States (ADP/10/Add.3) by Austria (ADP/10/Add.4) and by Canada (ADP/10/Add.5).

The Committee has examined these reports. A number of comments on particular cases were made and explanations given. A table summarizing the cases where investigations have been opened, provisional or final actions taken etc. during the period 1 July 1980-30 June 1981 is reproduced in the Annex.

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

11. Notifications under these procedures have been received from Austria, the European Communities, Canada and the United States and circulated in documents ADP/W/6, 8, 11, 15, 16, 17, 18, 19, 20, 21, 22 and 23.

V. Questionnaire used in anti-dumping investigations

12. The following Parties have submitted their questionnaire to the secretariat: Canada, United States, the European Communities. Australia, which has observer status has also submitted its questionnaire. These questionnaires are available in the secretariat for inspection by interested delegations. Questions were raised and comments and proposals made with respect to questionnaires and on how they should be completed. Some delegations said they had difficulties with regard to certain parts of questionnaires.

VI. Understanding on Article 8:4 of the Agreement (basic prices)

13. In February 1981 the Committee had a meeting to discuss the question of basic price systems. It agreed that a Draft Understanding on Article 8:4 of the Agreement (ADP/W/14) should be referred to respective governments for
consideration with a view to taking a final decision on it at the following meeting of the Committee (ADP/M/4, paragraph 35). Following this consideration some delegations had submitted to the Chairman several amendments which had been incorporated in a revised text (ADP/M/5, Annex I). The matter was again discussed by the Committee at its October 1981 meeting on the basis of a proposal circulated in ADP/W/27. The Committee adopted the text of the Understanding, took note of reservations and comments made by several members of the Committee and noted that the matter would be further discussed at future meetings of the Committee (ADP/M/6).

VII. Conciliation and dispute settlement

14. No action has been initiated with respect to conciliation and dispute settlement procedures.
### ANNEX

**SUMMARY OF ANTI-DUMPING DUTY ACTIONS**

for the period 1 July 1980 to 30 June 1981

<table>
<thead>
<tr>
<th>Reporting country</th>
<th>No. of reported cases</th>
<th>Initiation</th>
<th>Provisional measures</th>
<th>Final outcome</th>
<th>Outstanding anti-dumping action¹</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(A)</td>
<td>(B)</td>
<td>(C)</td>
<td>(D)</td>
<td>(E) (F) (G) (H) (I) (J) (K)</td>
</tr>
<tr>
<td>Austria</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td>48</td>
<td>48</td>
<td>37</td>
<td>14</td>
<td>12</td>
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<tr>
<td>EEC²</td>
<td>47</td>
<td>37</td>
<td>10</td>
<td>5 (8 (5 (3</td>
<td>123</td>
</tr>
<tr>
<td>Finland</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>USA</td>
<td>30</td>
<td>24</td>
<td>9</td>
<td>4 (1 (3</td>
<td>2 (11 (85</td>
</tr>
</tbody>
</table>

¹ Calculated for each exporting country and each product (country x product). Calculated on a basis of products only irrespective of the number of exporting countries, these numbers would be considerably lower. The actions taken into account are only those reported in accordance with the footnote to the standard form (ADP/3).

² Actions taken with respect to the Parties only.