Questions Posed by the United States

Article 8 (Law):
- Despite recent amendments which have helped to clarify certain points, the United States remains concerned that Mexico may be employing an injury standard incompatible with that required by the Anti-Dumping Code. For example, in this article, reference is made to "affecting the stability of domestic production" in a manner which suggests it is meant to be equivalent to the standard of "material injury". Could Mexico confirm whether the two are intended to be interchangeable and, if so, upon what basis?

Article 8.III (Law):
- This provision states that where dumping and subsidies are both found, the "sum of the amounts" are to equal the offsetting duty rate. This would seem to conflict with Article VI.5 of the General agreement to the extent that any of the subsidies offset are export subsidies. Can Mexico provide any clarification on this point?

Article 10 (Law):
- This article's proviso that those bringing a dumping complaint be "responsible ... for at least 25 per cent of domestic production" seems to leave open the possibility that an investigation could be initiated when a majority of the relevant domestic industry opposed the complaint. Could Mexico confirm whether or not this could occur?

Article 10.VII (Law):
- The reference here and in other sections of the law and regulations is to "injury", not "material injury". Will there be a difference in terms of how Mexico implements the injury provisions of the Anti-Dumping Code?

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1ADP/1/Add.27 + Add.27/Suppl.1
Article 11 (Law):

- This provision enables the Mexican authorities to impose provisional duties within five days of initiating an investigation. This allows barely enough time to notify exporters that they are under investigation. The Mexican authorities cannot possibly conduct a fair or thorough analysis of information on dumping or injury within such a short time frame. How does this comport with Articles 6 and 10 of the Code?

Article 19 (Law):

- This article provides for the revocation of anti-dumping measures in cases where the dumping has ceased. Why is there no similar provision for revocation in cases where the domestic industry is no longer suffering material injury?