GENERAL AGREEMENT ON
TARIFFS AND TRADE

Committee on Anti-Dumping Practices

DRAFT REPORT (1991) 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 on Tariffs and Trade entered into force on 1 January 1980. On 15 October 1990 the Parties to this Agreement were: Australia, Austria, Brazil, Canada, the Czech and Slovak Federal Republic, Egypt, the EEC, Finland, Hong Kong, Hungary, India, Japan, Korea, Mexico, New Zealand, Norway, Pakistan, Poland, Romania, Singapore, Spain, Sweden, Switzerland, the United States and Yugoslavia. On 8 April 1991 Argentina signed the Agreement ad referendum. The Parties to the Agreement are ipso facto members of the Committee on Anti-Dumping Practices established under the Agreement.

2. Twenty-three contracting parties and four non-contracting parties have observer status. Representatives of the IMF and UNCTAD have attended meetings of the Committee in an observer capacity.

3. During the period under review (1 November 1990-31 October 1991) the Committee has held five meetings:

   19 November 1990 - ADP/M/30
   30 April 1991 - ADP/M/32
   19 July 1991 - ADP/M/33
   4 October 1991 - ADP/M/34
   21 October 1991 - ADP/M/35

II. Notification and examination of anti-dumping laws and/or regulations of Parties to the Agreement (Article 16:6)

4. As of 15 October 1991 twenty-two Parties have notified the Committee of their domestic anti-dumping legislation or made communications in this respect to the Committee. Three Parties have not, as yet, made notifications under Article 16:6 of the Agreement. One of those Parties has informed the Committee that it is revising its anti-dumping law.

   1 At its regular meeting on 30 April 1991 the Committee granted observer status to the Union of Soviet Socialist Republics.
5. During the period under review the following notifications of (amendments to) anti-dumping laws and/or regulations of Parties to the Agreement were received by the Committee:

**Australia:** Statutory Rules 1991 No.139 amending the Customs Regulations and Customs Amendment Act (No.82 of 1991) (ADP/1/Add.18/Rev.1 Suppl.5).

**Poland:** Articles 91-105 of the Customs Law of 29 December 1989 (ADP/1/Add.20/Rev.1 and ADP/1/Add.20/Rev.1/Suppl.1).

**United States:** Revised regulations of the United States International Trade Commission, 19 CFR Parts 201 and 207 (ADP/1/Add.3/Rev.4/Suppl.3).

**Yugoslavia:** Article 75 of the Law on Foreign Trade Transactions (ADP/1/Add.30).

6. The Committee began its examination of the laws and/or regulations mentioned in the preceding paragraph and continued its discussion of the following notifications of (amendments to) anti-dumping legislation of Parties to the Agreement:

**Australia:** Customs Legislation (Anti-Dumping) Amendment Act 1989 and Customs Tariff (Anti-Dumping) Amendment Act 1989 (ADP/1/Add.18/Rev.1/Suppl.3).


**EEC:** Council Regulation (EEC) No. 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community (ADP/1/Add.1/Rev.1).

**Korea:** Amendments to the Presidential Decree implementing the anti-dumping duty provisions of the Korean Customs Act (ADP/1/Add.13/Rev.1/Suppl.1).


The Committee concluded its examination of the Australian Anti-Dumping Authority Act 1988, the Customs Legislation (Anti-Dumping Amendments) Act 1988 and the Customs Tariff (Anti-Dumping) Amendments Act 1988 (ADP/1/Add.18/Rev.1/Suppl.2), the Canadian Special Import Measures Act and Regulations implementing that Act, as amended (ADP/1/Add.6/Rev.3), the New Zealand Dumping and Countervailing Duties Amendment Act 1990 (ADP/1/Add.15/Rev.1/Add.1), the revised Regulations of the United States Department of Commerce (ADP/1/Add.3/Rev.4/Suppl.1) and the Interim Final rules implementing certain provisions of the Omnibus Trade and Competitiveness Act of 1988 (ADP/1/Add.3/Rev.4/Suppl.2).
7. Some Parties drew the attention of the Committee to certain provisions of the anti-dumping laws and/or regulations of other Parties which in their view were not consistent with the Agreement and urged those Parties to ensure the full conformity of their legislation with the Agreement. It was agreed that Parties to which comments concerning their legislation were addressed would consider these comments. Some Parties reserved their rights to revert to particular aspects of anti-dumping legislation of other Parties at a later stage, in the light of the application of that legislation in particular cases. The Committee therefore agreed to maintain on its agenda the item "examination of national anti-dumping laws and/or regulations of Parties to the Agreement".

III. Semi-annual reports on anti-dumping actions

8. Article 14:4 of the Agreement provides that Parties shall submit, on a semi-annual basis, reports of any anti-dumping actions taken within the preceding six months. During the period under review, the following reports have been submitted to the Committee:

(a) reports for the period 1 July-31 December 1990 have been circulated in addenda to document ADP/53. The following Parties informed the Committee that during this period they had not taken any anti-dumping actions: Austria, the Czech and Slovak Federal Republic, Egypt, Hong Kong, Hungary, India, Japan, Norway, Pakistan, Poland, Romania, Singapore, Switzerland and Yugoslavia. Anti-dumping actions taken during this period were notified by Australia (Add.6), Brazil (Add.7), Canada (Add.10), the EEC (Add.8), Finland (Add.4), Korea (Add.2), Mexico (Add.5/Rev.1), New Zealand (Add.3), Sweden (Add.9) and the United States (Add.11).

(b) reports for the period 1 January 30 June 1991 have been circulated in addenda to document ADP/62. The following Parties informed the Committee that during this period they had not taken any anti-dumping actions: Austria, the Czech and Slovak Federal Republic, Egypt, Hong Kong, India, Japan, Norway, Pakistan, Romania, Singapore, Sweden, Switzerland and Yugoslavia. Anti-dumping actions taken during this period were notified by Australia (Add.9/Rev.1), Canada (Add.3), the EEC (Add.6), Finland (Add.4), Korea (Add.5), Mexico (Add.10), New Zealand (Add.2), Poland (Add.7) and the United States (Add.8).

No reports for this period have been received from Brazil and Hungary.

A table summarizing anti-dumping actions taken by Parties to the Agreement during the period 1 July 1990-30 June 1991 is reproduced in the annex to this Report.

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

9. Copies of notices of preliminary or final determinations made in the course of anti-dumping investigations have been received from Australia, Canada, the EEC, Korea, New Zealand and the United States (ADP/W/279, 280, 281, 283, 285, 295, 298 and 299).

10. No meetings of the Ad-Hoc Group were held during the period under review.

VI. Dispute Settlement Proceedings

11. At a special meeting held on 19 November 1990 and at regular meetings held on 30 April and 21 October 1991 the Committee reverted to the Report of the Panel established by the Committee in January 1989 in a dispute between Sweden and the United States regarding the imposition by the United States of definitive anti-dumping duties on imports of seamless stainless steel hollow products from Sweden (ADP/47). The Committee has, so far, been unable to adopt this Report.

12. The Committee considered at a special meeting held on 19 July 1991 a request by Mexico for conciliation under Article 15:3 of the Agreement with respect to the imposition by the United States of definitive anti-dumping duties on gray Portland cement and cement clinker from Mexico (ADP/59). At its regular meeting held on 21 October 1991 the Committee established a panel in this matter pursuant to Article 15:5 of the Agreement.

13. At the special meeting held on 19 July 1991 the Committee considered a request by Norway for conciliation under Article 15:3 of the Agreement with respect to the imposition by the United States of definitive anti-dumping duties on imports of fresh and chilled Atlantic Salmon from Norway (ADP/61). At its regular meeting held on 21 October 1991 the Committee established a panel in this matter pursuant to Article 15:5 of the Agreement.

14. At its special meeting held on 19 July 1991 the Committee also considered a request by Hong Kong for conciliation under Article 15:3 of the Agreement with respect to the imposition by the United States of definitive anti-dumping duties on imports of man-made fibre sweaters from Hong Kong (ADP/60).

15. At a special meeting held on 4 October 1991 the Committee considered a request by the United States for conciliation under Article 15:3 of the Agreement with respect to definitive anti-dumping duties imposed by Korea on imports of polyacetal resins from the United States (ADP/64 and Add.1).

16. At its regular meeting held on 21 October 1991 the Committee considered a request by Sweden for conciliation under Article 15:3 of the Agreement with respect to anti-dumping duties in force in the United States on imports of stainless steel plate from Sweden (ADP/67).

17. The Committee was informed of a request by Brazil for bilateral consultations with the EEC under Article 15:2 of the Agreement regarding anti-dumping proceedings initiated by the EEC on imports of cotton yarn from Brazil (ADP/63).
18. At the regular meeting held in October 1990 the Committee had been informed of requests by Canada and Mexico for bilateral consultations with the United States regarding the initiation by the United States of an anti-circumvention enquiry with respect to colour television picture tubes (ADP/50 and 52). At its regular meeting held on 30 April 1991 the Committee noted that final negative determinations had been made in this enquiry in early March. The delegations of Canada and Mexico therefore agreed that this matter could be removed from the Committee’s agenda.

VII. Other matters discussed by the Committee

19. At its special meeting held on 19 July 1991 the Committee discussed a request by Egypt for technical assistance in the drafting of its anti-dumping legislation and in the establishment of an adequate administrative infrastructure for the implementation of such legislation.

20. At its regular meetings held on 30 April and 21 October 1991 the Committee discussed the following specific anti-dumping actions taken by Parties to the Agreement:

EEC: Anti-dumping investigation of audio cassettes and audio tape from Japan; administrative review of anti-dumping duties on electronic typewriters from Japan;

United States: Definitive anti-dumping duties on imports of anti-friction bearings from Sweden; anti-circumvention enquiry regarding typewriters imported from Japan; initiation of anti-dumping investigation on circular welded steel pipes and tubes from Mexico; anti-dumping duties on flat panel displays from Japan; anti-dumping proceedings on portable electric typewriters from Singapore; initiation of anti-dumping investigation of magnesium from Canada; initiation of anti-dumping investigation of imports of nepheline syenite from Canada, and initiation of anti-circumvention enquiry regarding brass sheet and strip from Canada.

21. At its regular meeting held on 21 October 1991 the Committee took note of a statement by the representative of the EEC in respect of an anti-dumping Decree recently adopted by Hungary.
## Summary of Anti-Dumping Actions - 1 July 1990-30 June 1991

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<th>Initiation</th>
<th>Provisional measures</th>
<th>Definitive duties</th>
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<th>Measures in force on 30 June 1991 (definitive duties and price undertakings)</th>
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1. Countries or customs territories. The abbreviations used are those adopted by the ISO. AR=Argentina, AT=Austria, AU=Australia, BE=Belgium, BR=Brazil, CA=Canada, CH=Switzerland, CL=Chile, CO=Colombia, CN=China, CR=Costa Rica, CS=Czechoslovakia, DE=German, Fed.Rep., D=Dominican Republic, EC=Equador, EG=Egypt, ES=Spain, FI=Finland, FR=France, GB=United Kingdom, GR=Greece, HK=Hong Kong, HU=Hungary, ID=Indonesia, IE=Ireland, IL=Israel, IN=India, IR=Iran, IT=Italy, JP=Japan, KE=Kenya, KR=Korea, LK=Sri Lanka, LU=Luxembourg, MY=Malaysia, MX=Mexico, NL=Netherlands, NO=Norway, NZ=New Zealand, PA=Panama, PE=Peru, PH=Philippines, PL=Poland, PT=Portugal, QA=Qatar, RO=Romania, SA=Saudi Arabia, SE=Sweden, SG=Singapore, SU=USSR, SV=El Salvador, TH=Thailand, TR=Turkey, TT=Trinidad & Tobago, TW=Taiwan, US=United States, UY=Uruguay, VE=Venezuela, YU=Yugoslavia, ZA=South Africa.

2. Actions taken with respect to the Parties to the Agreement.

3. This figure includes measures applicable to imports from countries not Parties to the Agreement.

**Note:** Numbers in brackets indicate the number of products subject to anti-dumping actions.