GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

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Committee on Anti-Dumping Practices

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# SUPPLEMENTARY QUESTIONS SUBMITTED BY CANADA CONCERNING THE UNITED STATES OMNIBUS TRADE AND COMPETITIVENESS ACT OF 1988

## Addendum

### Section 1330: Cumulation

It is Canada's understanding that the United States maintains that cumulation by the International Trade Commission pursuant to section 1330 is not mandatory. However, it is further understood that the position of the United States is that "the Commission shall cumulatively assess the volume and effect of imports from two or more countries of like products subject to investigation if such imports compete with each other and with like products of the domestic industry in the United States market".

1. What criteria is used to determine if imports compete with each other and with the like products of the domestic industry in the United States market?

2. How does the International Trade Commission define "market" for the purposes of determining whether imports compete with each other and the domestic industry?

3. Has the International Trade Commission, in any investigation, refused to cumulate imports on the grounds that they do not compete in the same market? If so, please identify the investigation.

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