GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

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Committee on Anti-Dumping Practices

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SOME SUGGESTIONS ON INFORMATION PROVIDED IN THE SEMI-ANNUAL REPORTS

Note by the Chairman

I have held informal consultations to discuss possible improvements to the notification of anti-dumping measures in the semi-annual reports provided under Article 14:4. Following these consultations, and with the aim of generating further consideration by the Committee of these important issues, I would like to make the suggestions given below. Though some of these suggestions may seem like emphasizing the obvious, I include them in this note because some Parties have not always taken them into account when providing information in their semi-annual reports. A short, illustrative semi-annual report is given in the Annex to this note in order to clarify some of the suggestions.

In addition to these suggestions, I wish to emphasize that a timely submission of the semi-annual reports is very important for improving the process of the Committee's examination of the semi-annual reports by the Parties.

Suggestions

1. The information should always make clear which country[1] is subject to the measure reported.

2. In order to systematically present data in the semi-annual reports, the names of the countries whose imports are subject to action must be organized in alphabetical order.

3. If any single country, e.g. Alpha in the illustrative report, has more than one case, the different cases for this country must be organized in chronological order.

4. When imports of any particular product from more than one country are investigated, the names of the countries concerned should be provided separately, i.e. each product-country combination should be treated as one case. This is shown, for example, for product category "machine tufted carpeting" in the illustrative report.

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[1] In this note, the term "country" should be interpreted to include customs territories also.

5. As indicated by the titles for columns 4, 5 and 6 in the semi-annual report, the date when the measure is taken should always be provided.

6. Columns 4, 5 and 6 in the semi-annual reports should contain the dates on which measures entered into force rather than the dates on which findings were made.[2]

7. The titles for columns 4, 5 and 6 also indicate that the dumping margins must be provided along with the dates for the measures reported in these columns. In this context, I wish to remind the Committee that at its meeting of April 1983, it agreed that the actual margins of dumping should be indicated for the preliminary and final duties mentioned in the reports (ADP/M/10, page 12).

8. If the rate of duty imposed is less than the dumping margin, then the rate of duty should also be provided along with the dumping margin.

9. For the information in column 11, the reporting party should clarify the coverage of the data on "Trade volume" that is provided, i.e. whether this data refers to the total trade volume of the subject product from the country under investigation, or to total trade volume from the country which is determined to be dumped, or some other notion of trade volume. Perhaps, the Committee could reach an agreement on the symbols to be used for indicating the coverage of such data.

10. When no information is provided under columns 11 to 13, then the reporting Party should give a reason for not providing such data. In this context, it is proposed that a new symbol, namely "CL", be used when the information cannot be provided because of reasons of confidentiality.

11. Information in columns 11 to 13 should be provided from the time when provisional measures are taken, and the information in these columns should be updated in order to provide the most recent data pertinent to the latest decision point covered by the report, e.g. provisional measures or definitive duties.

12. For the information provided in columns 11 to 13, it would be desirable to indicate the time period for which the information is provided.

13. In column 14, the symbol "TM" should be accompanied by the name of the third country whose market prices were used as a basis for calculations. The footnote to the table in the semi-annual report clearly indicates that such information should be specified in the report.

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[2] See also the statement by the Chairman of the Committee in ADP/M/18, page 15.

14. An initiation of a completely new investigation should be distinguished from the reopening of a suspended investigation or the opening of an investigation in the context of a review of an existing anti-dumping measure. This should be done by using the symbol (R) after the date of initiation for reviews or for reopening of a suspended investigation (ADP/29).

15. A list of the outstanding measures at the end of the reporting period and a list of measures revoked during the reporting period should be provided along with the other information in the report.

16. Provisional measures should never be listed in the annex "All outstanding anti-dumping actions". The measures listed in this annex should be divided into two categories: a first category comprising all definitive duties and a second category listing price undertakings (see ADP/29).

17. The list of outstanding measures should contain measures in force at the end of the reporting period, i.e. the measure in force on 30 June or 31 December, rather than measures in force at the time of the submission of the report to the Committee (see ADP/M/18, page 15).

18. The information on the measures in place at the end of the reporting period should include dates since the measures have been in place and the dates of any reviews which have taken place for these measures (see also ADP/M/16, page 11).

19. For further improving the transparency of the anti-dumping investigations, information on all cases pending at the end of the period should be reported even if there was no action taken during the period for which the report is provided.

20. The authorities should, as far as possible, compare the information in a semi-annual report with that provided in the previous report in order to correct past errors and to avoid any errors in the latest report.

Reporting Party: Illustrative

ANNEX

ILLUSTRATIVE SEMI-ANNUAL REPORT OF ANTI-DUMPING ACTIONS

For the period 1 July - 31 December 1992

				FINAL MEASURES		NO FINAL MEASURES							
Country	Product	Initiation*	Provisional measures	Definitive duty	Price undertakings	No dumping	No injury	Case withdrawn	Other	Trade volume **	Dumped imports as % of domestic consumption	% of trade volume investigated (of the exporting country)	Basis of determination
1	2	3	4	5	6	7	8	9	10	11	12	13	14
		Date	Date, dumping margin[1]	Date, dumping margin[1]	Date, dumping margin[1]	Date	Date	Date	Date				
Alpha	Coated groundwood paper	1.1.1992	4.5.1992 8-21%	8.10.1992 5-18%						32,000 M.T.	12%	100%	HM
Alpha	Machine tufted carpeting	3.2.1992	29.7.1992 4-45%		4.10.1992 3-34%					14 million square m.	37%	75%	CV
Alpha	Printcloth	1.4.1992	4.8.1992 12%				20.12.1992						
Beta	Coated groundwood paper	1.1.1992	4.5.1992 12-18%		7.8.1992 12-15%					23,000 M.T.	8%	85%	HM OP
Gamma	Pure and alloy magnesium	4.3.1992	5.7.1992 35%	15.12.1992 20%						15 Mil. Kg.	n/a	100%	TM-Alpha

ANNEX

1	2	3	4	5	6	7	8	9	10	11	12	13	14
Delta	Machine tufted carpeting	3.2.1992	29.7.1992 35-52%	20.12.1992 20-42%						CL	CL	CL	HM. CV
Delta	Video tapes in cassettes	1.6.1992 (R)	12.12.1992 55%							CL	CL	CL	HM
Delta	Barium chloride	7.4.1992	15.11.1992 23%							n/a	n/a	n/a	CV

*The symbol (R) should be used if an investigation is opened in the context of a review of an existing anti-dumping measure, or after an allegation of a breach of an undertaking.

**Trade volume based on statistical data for the latest available calendar year prior to initiation (1991 for the data provided in this report). The data on trade volume is provided for the total trade volume of the subject product from the country/customs territory under investigation.

[1]Percentage or amount per unit if appropriate.

CL = Information not provided for reasons of confidentiality.

n/a = Not available.

Note: List in Annex (1) definitive duties and price undertakings in force at 30 June or 31 December as appropriate, and in Annex (2) revocations of anti-dumping measures.

Basis for determination codes:

HM - Home market price
TM - Third country market price (specify country)
CV - Constructed value
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)
LDC - Treatment having regard to Article 13 of the Agreement and the Decisions of the Committee, document ADP/2 (also in column 3 where applicable)