U.S. Antidumping Law

Antidumping law is an international variant of price discrimination law. Section 731 of the Trade Agreements Act of 1979 mandates that where the ITA finds that a foreign exporter is dumping a class or kind of merchandise in the United States, and where the ITC determines that a U.S. industry is materially injured, or threatened with material injury, by the imports of that merchandise, then an antidumping duty is to be imposed on the imports. "Dumping" occurs when an exporter sells his merchandise abroad for a price lower than the price he sells it for in his home country. Antidumping laws are designed to discipline the pricing decisions of private, foreign firms and to provide relief for domestic firms against the unfair trade practices of foreign firms.

U.S. Measures against Disruptive Imports

In addition to countervailing duties and other measures aimed at combating what the United States regards as unfair trade practices of foreign governments, the U.S. contingent protection system contains a set of measures directed at foreign business practices seen as disruptive to U.S. industry. The most significant of these measures from a Canadian perspective is Section 201 of the Trade Act of 1974 — the escape clause. A number of U.S. import regulations pertain only to agricultural products. These include Section 22 of the Agricultural Adjustment Act of 1933 and the Meat Import Act of 1979.

Section 201: Escape Clause

Section 201 of the Trade Act of 1974 is the U.S. safeguards or escape clause. It allows an industry representative to petition for import relief