

lege on future trips.

U.S. Antidumping and Countervail Statutes

Due to the complexity of those statutes, exporters are encouraged to contact the Office of United States Relations of the Department of External Affairs for answers to any specific questions.

The U.S. Trade Agreements Act of 1979 was enacted into law on July 26, 1979, and it encompasses those changes to the current United States antidumping and countervailing duty law necessary for implementation of the international agreements negotiated in the Multilateral Trade Negotiations (Tokyo round) of the General Agreement of Tariffs and Trade (GATT).

Antidumping

If a U.S. company has reason to believe that a product is being sold in the U.S. at a price lower than the price at which it is sold in its home market, an antidumping complaint may be filed with the U.S. Commerce Department. The antidumping petition must contain information to support the dumping allegations, along with evidence of injury suffered by the U.S. industry affected.

A U.S. antidumping investigation must be conducted within specified time frames:

- (1) Within 20 days of receipt of an antidumping petition, the Secretary of Commerce must decide whether or not to initiate an investigation. If it is determined that a petition does not properly establish the basis on which antidumping duties may be imposed, the proceeding is terminated. If the Secretary of Commerce determines that the petition contains sufficient information supporting the allegations, a full-scale investigation is initiated.
- (2) Within 45 days from the date a petition was filed, the International Trade Commission (ITC) must determine whether there is a reasonable indication of injury. If the decision is negative, the case is terminated.
- (3) In general, within 160 days after the date on which a petition is filed, the Secretary of Commerce makes a preliminary determination of dumping. If the preliminary determination is affirmative, suspension of liquidation of all entries of merchandise subject to the deter-