

8 Loc. cit.; Section 5 of the Act creating the Federal Trade Commission, passed in 1914, declared, in Section 5, "that unfair methods of competition in commerce are hereby declared unlawful." op. cit., p. 42.

9 For a modern comment, see Kaye, et.al.: op. cit., 22-4.

10 Viner, op. cit., p. 240; Kaye, et.al., op. cit., 22-2.

11 Viner, op. cit., p. 239; this issue will be examined below.

12 O.D. Skelton is another example.

13 John M. Dobson: Two Centuries of Tariffs/The Background and Emergence of the U.S. International Trade Commission, USITC, 1976, p. 139, for bibliographic references to Taussig.

14 Viner, op. cit., p. 23.

15 Id., p. 121.

16 A.C. Pigou: Protective and Preferential Import Duties, London, 1906, quoted in Viner op. cit., p. 120.

17 To be examined below. For current text of the Anti-dumping Code, see Contracting Parties to the General Agreement on Tariffs and Trade: Basic Instruments and Selected Documents, Twenty-sixth Supplement (26S BISD), Geneva, March 1980, pp. 171-188, "Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade" (Anti-dumping Code).

18 We should not overlook the fact that a vestigial remnant of the concept of predation in importation remains, in U.S. trade law, in Section 337 of the Tariff Act.

19 Peter D. Ehrenhaft: "Protection Against International Price Discrimination: United States Countervailing and Anti-dumping Duties" 58 Columbia Law Journal, No. 1, January 1958.

20 OECD: Competition and Trade Policies/Their Interaction, Paris, 1984; Klaus Stegemann: "The Consideration of Consumer Interests in the Implementation of Anti-dumping Policy", September 1984, photocopy.

21 Report to the President of the Commission on International Trade and Investment, Washington, July 1971.

22 For a short summary of this controversy, see Department of the Treasury: "Anti-dumping Duties" in United States International Economic Policy in an Interdependent World, (Papers submitted to the William Commission) Washington, July 1971) at page 397, and John Jackson: Legal Problems of International Economic Relations, West Publishing, 1977, at page 740-753, including the important article by Senator Russell Long: "United States Law and the International Anti-dumping Code", originally published in 3 International Lawyer, 1969.